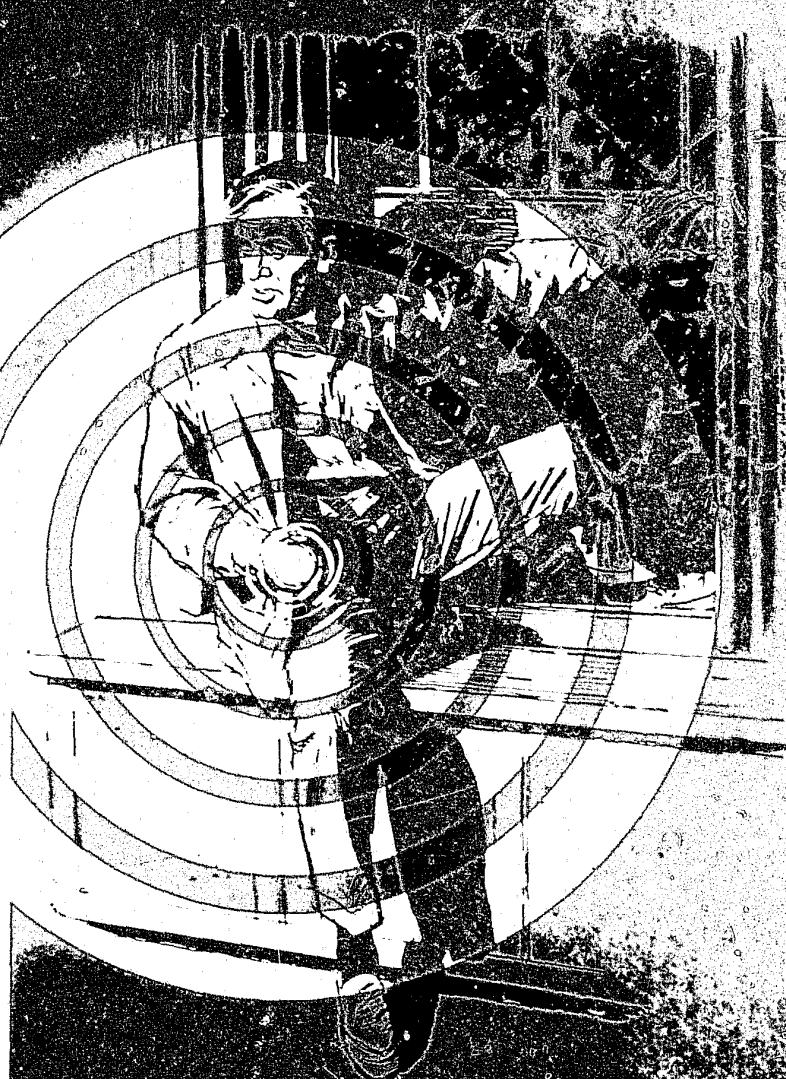


A PREVENTIVE APPROACH TO:

Burglary in Kentucky

A REPORT BY THE KENTUCKY
BURGLARY SECURITY CODE STUDY COMMITTEE



35103

DECEMBER, 1975

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December, 1975

NCJRS

JUL 12 1976

ACQUISITION

Julian M. Carroll, Governor
Commonwealth of Kentucky

Dear Governor Carroll:

On April 29, 1975, you asked the Kentucky Department of Justice and its newly established Office of Crime Prevention to study the need for a Model Burglary Security Code, and requested that our findings be presented to you and the 1976 Kentucky General Assembly.

It is with a deep sense of public service that we submit this report to you and the membership of the General Assembly. As you pointed out when asking us to serve on the Burglary Security Code Study Committee, burglary has increased in the Commonwealth to an alarming degree, and has become one of the most serious crime problems facing the citizens and law enforcement officials of the Commonwealth.

The findings and recommendations contained in this report were based upon concerned dialogue between representatives of the construction industry, architects, citizens, and law enforcement officials who answered the challenge of your request to serve on the Committee.

We share your confidence that the 1976 Kentucky General Assembly will give serious consideration to the recommendations contained herein: The enactment of joint resolutions to establish an Interim Commission on Burglary Security Code Legislation and the implementation of a Voluntary Security Program.

Respectfully submitted,

Anthony Eardley, Co-Chairman
Dean, School of Architecture,
University of Kentucky

Harry Saxe, Co-Chairman
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A PREVENTIVE APPROACH TO: *no. 6-11*

Burglary in Kentucky

A REPORT BY THE KENTUCKY
BURGLARY SECURITY CODE STUDY COMMITTEE

DECEMBER 1975

Photo Credit: Ky. Dept. of Public Information.

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I. THE FACTS ABOUT BURGLARY IN KENTUCKY

A. Incidence

The fact sheet on burglary in Kentucky points to a problem of perplexing proportions, and reads as follows:

- ✓ Last year, there were in excess of 80,000 stolen property crimes reported in Kentucky;
- ✓ One in every ten homes, apartments, and businesses were burglarized;
- ✓ 40.3% of persons arrested for burglary were under the age of eighteen;
- ✓ Nearly half of all residential burglaries occurred during normal daytime hours;
- ✓ Average losses from burglaries were approximately \$400. Total stolen property losses exceeded \$50 million;
- ✓ Over \$14 million of these losses can be attributed to forced entry;
- ✓ Less than 20% of burglaries were cleared by arrest;
- ✓ The crime of burglary is widespread throughout Kentucky;
- ✓ Only a handful of arrests were made for buying, selling, or possession of stolen goods. Thus, millions of dollars in losses were "written off."

The scope of this report is confined to security problems related to the criminal act of gaining unlawful entrance by "breaking in" as defined under the broad definition of Burglary in Kentucky's Penal Code (KRS 511.020) and in Kentucky's Uniform Crime Reporting under the specific classification of "Breaking and Entering" (UCR Classifications: 5a, 5b, 5c).

However, the extent of Kentucky's burglary problem is more serious than the 27,860 incidences of forced entry reported in the twelve month period which ended December 31, 1974. *More than 80,000 crimes occurred which could possibly fall under the Penal Code Definition of Burglary.* In addition to the 27,860 Burglaries, 49,250 Larceny-Thefts, and 3,103 Robberies were reported. Law enforcement agencies reporting the latter crimes do not necessarily classify, for example, a larceny-theft or robbery as resulting from a physical break in. Moreover, many of the 593 Forcible Rapes reported in 1974 could have been called burglary because the statistics do not point out whether the offender gained entrance to the victim's home or apartment by "breaking and entering," or whether the crime occurred under other circumstances, such as in the open street.

Since there would be no advantage to the "public image" of law enforcement agencies to manipulate their reports through duplication of offenses, it is safe to assume that many Larceny-Thefts, Robberies, and even Rapes, reported during 1974 involved Break-ins. The implication is that Kentucky businessmen, farmers, and the public-at-large are highly vulnerable to the crime of burglary. The crime occurs every 11 seconds; and one out of every ten residential, farm, and commercial premises were broken into last year.

The question arises as to whether these crimes were the work of professional criminals? Obviously not, because 40.3 percent of these crimes were committed by juveniles. More specifically, two out of every ten persons arrested for robbery were juveniles, four of every ten arrested for Breaking and Entering were under age 18; almost 37 percent of all arrests for larceny involved the younger age group. *It is further estimated by law enforcement officials that less than 40% of all burglaries are the work of "professional" criminals.*

A common misconception about burglary is the time of occurrence. Many people regard night-time and early morning as the most vulnerable hours. However, experience does not necessarily support such an assumption, particularly in the case of residential burglaries. The following statistics from the 1974 Uniform Crime Report bear this out.

