



**2011 Herman Goldstein Award  
San Marcos, Texas, Police Department  
Noise in Neighborhoods: Achieving Community Together (ACT)**

---

## **Noise in Neighborhoods: Achieving Community Together (ACT)**

**Scanning** – San Marcos, Texas, has benefited greatly from the presence of Texas State University-San Marcos and its large student population of 32,572, which constitutes approximately 42 percent of the City’s total population. As the University grew, increases in off-campus housing shifted the composition of many neighborhoods from resident homeowners to student renters. Differences in age, economic status, and principle hours of activity were a recipe for tension, especially with late night party noise. In 2007, the San Marcos Police Department responded to 2,833 noise complaints, their most frequent call for service. Most of these calls occurred between 9:00 p.m. and 3:00 a.m. when procedures required a two-officer response.

**Analysis** – The strain between student and non-student residents because of noisy parties affected the safety and quality of life in neighborhoods. Traditional enforcement efforts to curb noisy gatherings netted no significant improvements. Students felt they were being treated unfairly, and the police became trapped between conflicting community expectations regarding enforcement policies. An internal work group was formed to examine calls for service, environmental conditions, and how police responded. Analysis included identifying repeat complainants, determining repeat call for service locations and offenders, reviewing how calls were dispatched and how officers handled complaints, seeking the geospatial relationship

between noise sources and complainants, reviewing the City's noise and party host ordinances, and studying what other cities have done to relieve noise complaints.

**Response** – The response plan included a new understanding of noise complaints, an overhaul of police responses, streamlining noise ordinances, and proactive policing of trouble spots. Stakeholders collaborated to correct the over-reliance on enforcement to resolve core issues of disorder. In June 2008, City, University, and community representatives came together to address issues of neighborhood disorder. From this meeting emerged the Achieving Community Together (ACT) campaign, which became the foundation to reduce noise by shifting the emphasis from enforcement to education and community influence.

**Assessment** – From 2007 through 2010, total calls for service regarding loud noise and parties decreased 16.3 percent. Between 9:00 p.m. and 3:00 a.m., noise calls decreased 20.4 percent. Especially noteworthy was that arrests/citations for noise violations decreased 43.6 percent. These results derived from a community becoming less dependent on the criminal justice system to handle neighborhood conflict. The focus moved to education and shared responsibility to effect long-term change.

## Noise in Neighborhoods: Achieving Community Together (ACT)

Historically, universities and host cities are often divided into two distinct communities: town and gown – town being the non-academic population, and gown being the University community. Universities boast that their existence is the backbone of the local economy, while local citizens argue that the institution robs their City of the tax revenue needed to provide necessary services. University expansion into neighboring areas adds to strained and contentious relations. Students living off-campus can generate major traffic and parking issues, thereby threatening the quality of life in neighborhoods near campus. The shifting demographics of neighborhoods from full-time resident home owners to short term student renters can produce cross-cultural conflict and tension.



For decades, the mention of Southwest Texas State University (now Texas State University-San Marcos) prompted the question, “Isn’t that a party school?” Rumors circulated that Southwest Texas State had been ranked top party school in the country by *Playboy Magazine* and *The Princeton Review*. The rumors were untrue, and the reality was decidedly different. Nevertheless, the legend lived on, fueled by late-night gatherings in neighborhoods throughout the City. On any given night a small party might swell to a large-scale event with literally hundreds of people lining the street.

### Scanning

In 2007, police handled 2,833 noise complaints – the most frequent 9-1-1 call for service at the San Marcos Police Department (SMPD). Loud party calls were a huge drain on resources, especially at night when more than one officer responded because of the likelihood of alcohol being involved. Generally, San Marcos police employed a traditional enforcement approach – patrolling, investigating, and arresting without detailed regard to the specific nature of the problem. Officers were frustrated with their efforts to deal effectively with noise, especially when they responded repeatedly to the same locations. Raucous parties had become part of the culture and a norm that enforcement could not change.

Insert Photo 1 about here

### ***Conflict in a Town and Gown Community***

In August 2007, conflict erupted between residents of a densely populated student renter location and an adjoining single family neighborhood. The student-dominated Sagewood Drive area near the Texas State University campus had become the quintessential example of how rowdy behavior and its detrimental effects on sleep-deprived neighbors could create discourse between two groups of residents.

Insert Photo 2 about here

Situated at the top of a canyon were expensive single-family homes with beautiful landscaping, manicured lawns, and scenic views. Merely 50 feet away, at the bottom of the canyon, sat Sagewood. Fifty-two duplexes, each side having three bedrooms, three baths, and three car garages, were packed onto a crescent shaped street. The typical yard was overgrown with weeds and uncut grass. Beer cans lay strewn about. Tenants routinely parked their cars on

the lawns because they seldom used their garages for parking. Instead, the garages contained couches and pool tables for socializing and partying.