BREAKING AND ENTERING

Classification	Number of Offenses	Percent of Distribution
Residence:		
Night	7,065	25.4
Day	6,838	24.5
Unknown	1,773	6.4
Non-Residence:		
Night	8,561	30.7
Day	2,536	9.1
Unknown	1,087	3.9

As seen on the preceding page, nearly half of residential break-ins occur during the day, usually when the home is unoccupied. While the majority of commercial burglaries occur during the late night and early morning "dark" hours, it is important to recognize that more than 9,000 burglaries occurred in broad daylight.

Another misconception about burglary has to do with the amount of loss suffered by the victim. Because robberies are often headlined in the news due to the threat to physical safety, people generally associate greater money and property loss in the case of a robbery (as compared to a burglary). Statistics tell us, however, that the average burglary loss is almost the same as robbery, and almost double the average loss from larceny-theft, as is seen below:

Offense	Average value of loss per offense
Robbery	\$416
Breaking & Entering	\$384
Larceny-Theft	\$188

Total losses resulting from Burglaries, Larceny-Thefts, and Robberies exceeded \$30 million during the UCR reporting period which ended December 31, 1974. This represents an average loss of \$10 to each man, woman, and child residing in the Commonwealth of Kentucky. We can assume insurance costs exceeding \$40 per year to the average household, and more than \$100 to the average business. The total loss from Robbery was only \$1.3 million; the reported value of goods stolen from residential burglaries, however, exceeded \$6.2 million; victims of commercial burglaries (excluding Shoplifting and other similar crimes where illegal entry is not a factor) lost nearly \$8 million.

The Burglary Security Code Study Committee, then, is not unreasonable in asking three important questions: 1) How much of the millions of dollars in money and property loss could have been saved through minimal security prevention in the homes, apartments, and businesses that were burglarized? 2) Can citizens of the Commonwealth continue to simply write these losses off through higher insurance premiums? 3) What immediate steps are required in order to begin to cut these losses?

Equally distressing is the fact that most burglars go unapprehended. The clearance rate (through arrest) for murder last year was 94 percent. Most armed robberies, as well, were cleared by arrest. But, only 20 percent of all burglaries were cleared by arrest! This fact further suggests that the citizens of the Commonwealth must begin to take whatever basic security steps are necessary to reduce criminal opportunity by adopting realistic standards which will "harden the burglary target" through physical and mechanical crime prevention.

A final misconception about Burglary, Larceny-Theft, and Robbery is the erroneous assumption that these crimes occur mostly in the inner-city portions of large metropolitan areas. While it is true that a large incidence of serious crimes occur in our more heavily populated cities, it should not be assumed that low-population areas are invulnerable. Crime statistics point to alarming increases in the incidence of all three offenses in the suburbs, smaller cities, and even sparsely populated rural areas. From the following offense data by County for 1974 it is evident that virtually no community in Kentucky is safe from these crimes.

COUNTY	Robberies	B&E's	Larceny-Thefts	COUNTY	Robberies	B&E's	Larceny-Thefts
Adair	2	42	49	Caldwell	3	87	78
Allen	2	77	105	Calloway	4	69	240
Anderson	0	47	62	Campbell	49	914	1,263
Ballard	3	31	24	Carlisle	1	22	11
Barren	6	89	140	Carroll	5	86	78
Bath	1	33	40	Carter	4	85	72
Bell	7	154	214	Casey	1	53	34
Boone	29	417	680	Christian	88	875	1,213
Bourbon	5	97	141	Clark	6	188	316
Boyd	24	379	709	Clay	2	49	33
Boyle	4	135	390	Clinton	6	14	21
Bracken	0	11	7	Crittenden	0	40	44
Breathitt	2	42	26	Cumberland	0	23	18
Breckinridge	1	55	39	Daviess	24	643	1,748
Bullitt	6	133	169	Edmonson	1	50	29
Butler	1	66	40	Elliott	1	9	4

COUNTY	Robberies	B&E's	Larceny-Thefts	COUNTY	Robberies	B&E's	Larceny-Thefts
Estill	5	54	28	Magoffin	1	31	11
Fayette	264	3,149	7,736	Marion	1	86	156
Fleming	1	30	51	Marshall	7	153	115
Floyd	4	93	122	Martin	2	48	10
Franklin	19	316	681	Mason	2	86	244
Fulton	7	54	53	Meade	7	60	36
Gallatin	5	41	16	Menifee	0	30	13
Garrard	2	65	69	Mercer	3	116	167
Grant	4	81	109	Metcalfe	0	7	28
Graves	5	123	174	Monroe	0	23	49
Grayson	0	95	73	Montgomery	7	112	184
Green	0	17	39	Morgan	0	28	14
Greenup	4	157	198	Muhlenberg	5	118	106
Hancock	0	18	4	Nelson	3	103	200
Hardin	22	333	887	Nicholas	1	28	24
Harlan	10	170	113	Ohio	3	52	40
Harrison	0	49	59	Oldham	4	179	141
Hart	2	93	69	Owen	1	30	21
Henderson	35	466	928	Owsley	0	15	8
Henry	2	49	35	Pendleton	1	42	44
Hickman	1	48	13	Perry	11	156	182
Hopkins	13	202	270	Pike	4	241	185
Jackson	0	28	9	Powell	1	51	30
Jefferson	1,974	9,723	18,015	Pulaski	1	183	166
Jessamine	6	119	149	Robertson	0	4	3
Johnson	1	49	65	Rockcastle	5	78	93
Kenton	160	1,675	3,179	Rowan	1	83	188
Knott	1	35	33	Russell	1	45	51
Knox	5	78	39	Scott	5	145	191
Larue	1	34	25	Shelby	8	184	188
Laurel	17	165	194	Simpson	4	101	242
Lawrence	3	34	11	Spencer	0	19	4
Lee	5	41	6	Taylor	1	36	182
Leslie	3	25	20	Todd	0	66	72
Letcher	4	106	68	Trigg	0	24	9
Lewis	2	34	30	Trimble	0	17	14
Lincoln	1	94	85	Union	4	46	95
Livingston	0	16	7	Warren	50	772	1,818
Logan	3	55	105	Washington	4	33	69
Lyon	2	29	6	Wayne	2	40	48
McCracken	46	350	711	Webster	2	39	34
McCreary	1	40	24	Whitley	4	108	83
McLean	1	79	15	Wolfe	0	17	11
Madison	20	313	993	Woodford	4	153	128

Now, one final and most alarming fact: the criminal very seldom acts alone. Most burglaries, robberies, and larceny-thefts involve more than the victim and the direct perpetrator. Property is usually stolen for resale through underground sources which include the traditional "fence". While it was stated above that only twenty percent of burglaries are actually cleared by arrest, it is even more disturbing to note that very few of those who work hand-in-hand with the burglar (but never appear at the scene of the crime itself) are arrested. During 1974, only 1,612 arrests were made for possession, receiving, or buying stolen property. This would seem to indicate that it is virtually impossible for the victim to recover his stolen property. If we simply "write off" more than \$30 million in stolen goods each year in Kentucky, we could be accused of encouraging the further and continued perpetration of property crimes. This points to a need for permanent identification of property through the program established as Operation Identification. And it is encouraging to note that the statewide crime prevention effort includes a mas-

sive goal of enrolling 800,000 residents in Operation Identification. This effort will help to discourage burglary and should prove significant in years to come. But equally important, *the insignificant number of arrests for buying, receiving and possession of stolen goods cited above demand appropriate physical security standards to protect our property in the first place.*

B. Methods of Entry

Very little concrete data exists in the United States with which to document specific methods of entry, and Kentucky is no exception. However, recent crime reports in Kentucky do tell us that approximately 85 percent of the reported burglaries involved forcible entry. Nationwide studies have shown figures indicating that in 25 to 50 percent of reported burglaries, no force is used to gain entry. While these figures vary, it is generally conceded that greater force is required in commercial than in residential B&E's and force is used more often as a means of entry in commercial buildings.

Three important considerations that must be addressed in the development of security codes are the burglar's skill, the point of entry to the building, and the methods used to overcome the security at the point of entry. Unless a valid analysis can be made of these three factors, intelligent decisions cannot be made as to a means to overcome a specific threat.

Currently there is no valid MO data in Kentucky and furthermore a system to collect this information has not yet been designed. National information is non-existent and what information we have comes from special studies in selected cities.

A 1973 report from the Dallas, Texas Police Department indicated that in residential burglaries, doors are entered 65 percent of the time and windows are used in the remaining 35 percent of cases. In commercial burglaries, 56 percent were through doors, 29 percent through windows, and the remainder through roof openings, air vents, etc.

A 1973 study of six California cities revealed the following points of entry:

PREMISES BY POINT OF ENTRY

Premises	Door	Window	Flr-Bsmt	Wall	RF-ATC	Other
Fmly Home	51.24	40.20	.08	.09	.08	8.32
Apt-Dplx	59.94	35.51	.09	.21	.05	4.20
Other Res	80.90	14.60	.07	1.04	.00	3.39
Business	53.21	29.81	.10	3.05	4.15	9.67
Industr	59.25	27.22	.18	4.09	2.14	7.12
Govm't	46.08	45.88	.20	.53	1.46	5.84
Other	70.03	19.16	.35	.70	1.05	8.71
Totals	55.08	35.75	.10	.83	.95	7.29

Most evidence does point to doors first, and windows second, as the most favored points of entry and should therefore become the major areas of concern. How was entry achieved at these entry points? Most information comes from the intuitive judgements of experienced police officers who see windows in doors broken and key-in-the-knob locks unlocked, knobs twisted off, windows broken and the latch opened, doors forced from the jamb, unprotected roof openings entered, etc. Nationwide this experimental evidence strongly suggests that simple security measures will help reduce burglary.

In spite of this subjective evidence of attack methods, a genuine need exists to develop a method of capturing MO data in Kentucky. New legislation may not be required because Kentucky has one of the more progressive crime reporting laws in the nation. *The Kentucky State Police has the authority to collect crime data and should explore, develop and implement a more detailed reporting system to satisfy state and local needs related to methods of entry.*

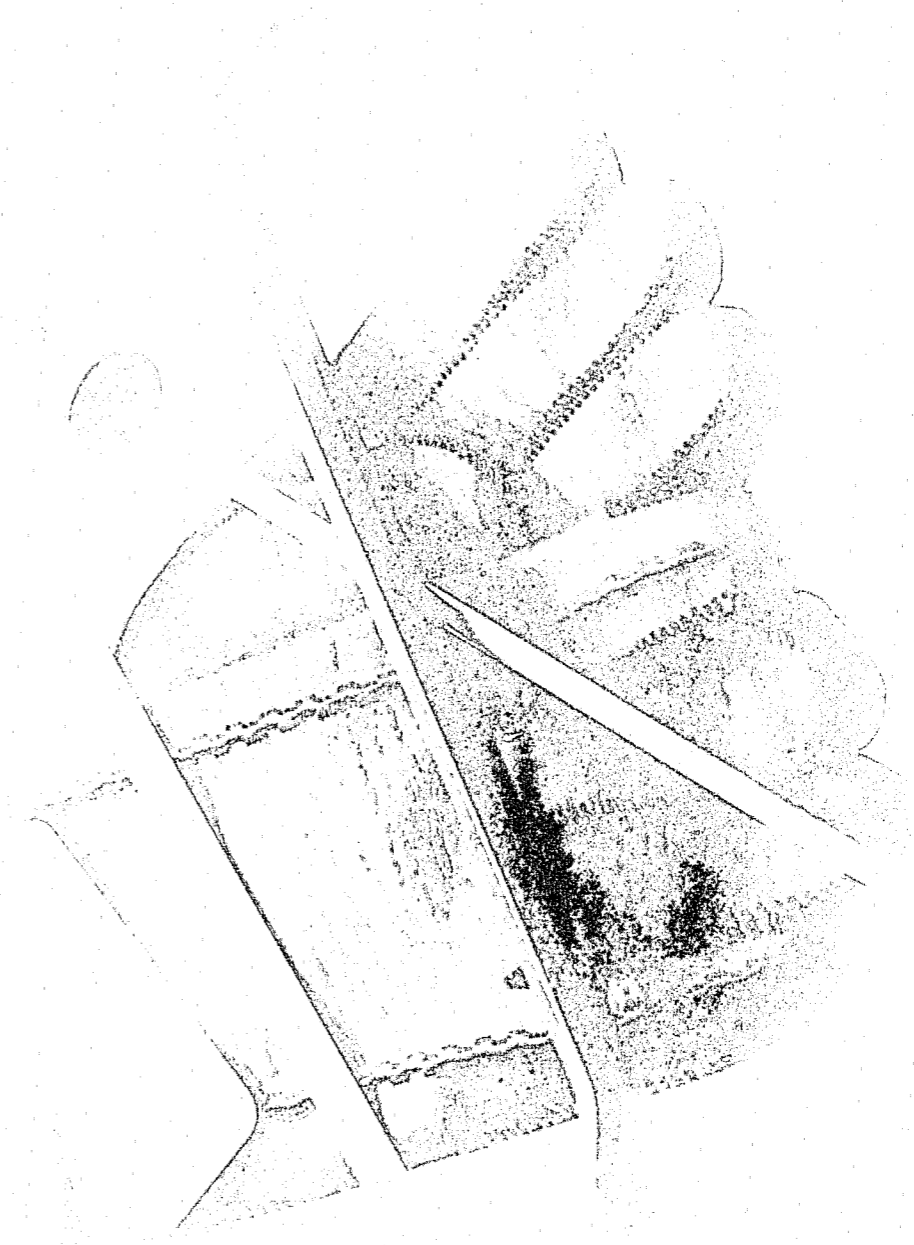
The following data elements are examples of those required to assess security needs in the Commonwealth:

1. Force
2. Attempted force
3. No force
4. Residential
5. Residence garage
6. Tavern
7. Liquor store
8. Cleaning store
9. Supermarket
10. Gas station
11. School
12. Office
13. Warehouse
14. Restaurant
15. Church
16. Appliance store
17. Laundromat
18. Small retail store
19. Other
20. Burglar alarm on premises
21. Alarm circumvented
22. Tools used in making entry
23. Point of entry: Door, window (front, rear, etc.)
24. Point of exit and how
25. Safe attacked how: Pull, drill, punch, torch, removed
26. Window broken, unlocked door
27. Door jams spread
28. Lock pulled
29. Lock drilled
30. Lock wrenched
31. Door forced, strike broken
32. Door forced, rammed with vehicle

These and other elements must be analyzed primarily to determine *how* the attack took place so that remedies can be prepared and judgments made as to the level of criminal skills being employed.

Other data, such as types of specific items taken, must be analyzed to identify changing patterns of crime targets.

While the Burglary Security Code Committee, during four months of deliberation, heard verbal testimony and examined crime scene photographs provided by experienced and trained crime prevention specialists from several police departments, a more accurate reporting system on methods of entry was a frequently expressed need.