Insert Photo 3 about here

None of the Sagewood duplexes were owner-occupied, and out of state investors owned almost 90 percent of the properties. On site management was non-existent. With approximately 300 residents and no guardianship, a culture of anything goes evolved, and Sagewood became known as the place to party in San Marcos. Halloween night 2002, approximately 2,000 people, some coming from Austin and San Antonio, made their way to Sagewood for a large street party.

Groups of long-term residents attended City Council meetings vocalizing years of frustration and demanding action. Their comments culminated in a veteran of the war in Iraq asserting that he felt “more secure in the Green Zone in Baghdad” than he felt living next to Sagewood. The ensuing public policy quarrel played out in the local media. Non-student residents claimed that loud noise and disturbances affected the quality of life in residential neighborhoods. Students countered that the police and their neighbors were treating them differently than other residents. Criticism of police enforcement efforts ranged from accusations of a lack of enforcement to accusations of overly aggressive heavy-handed enforcement. Critics accused the University of taking a hands-off approach to off-campus student conduct. The City Council discussed requiring landlords to register rental properties to control tenants.

### ***The SARA Work Group***

In 2007, an internal group formed to study noise-related issues throughout the City and to recommend short-, medium-, and long-term solutions. The recommendations were to include a

universal application of strategies with an understanding that any specific area, such as Sagewood, would require customized planning. Members of the group included representatives from the SMPD, Code Enforcement, and the Legal Department.

In 2008, SMPD staff contacted the Texas State University Department of Criminal Justice for assistance in the problem-solving efforts. Criminal Justice professors joined the work group and initiated two semester-long graduate level problem-solving classes that included participation by ranking SMPD staff. These classes were an invaluable tool to connect law enforcement officials with students to identify and discuss real-world issues. The scanning effort grew throughout 2008, eventually encompassing community partnerships and collaboration with City and University staff, students, non-students, realtors, property owners, and the news media.

## **Analysis**

Analysis of the problem centered on six categories: (1) city-wide noise issues, (2) Sagewood specific issues, (3) how the police conduct business, (4) city ordinances, (5) underlying conditions, and (6) benchmarking other cities.

### ***City-wide Noise Issues***

In 2007, the SMPD responded to 34,726 calls for service, of which 2,833, or 8.2 percent, were noise complaints. Noise was the most frequent call for service to which patrol officers responded. Analysis of noise calls revealed that 2,194 occurred between 9:00 p.m. and 3:00 a.m. when Communications Division dispatched two units because of the likelihood of alcohol being involved.

Of the 2,833 noise calls, officers cleared 1,087, or 38.4 percent, as unfounded, which meant that, upon arrival, the officer did not hear excessive noise. In the remaining 1,746 calls, officers made 20 custody arrests and issued 283 citations.

The highest number of calls for service generally occurred at apartment complexes, but Sagewood was the seventh most frequently visited location with 92 calls for service. The top ten locations accounted for 1,087 noise calls for service. Patrol officers voiced their frustrations with repeated calls for service at the same locations, with doors being slammed shut upon their arrival, and with refusals of residents to answer the door. There were 110 repeat locations at apartments, 35 at single family residences, and 6 on Sagewood. For all locations there were 71 reports filed by officers when a resident refused to answer the door.

Officers expressed additional frustration regarding large parties in common areas of apartment complexes, such as a pool or volleyball court. Daytime parties were often had with the consent of management. Because these gatherings were marketing tools, the management would provide kegs of beer and live music to attract potential residents. For after-hours parties, residents would gather unsupervised because property managers rarely lived on-site and generally left the premises by early evening.

Insert Photo 4 about here

### ***Sagewood Specific Issues***

Neighbors living next to Sagewood listed it as the number one noise trouble location. For police, however, it was number 7, with far fewer calls for service than other locations. What was unique about Sagewood was that it was a street with rows of duplexes, but it functioned like an apartment complex without on-site management.

Sagewood had been controversial since inception. Developers planned the project in 1998 as transition housing between the single family neighborhood and multi-family apartment complexes. Once developed, the high density population, limited access, poor lighting, and poor definition of space created a challenging environment.

Better to understand noise calls for service on Sagewood, officers analyzed each call including the geospatial relationship of the noise source to the complainant. The officers determined that 55 incidents occurred in the 800 block of Sagewood, 29 in the 900 block, and 8 in the 1000 block. By complainant location, 23 complaints were filed primarily from one residence on Juniper Court, which was directly adjacent to the 800 block of Sagewood. Sagewood residents filed 17 complaints themselves. Police officers on patrol initiated the largest number of complaints, 33. Chart 1, Geospatial Relationship – Sagewood 2007, identifies the source of the complaint as it relates to the source of the noise.

Insert Chart 1 about here

### ***How the Police Conduct Business***

Department policy defined noise calls as priority 3, which meant Communications Division could hold a call based on call volume. Additionally, the requirement to dispatch two officers between 9:00 p.m. and 3:00 a.m. meant that Communications Division might have to hold a loud noise call for two hours or longer while waiting for officers to become available. This resulted in officers clearing a large number of calls as unfounded.