II. BUILDING SECURITY STANDARDS AND BURGLARY PREVENTION

A. Crime Prevention Concepts

In Kentucky, burglary can be generally defined as a crime or a series of crimes that takes place within a building. While the general conception of the crime of burglary may relate primarily to theft, *other crimes, such as assault, rape, vandalism, robbery and murder, may be separate and distinct crimes or included in the offense of burglary.* The key is that it is a crime that takes place within a building as defined under the Kentucky Statutes. There are a number of variables contained within the crime of burglary. They are as follows:

1. A person with the desire to enter or remain in a building for the purpose of committing a crime.
2. A target existing within the building that could satisfy the person's desires.
3. The opportunity to enter or illegally remain in a building at risk.
4. A human possessing the ability to gain unlawful entry to the building.
5. The existence of a high probability of escape from the building and premises.

In summary, the elements include a building containing a desirable target and a human being with the desire, ability and opportunity to gain access to the target at risk and to make good his escape. A successful burglary cannot occur unless all of these variables come together in certain unique combinations.

While the variables could be considered a chain of events leading to a criminal act, they may more properly be defined as parts of a recipe for burglary in that each one can be added to the mixture in varying amounts according to what is required to complete the final act. In other words, all burglaries are not the same because targets at risk are accorded different values depending on the desires and abilities of would-be perpetrators, and also their abilities to escape detection and punishment. Each variable becomes a sub-system in what could be called a "systems design of the burglarious event."

Past crime prevention and control activities have generally centered on dealing with the sub-system involving the human and his desire to commit the crime, or with a sub-system starting with the identification of the criminal act, identification and arrest of a suspect, and prosecution through the criminal justice system.

The increase in crime within the last ten years, however, provides a measure of our failure in the crime control process. Research now indicates that while these two after-the-fact sub-systems must be supported and answers found to solve their inherent problems, the other systems relating to the *target itself, the opportunity, the ability to gain skills, and the opportunity to overcome the security* posed by the building and its surroundings might be the *most fruitful crime prevention steps to take.*

The term crime prevention itself has never been fully defined to the satisfaction of police, correction officials, judges, criminologists, sociologists, and other researchers and practitioners in both the criminal justice and private justice systems.

It would seem *logical* that the term crime prevention, by definition, would indicate activities that are conducted to prevent the actual criminal event. However, most of the past efforts in crime prevention in the United States have focused on activities that occur in response to a criminal act. The first attempt to categorize the various views of crime prevention occurred in 1966 when Dr. Peter Lejins, of the University of Maryland, described three categories of crime prevention: 1. Punitive, 2. Corrective, and 3. Mechanical.

In brief, *punitive* refers to the legal response to crime, *correctional* refers to the ability of institutional forces to change human behavior after involvement in crime and to change social conditions thought to cause crime, and the *mechanical* aspect deals with *placing barriers between the would-be criminal and the fruits of his crime.*

The real problem of discussing crime prevention in these categories is that most of the professionals in the field have for a long time been familiar with the punitive and corrective aspects and through inertia tend to deal only with these. It would be more productive to separate criminal activity into two categories: 1. Crime, 2. Criminals. Crime prevention could then be viewed as those activities dealing with *procedures, methods, techniques, operations and stratagems* that prevent or attempt to prevent crime. Activities dealing with individuals perpetrating, planning or being treated for criminal activities could then be labeled as delinquency prevention.

The mechanical category of crime prevention is a *realistic* approach because it attacks *crime* rather than the criminal. It has been stated or defined in a variety of ways — *risk management, opportunity reduction* and *target hardening*. Another recently developed term is "direct prevention" and includes barrier strategies that may or may not be mechanical. It would allow for human barrier systems, mechanical barrier systems, electronic barrier systems and psychological barrier systems. Direct prevention is closely aligned to personal safety. An analogy is that, in safety activities, it is much more productive to build a machine that cannot operate until human hands are in a safe position rather than to change human behavior so that people would not put their hands in the gears, shears, or whatever. *It is much easier and more effective to place a barrier before a criminal than to change his desire or attitude to steal, assault or kill.*

Another term that has developed out of the cumulative research of many individuals is opportunity reduction. *Opportunity reduction* includes target hardening but also takes into consideration the realities of criminal abilities, social response forces, and the state of the art of mechanical barriers.

Opportunity reduction might be best understood if we free ourselves from the legal definitions of crime prevention. As an example, a person intending to enter a home for the purpose of stealing an item might try to gain entry and find that his level of skill is not adequate to the task and leave; not, however, before prying, twisting and wrenching the lock and door assembly in an attempt to smash through the barrier. Such activity would be regarded as an attempted burglary and still looked upon as a criminal event. The attempted burglary is a legal designation, but what we are interested in is the fact that the home was not entered and the valuable property was not taken. The intent of the criminal was thwarted! It was not his intent merely to damage the door. If damage to the door was his main concern, it would constitute a completely different type of behavior to be dealt with than burglary.

If the problem concerned the status of the door, consideration would be given to the development of materials so that no matter what the assailant did it would not require repair as is the case in vandal resistant street lights.

Opportunity reduction strategies cannot be effective unless we are willing to change our evaluate methods to reflect *loss prevention* which has been defined as: 1. Reducing the frequency of loss, and, 2. Reducing the severity of loss. Current crime prevention evaluations focus mainly on the changing frequency of crime.

Traditional police administrative theory recognized the concept of opportunity reduction. O. W. Wilson said, "Regardless of the causes of crime, crime results from the coexistence of the desire and the opportunity to commit the misdeed." Wilson talked about crime hazards and defined them similarly to the way they are defined today, such as dark streets, poor locks, and individuals placing themselves in situations where crime could occur. His major strategy, however, that of reducing these opportunities through some type of police patrol, seems to have been not only incomplete but defective in concept.

The British Government and the British insurance industry have been working intensely with the concept of opportunity reduction for over twenty-five years and have defined two categories of opportunity as follows:

1. The opportunity created by the *victim* by his carelessness, lack of attention to security, and failure to cooperate with his neighbors and business colleagues.
2. The opportunity created by the *criminal* by his skill, ruthlessness and daring. It is the experienced judgment of police officers (British and United States) that less than five percent of criminal opportunities are those created by the professional criminal — that *the bulk of crime involves skilled or unskilled amateurs, and centers around opportunities created by victims themselves.*

Based on insurance loss prevention concepts, Chief Superintendent Fred Hudson (retired) of the British Home Office Crime Prevention Centre coined the following definition of crime prevention: "Crime Prevention is the anticipation, the recognition and the appraisal of a crime risk and the initiation of some action to remove or reduce it."

Opportunity reduction schemes could be looked upon as "Band-Aid approaches." While long range solutions are essential, some type of crime control "first aid" is needed to keep society from *dying* while researchers look for a cure. Nevertheless, the long range payoff from opportunity reduction programs should be considered.

With that thought in mind, the following hypotheses were combined at the National Crime Prevention Institute (1971) to form a theory of opportunity reduction:

1. Criminal behavior is learned behavior.
2. Reducing criminal opportunity reduces the opportunity to learn criminal behavior.
3. Criminal opportunity can be lessened by improved security measures and by increasing the level of surveillance on the part of the general public.
4. Long range crime prevention will not be achieved unless criminal opportunities are reduced on a national basis.
5. The police are in a pivotal position and as such they should be trained in crime prevention and become involved in the preplanning of any community activity where their services will later be called for.
6. Insurance, security hardware and other areas of business and industry involved in crime prevention programs must exchange information with the police.

B. The Development of Security Codes

State level entry into physical security standards is indeed a new and bold step in crime prevention. Most efforts nationwide to develop security codes have focused on developing codes that can be attached to current municipal building codes or that are independent and stand apart from the general building code in the community. To date no code has been developed and accepted on a statewide basis.

Building codes generally have been developed over the past seventy-five years or so and have gone through the problem of standards and revision of standards to where they now have a number of well-designed programs such as those produced by the National Fire Protection Association.

Every individual going through a vocational technology program training as an electrician, must learn all of the requirements of the *National Electrical Code*. This code, published by NFPA, is accepted in the industry and by state and local governments as a guideline to fire prevention as it relates to electrical construction.

Security codes have no similar guidelines. The initial attempt in Oakland in 1964 to develop a security code seemed to have particular significance in the area of commercial burglary.

One of the developments consisted of requiring one inch deadbolt locks. The one inch bolt requirement was developed based on a study of burglary methods. It was found that doors could easily be jimmed because the jambs were not solid enough to resist spreading and therefore making it easy to defeat the normal deadbolt in use at the time. Perhaps a better route would have been to require door jambs to be sturdier in construction so that this spreading could not take place. Nevertheless, it was viewed as a simple remedial solution to require that deadbolts be one inch in length with a hardened steel insert.

In 1971, the Oakland code looked like a basic document that could be developed in every municipality because it would give, like in the fire departments, crime prevention inspectors a legal right to inspect and enforce regulations pursuant to the code.

One security expert was quoted in 1971 to the effect that it would be possible for foreign imports to come in and, to the point of being ridiculous, use a wooden bolt with a hairpin and qualify under the code. As it turned out, it was not necessary for foreign imports; *United States manufacturers were quite able to meet the task of developing junk hardware that met the code.*

Poor deadbolts were first noticed by California crime prevention officers as they investigated burglaries where one inch deadbolts had been defeated. In some cases they could be broken with the bare hand. These identified defects resulted in the realization that performance standards were necessary and that design standards would not always lead to improved security.

When Oakland developed the code, there were few one inch deadbolts on the market. Today there are many. However, for many years, from 1964 until early in 1970, very little progress was made on a nationwide basis to develop this type of code. Then, when the codes started developing, each local area appeared to take its pride of authorship seriously and altered the codes to fit its own designs. Continued to its extremities, this policy would raise havoc with the building trades. No one would know exactly what the security code might be in a particular

jurisdiction where he was working. As a result of this problem, the California Crime Technological Research Foundation and the National Bureau of Standards have begun to develop a nationwide security standards programs and thus eliminate the city by city approach.

In California, considerable State and LEAA funds have been contributed to the research project by the California Crime Technological Research Foundation. While most of its work is complete and the final report to the Legislature made, no action has ever been taken to enact the findings into law. Recent information indicates that the entire project may be scrapped because of a change in focus by the state's executive office. In addition, one of the apparent reasons for this slowdown in the adoption of the California standards is a general feeling that research and development of this type should be conducted on a national rather than state basis. The National Bureau of Standards project has developed a standard on doors, locks and frames, however, money is limited at this time from LEAA for the update and future development of the standard.

The one continuing major development in the design of security standards is being developed by the American Society for Testing and Materials. The ASTM committee, F-12, and its many subcommittees, is charged with the development of performance standards and standards of recommended practices. These standards are developed on a *consensus* basis. Representatives on the task groups and subcommittees come from industry (such as lock producers, alarm producers and users of security equipment), government, and members of the public. Through a complicated voting system, consensus standards are eventually developed. The advantage of these consensus standards is that the standards that are eventually voted on by the committees are generally those to which the majority of manufacturers can produce without a great deal of expensive retooling or adjustments in production techniques. The one major fault of this type of standards development is that many times the committees may choose to move away from scientifically proven evidence into areas of convenience. This can lead accepted standards into products that are very inferior, and in some cases, may not raise the level of security at all. The important part of the ASTM concept is that it does provide a continuous program of updating as new needs are identified and as committees change and interest levels vary according to the participants. One thing is for certain, ASTM, and other standard making bodies, cannot begin to have valid standards unless further research and development effort is funded by LEAA, other divisions of the Federal government, or private foundations.

While Kentucky must be willing to develop a national leadership position in the research and development of improved building security, there are some pitfalls in moving too far ahead of the nation in the development of performance standards.

The building construction business in Kentucky does not make up a very significant or substantial portion of the building and hardware business of the nation. Therefore, while it would be possible for Kentucky to develop extremely high performance standards for building construction and hardware, unless the standards developed were based on national needs with adequate lead time for industrial changes, Kentucky might find itself priced out of the market for security components. Premature action by the Commonwealth of Kentucky could also result in a building slowdown because materials may not be available to complete current construction and could also stifle new construction starts. It is extremely important that the Department of Justice and the General Assembly be aware of some of the possible future implications of its policies regarding building security and design consideration.

The following areas were developed for discussion purposes and while they need to be discussed on a national basis, it is extremely important that they be addressed within the Commonwealth of Kentucky.

MARKETING FOR IMPROVED SECURITY

Standards, particularly of the performance type, contain potential for serious policy considerations of a future orientation. Take, for example, the need to change manufacturing procedures to meet a code. It is well recognized in LEAA reports and by security specialists in the country that *the key-in-the-knob lock that is on eighty-five to ninety percent of the nation's homes is, by its very design, an inferior security device*. Nevertheless, until the recent recession, some companies that produce this type lock were working three shifts just to produce the lock for new construction and for replacements because the quality is not only poor in security but functionally poor as well. The same companies produce a line of extremely good residential security devices, but to purchase these devices you may need to wait for two to three months. This is because the emphasis in manufacturing is on the inferior volume product used by builders across the nation. Therefore, any attempt at improving residential or commercial security through the improvement of hardware will necessitate a tooling change in the industry. This retooling for newly developed products will also be required for good products currently in production, but not

in heavy demand. Any national change in the level of security will require time and could not be accomplished tomorrow or in one year even if all builders agreed to the change.

MANUFACTURERS OF HIGH QUALITY PRODUCTS WILL PROSPER

Manufacturers who have a line of quality products meeting high standards or who can meet high standards with very few alterations in production methods will obviously prosper.

LOW QUALITY MANUFACTURERS MAY FAIL

Some producers of low quality products cannot afford extensive retooling and may fail. This puts governments into an anti-business position and will take a political decision as to whether the needs of security outweigh the need to keep inferior manufacturers in business.

FIRE CODE VIOLATIONS

Fire prevention gets to the basic controversy of life safety as opposed to property protection. In the state of Michigan, legislation has been introduced to outlaw double cylinder locks. This is primarily based on evidence that in one or two instances of fires in affluent neighborhoods, the deceased were at the door but unable to manipulate the double cylinder lock. This issue is based more on *emotion* than fact. As a result, a whole new investigation is being made into the amount of smoke inhalation it takes before a person becomes incapacitated: As a matter of fact, most fire victims never reach their panic proof hardware in their homes. A confrontation with fire code regulations is not the answer, but rather a research approach that will determine better methods of insuring life safety against both crime and fire.

Perhaps early warning systems will prove to be the best way to provide life safety and have very little to do with the current controversy over double cylinder locks.

INFRINGEMENT ON THE SECURITY PROFESSIONS

Prior to the development of police crime prevention units, the only method for a builder, owner, contractor, architect or engineer to come up with security recommendations would be to hire a locksmith or other person purporting to be a security professional. Most of these were individual consultants who, for a fee, would make recommendations based on their *expertise* in the area of security. Police security squads give free security inspections to businesses and homeowners. Because of this, there has been a hue and cry from certain security operatives that security inspection is a business for private enterprise and not for the police.

Interestingly enough, some of the loudest complaints have been retired police officers who have seen a good thing in the security business since they left law enforcement. Nevertheless, it may be that this portion of the security profession developed primarily because public agencies were not involved in prevention, and instead were taking most of their time in the self-defeating aspects of law enforcement focusing on apprehension.

CONSUMER PROTECTION

Should it be state policy to encourage local law enforcement to become involved in a consumer protection role concerning security? Security, particularly the electronic portion of the security business, is a fast-growing and changing industry. There are all kinds of opportunities for sude-shoe and bogus operations. There have been cases of well-known burglars organizing security and alarm companies, providing free surveys for potential customers and using this opportunity to rip them off later on. It has also given opportunities for electronic firms to sprout up, take a few minimum components, place them in an interesting looking cabinet, and sell the resulting product for many, many times its real value through advertising that is false, misleading and unfair to the consumer. One such organization advertises that the device hears only burglar sounds, has no false alarms, and is recommended by police.

The above device was found to be defective by a police crime prevention officer in one city. When they let this information be known to the community, the city was threatened with a law suit when the officer tried to invoke state law. A leading testing agency was also threatened by the same company.

It may be in the best interest of the Commonwealth of Kentucky to explore this very important role of consumer protection.

Police have traditionally been involved in consumer protection. In fact, each and every act they accomplish on the street is directly related to protecting a consumer (citizen) based on the services that they have to offer. A police officer currently faces all kinds of sanctions, including law suit, dismissal from his organization, and prosecution, if he makes an improper arrest or takes the life of an innocent person because of faulty judgment. Nevertheless, officers are sworn to take this action and they can take it because they are trained and develop experience based on that training. The police should also carry out a role in consumer protection when faced with a fraudulent, manipulative and bogus security organization preying upon the citizens of a particular community.

LEGAL IMPLICATIONS

What are the legal implications for citizen security advisors or police crime prevention officers who advise merchants to put in a certain burglar alarm or lock and then are later attacked? Classroom recommendations have been to always include some type of statement indicating that their recommendations will help reduce the possibility of a criminal act but is not guaranteed to prevent it. This problem should be explored and some recommendations made for a uniform policy.

Landlord to tenant responsibility also has legal implication in crime prevention. There is already established civil case law stating that if a rape occurs in a darkened hallway because the landlord failed to replace light bulbs, he may be civilly liable to the victim. A recent court decision in the state of Illinois awarded a widow of a slain police officer a judgment based on the fact that her husband was checking a store that normally had a light on. Because the owner had left the light off, the officer was unable to see the burglar and therefore was killed, partially due to the negligence of the store owner. This ruling asks more questions than it answers: How much light is enough? Where should the light be? Who should pay the cost?

MISCELLANEOUS POLICY CONSIDERATION

Many, many changes will be required in manufacturing, distribution, advertising and industrial research before quality products can be produced, tested and the information disseminated to the public. An example of policy consideration is the current effort to develop a building security standard by the National Bureau of Standards. While this standard is being submitted and will become a National Institute for Law Enforcement (NILE) standard, unless it is adopted by powerful industry sponsored organizations, such as ASTM (American National Standards for Testing and Material) and ANSI (American National Standards Institute), enforcement of the regulations will be difficult. It therefore becomes necessary to look at these standards in a consensus format. Because the building industry is so fragmented, security requirements will not be as easy to enforce as, say, bumper standards developed for only a handful of domestic and foreign auto manufacturers.

One of the standards from the National Bureau of Standards will require an analysis of the ability to smash a door at very low level impact, reach in and unlock the door. This would be the case of a single cylinder deadbolt or key-in-the-knob type of lock that is installed in a door with either wood panels or normal glass. A simple act with a fist or light hammer or kick by the foot will easily break a panel of wood or glass so the perpetrator can reach in and unlock the door. This inside unlocking standard would, for all practical purposes, outlaw the wood panel or glass door. Result — all kinds of action before the ASTM committee, such as, "People demand to have glass in their doors so there is no way we meet the standard." The reactions are emotional rather than factual, more to preserve the status quo of a particular industry or manufacturer than to look at the problem of crime. This resistance is there to be overcome and it cannot be overlooked whenever a state security code is developed.

In summary, we still do not know all of the methods to improve the security of our homes and communities. If we did, the technology for producing the proper hardware may not be available. If it was available, it might not be adopted. If adopted, it might be improperly installed.

There is currently no effort other than crime prevention training for police to develop a cadre of trained security technicians to enforce security code regulations through inspection. The lack of training is one of the things that every agency involved in security has blocked from its view. There is not a single community college in this country equipped with either curriculum, instructors or training aids to train security inspectors. There is not a security administration course in the nation that looks at physical security at the practical level.

The time frame required to crank up training expertise at all levels must be considered in the entire security and crime prevention process. Until such time in the future that the above policy implications are resolved and the level of community security is raised to a level beyond the skill levels of the average or above average burglar, crime will

not go down because of security. However, an encouraging note must be added. In Kentucky, more than one hundred and twenty police officers have graduated from the National Crime Prevention Institute. The Kentucky Department of Justice's Bureau of Training is prepared to train more than 4,000 additional police officers in basic crime prevention theory and practice during 1976.

Further, the Kentucky Department of Justice, Office of Crime Prevention, has launched a statewide crime prevention program which has already begun to educate citizens of the Commonwealth on basic security steps which are necessary to reduce the opportunity for residential burglary, rape, shoplifting, etc. State and local police departments throughout Kentucky are engaged in a cooperative effort with the State Office of Crime Prevention, aimed at implementing an eight-point program announced by Governor Julian M. Carroll on April 29, 1975.

C. Voluntary Standards

While the stated goal of the Burglary Security Code Study Committee has been to develop security code legislation, and while this is a cause that can be accomplished only with further study, particularly over the next two years, immediate benefits of security can be achieved to the adoption of a voluntary standards program. The initial attempts at a voluntary standards program were developed by the city of Greensboro, North Carolina under a police department sponsored program called *The Shield of Confidence*. This project brought together current knowledge of simple burglary attacks and methods by which they could be defeated and were produced in a guideline by the police department for the use by builders within the city limits of Greensboro, North Carolina. While initial opposition came from some builders, the competitive spirit of free enterprise prevailed, and eventually builders qualified so that they could use the "Shield" in their advertisements. Subsequent experience has shown that burglary was definitely decreased in those apartments and homes where *The Shield of Confidence* was awarded based on the construction standards, and the program has become a very popular part of the crime prevention arsenal in Greensboro.

This approach perhaps epitomizes the traditional American approach through private enterprise initiative and persuasion. It requires in-depth study on the part of the supervising agency. It requires continuous update and, probably most important of all, *it requires a continued effort at public education*. It is after all the marketplace where the most important decisions in our communities take place. With proper consumer education, it might be possible, within the sometimes overburdening constraints of mandatory laws and codes, to upgrade community security and reduce crime based on the levels of protection demanded by each individual as he moves into rented or purchased housing. Based on the program established in Greensboro, the committee has recommended implementation of the voluntary standards program in Kentucky.

D. Environmental Design

Mention has been made in several places as to the benefits of design in addition to physical hardware to the reduction of burglary and other crime. Provisions should be made, either within an interim study commission and/or through additional funds for the Kentucky Office of Crime Prevention to study design and land use implications of crime control in conjunction with a recognized School of Architecture, such as at the University of Kentucky.

Specifically, areas to be investigated would be as follows:

1. Land use patterns that are thought to contribute to the opportunity or desire to commit a crime.
2. Zoning regulations and plat layouts that may be defective from a crime control point of view.
3. Public housing developments with design characteristics contributing to opportunities for criminal activity.
4. Through analysis of various types of crimes committed in both urban and rural areas, determine how land use and environmental design may contribute to a psychological insecurity of the users or to the psychological attractiveness of crime targets by potential offenders.

E. Security and Loss Prevention Research Center

The committee hereby recommends that the Kentucky Department of Justice request federal funds to support a non-profit research organization to be organized for the purpose of studying demographic, sociological, psychological,

and other environmental aspects of the crime problem in the Commonwealth of Kentucky. The project goal would be to develop a master plan to be used by land use planners, developers, zoning boards, recreational planners, transportation planners, elementary, secondary, and schools of higher education that can be used to identify plans, programs and guidelines for preventing crime through the use of specific environmental controls.

The suggested research corporation would have an initial life of two years and would be under the direction of a Board of Directors composed of at least the following organizations, representative of the major universities providing degrees in law enforcement and criminal justice, architecture, electrical engineering, mechanical engineering, and representatives of practitioner groups, including chiefs of police, crime prevention officers, other specified professional trade groups representing locksmiths, engineers, architects, builders, contractors, and consumer interests, such as the Farm Bureau, Chamber of Commerce, and other members of the general public.

The Board of Directors shall, according to the Kentucky statutes governing non-profit corporations, elect their officers and designate an executive director to organize, staff, and control the operations of the Research Institute.

As an alternative, the Department of Justice, under the direction of the Office of Crime Prevention, could receive funds and commission a currently existing research institute to conduct the project described in this section.

F. Summary

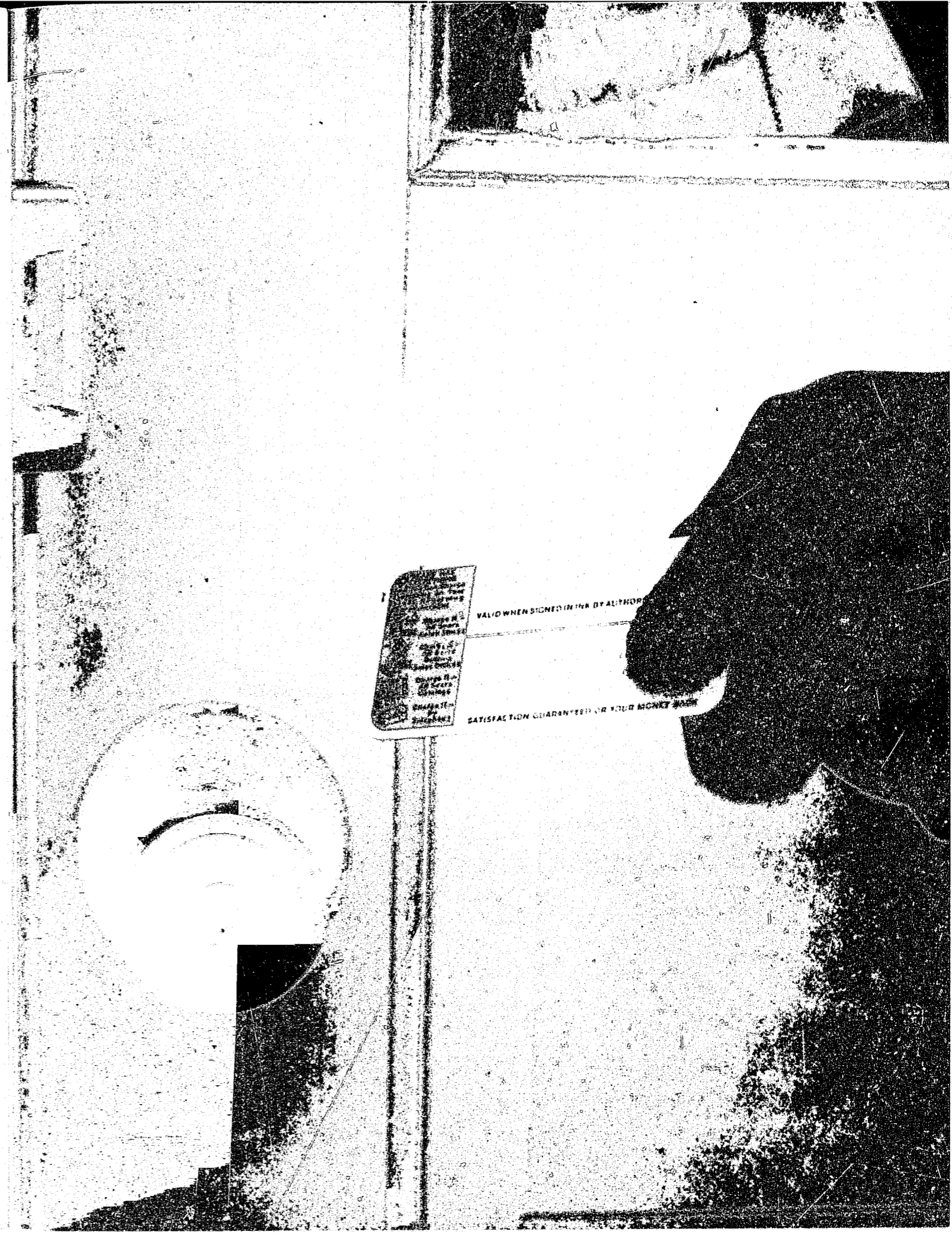
It is clear from developing evidence in Kentucky and elsewhere that *improved security can bring about reductions in specific types of burglary committed by the relatively unskilled individual.*

Developing a strategy and the means to improve security statewide may be a slow process and can only be accomplished over a long period of time. *Security code legislation may be a viable route to consider, but would require much research and deliberation by all parties affected by the proposed legislation.*

Kentucky can demonstrate a responsible national leadership role by implementing, through the Office of Crime Prevention, a voluntary building security program for use by builders and contractors, and by pursuing through legislative action, a continuing study committee to advise the 1978 General Assembly on more specific legislative recommendations relative to a statewide security code.

The study committee believes that the approach outlined in this report provides a fair and responsible method to attack a long standing social problem in a manner that will avoid the emotional starts but ultimate failures that have marred the development of statewide security codes in all of the other states to date.

The voluntary use of minimal security guidelines and the ultimate development of a statutory code, as nationally accepted performance standards are developed, can have a long range cost effective impact on the burglary problem in Kentucky.



III. STUDY COMMITTEE CONCLUSIONS AND RECOMMENDATIONS

A. Interim Legislative Commission on Security Codes

This recommendation is directed towards the development of research for security code legislation and asks that the 1976 General Assembly through a joint resolution established an *interim Security Code Legislation Commission* to conduct research and make legislative recommendations to the 1978 General Assembly. While the initial thrust of the present study committee deals with the crime of burglary, it is clear that security considerations are present in nearly every crime committed in the state of Kentucky. Therefore, the proposed commission should have full authority to investigate the subject of building layout and siting customs, and community design as these relate to the incidence of criminal events occurring or likely to occur in the Commonwealth of Kentucky. Specifically, the study commission would have the authority to:

- a. Collect and analyze any and all crime data relating to methods of entry, type and amount of force, trickery, circumvention and manipulation used to effect a criminal act and to make good an escape from the premises or area in which the act took place.
- b. Request assistance from the State Police Uniform Crime Reporting Section in the development of special in-depth studies regarding methods of entry, stolen property, fencing and the like.
- c. Research the various national attempts to arrive at performance specifications for security devices and systems and recommend those standards that could be beneficial to the Commonwealth.
- d. Research and consolidate the findings of national investigations regarding land use and environmental design techniques as they apply to property crimes and crimes against persons.
- e. Study the availability and applicability of crime insurance as it applies in the State of Kentucky and the relationship between insurance and current security codes and regulations.
- f. Study population characteristics, projected growth in population, population densities, residential housing requirements, commercial development, and total distribution of and relationships between old and new construction; and examine crime projections for the five years beyond 1977 and provide an estimate of the cost effectiveness of compliance with improved security methods in both new and old construction.
- g. Make recommendations for specific performance standards relating to environmental design, construction of new residential and commercial buildings, and the sale, installation and service of all security devices installed, serviced and maintained in either new or old construction.
- h. Define those materials and specifications that fall under the regulation of the recommended statute and those that might become mandatory.
- i. Examine the need for either a new statutory agency or the designation of an existing state agency with the authority to oversee the enforcement of a security legislation act or with the authority to promulgate under general statutory authority rules and regulations relating to the sale, installation and service of security devices and the establishment of mandatory guidelines for materials and specifications as they relate to construction.
- j. Make its progressive findings and recommendations public through reports to be issued as advisory findings to law enforcement, security and construction industries, and other interested groups so that they may be used in a voluntary manner to upgrade security in the Commonwealth prior to the submission of a final report to the 1978 General Assembly.
- k. The General Assembly should appropriate \$200,000 over the biennium for the staffing and operational costs of this interim study commission. The project shall be administered by the Kentucky Department of Justice, Office of Crime Prevention.

I. Commission Members

Commission members shall be appointed by the Governor upon recommendation of the Secretary of the Department of Justice.

The Commission shall be made up of not more than thirty individuals with representation drawn from concerned related industries, businesses, professions, associations, and educational institutions.

m. Administration

The General Assembly shall direct the commission at its first meeting to elect a chairman, vice-chairman and secretary of the study commission, establish working committees, review staff reports, authorize progress reports and recommendations, and deliver a final report to the 1978 General Assembly.

B. Voluntary Burglary Security Code Program

In addition, the committee recommends that a joint resolution be adopted that during the 1976-78 biennium a Voluntary Security Program be implemented as outlined in this report as a positive step toward the improvement of security in Kentucky and that the Office of Crime Prevention within The Department of Justice be authorized to administer the Voluntary Security Standards Program.

It is proposed that the Commonwealth of Kentucky recognize the fact that improving the physical security of dwelling units and commercial buildings can substantially reduce crime and that the *best and most cost effective way to improve security is to design and install adequate security systems during initial construction.*

Therefore, the Commonwealth should enter into a program that will allow builders of residential and commercial buildings to advertise the fact that a particular building meets specific state-recognized minimum standards of Security.

This program shall be known as the "Shield of Confidence, Seal of Security Quality, Crime Prevention Standard, Kentucky Security Standards, or other names) Program and shall be recognized by a distinctive logo that can be used in advertising and sales promotion and which can be attached to buildings that have met the building guidelines defined in this program and as amended in the future.

An individual applying for a permit to construct or substantially alter any type of building covered under this program would be furnished with a copy of the recommended standards. He would be advised to contact a local law enforcement agency to assist with the development of a plan that will earn certification of the building at the time it is completed and turned over to the owner or tenant.

Certification could be provided by any trained crime prevention specialist employed by a city, county or state agency with jurisdiction in the area in which the building is constructed, or, in the case of pre-built or mobile home units constructed outside the Commonwealth of Kentucky, the area in which such buildings are presented to the public for sale.

A building would be inspected by a designated crime prevention specialist during the construction and upon completion in order to qualify for certification.

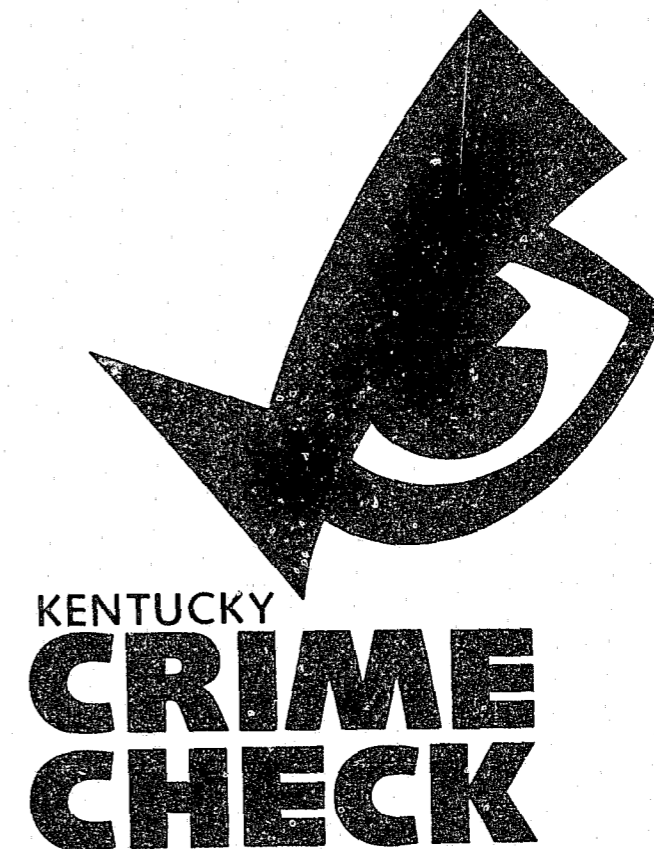
VOLUNTARY MINIMUM SECURITY STANDARDS

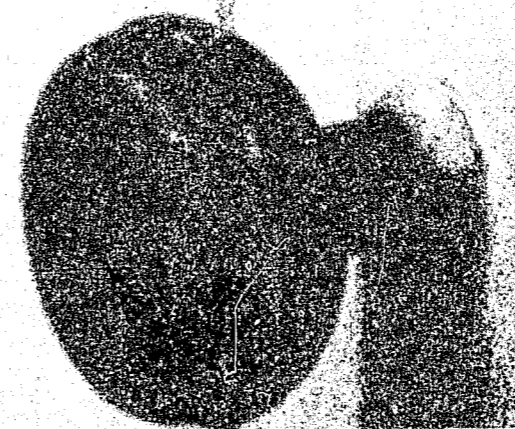
The Voluntary Burglary Security program would be open for participation by all builders and contractors licensed to do business in the Commonwealth of Kentucky, and would apply to the construction of single family dwellings, multiple family dwellings (to include hotels, motels and apartments), and commercial buildings (to include schools, hospitals, and other institutions), or to major renovation of any of the above. The Kentucky Office of Crime Prevention, together with representatives of the architectural, building, and hardware manufacturers associations, and state and local police officers trained in crime prevention, would develop minimum materials and specifications standards to encompass the following traditional points of forced or unlawful entry: exterior doors (wood, hollow-metal, swinging, sliding, garage, metal accordion grate, grills, overhead); entry vision, hinges, locks and keying; windows (double hung, sliding, louvered); alarm systems: roof entrances such as skylights, hatchways, scuttles, vents and ducts; lighting, address identification, and parking; and special security hazards such as safes, elevators, and stairwells.

In order to provide the necessary advertising, promotion, and training required to implement the program, it is recommended that the General Assembly appropriate \$50,000 in order to sustain the program over the biennium.

It is the firm conclusion of the Burglary Security Code Study Committee that such a program, as described above, will not only achieve compliance with basic minimum standards that would effectively prevent the burglary of new buildings to be constructed for future occupancy, but would also offer a visible vehicle of public education in burglary security.

Finally, it is the express desire of the Burglary Security Code Study Committee that the aforementioned recommendations for legislative action be carefully distinguished as equally important recommendations, and are not to be construed as separate alternatives. The recommended Interim Security Code Commission should not be considered an "alternative" to the Voluntary Burglary Security program, or vice-versa. Within the Committee's perspective, both recommendations stand on their own merits, and satisfy the *dual* priorities for both *immediate* and *future* action against Kentucky's most vulnerable crime problem, *burglary*.





END

7/1/1951