During the analysis of how the department responded to noise calls, several issues were discovered:

- A flaw in the City’s GIS mapping system affected the tracking of addresses;



- Officers handling noise calls were inconsistent in checking addresses for prior violations;
- Discretionary standards for officers to issue citations were undefined;
- Minimal crime analysis hampered recognizing trouble spots; and
- Noise problems were not fixed when they were small and easier to manage.

### ***City Ordinances***

In April 2002, the San Marcos City Council enacted ordinances establishing a party host's responsibilities when holding a gathering and made it unlawful for a residence to become or remain a nuisance due to excessive noise. Starting in 2002, SMPD logged and tracked every verified noise complaint location and person officers identified as a host. The department sent a letter to each property owner when two or more verified noise complaints occurred within 60 days. Although the department sent more than 670 notices to property owners, no property was ever declared a nuisance. Generally, property owners would address the problem with their tenants and the situation would resolve itself with no further episodes within the next 60 days.

In 2008, the department solicited feedback from community groups, students, property owners and the City Council on how well they perceived the ordinance was working. Respondents were concerned that the ordinance did not clearly define excessive noise, that the ordinance should hold guests, not just the hosts, accountable for their behavior, that the ordinance should prohibit unruly gatherings, and that property owners should face fines for repeated noise calls for service.

### ***Underlying Conditions***

A major impediment to deal effectively with noisy gatherings was defined by the simple question, “Whose problem is it?” The answer varied and ranged from the police, to landlords, to Texas State University, to parents, to Code Enforcement, to the students themselves. Lack of a coordinated response by all the stakeholders, over-reliance on enforcement to solve the issue, and little educational or preventive strategy made dealing with the underlying conditions more difficult.

### ***Benchmarking Other Cities***

In researching the issues of town and gown cities, the most common identified problems were:

- Noise and disturbances from loud parties late at night;
- Overcrowded parking on streets, lawns, and sidewalks;
- Litter, trash, and garbage cans left out for days; and
- Poor maintenance of rental property in residential areas.

Successful responses in other cities derived from community partnerships and collaboration using an integrated approach. The responses were preventive, had an educational component or ad campaign, involved the community in setting priorities and designating resources, and tailored responses for the specific community.

### ***A New View of Noise***

For solutions to be effective, noise could no longer be the expected by-product of youthful gatherings. A new view of noise as harmful was necessary. Noise injures people physiologically, socially, and psychologically. It can be a potent stressor. Noise can be

extremely detrimental when it interrupts sleep or relaxation. This new paradigm about noise permitted a better understanding of how noise affects livability in a neighborhood. Noise can diminish quality of life, reduce property values, and result in a neighborhood being a less desirable place to live.

## **Response**

The response plan was a flexible guideline that was refined based on community input and feedback. The SARA team presented the original plan to the City Council in March 2008, and a revised plan in July 2008. The plan included short, medium, and long-term goals.

### ***Short Term City-Wide Goals***

- Modify the City's GIS mapping system better to pinpoint address locations and continue tracking every noise violation;
- Change noise calls to priority 2 to be dispatched within 30 minutes and track unfounded call dispositions;
- Establish consistent procedures for officers to check addresses for prior noise violations and guidelines for issuing citations at repeat locations with verified noise complaints;
- Conduct department-wide training with all personnel on noise and the department's response; and
- Intervene early with owners and property managers at locations with repeat calls for service.

### ***Short Term Sagewood Goals***

- Order maintenance policing with SMPD officers teamed with Code Enforcement and Texas State University Police on Thursday, Friday, and Saturday nights for three weeks followed up by nightly foot patrol by a district officer;
- Strategic traffic enforcement;
- Code Enforcement to coordinate bulk trash pickup, street sweeping, mowing of easements, and neighborhood walk through with warnings for trash cans left out on the street, parking on the grass, and other code violations;
- Follow-up by SMPD day shift officers with tenants about party-related litter not being picked up promptly;
- Continue analysis of Sagewood calls for service and publish a weekly status report to neighbors; and
- Strengthen relationship with property managers to encourage better oversight and maintenance and marketing strategies.

### ***Medium Term Goals***

- Report student noise violations to the Dean of Students for follow-up contact with an involved student;
- Streamline and change City noise and host responsibility ordinances;
- Form a best practice in town and gown relations with stakeholders based on the four most common problems, review available options, develop tools, set priorities, focus on education, plan for the student population, build student and community partnerships, and

seek assistance from the University with off-campus noise conduct (This stakeholder group became the ACT campaign);

- Begin quarterly meetings with Austin Apartment Association members and local apartment and property managers to create a partnership in reducing noise, strengthening relations between partners, and monitoring crime trends on properties;
- Conduct a survey of Sagewood residents to obtain demographics and perceptions. Of the 107 residents who responded, 89 percent were Texas State students. Forty-eight percent felt SMPD was fair in dealing with students. Fifty-two percent felt SMPD was either too harsh or too harsh at times;
- Improve police and resident interactions. Officers participated in Bobcat Build, a volunteer event that gets Texas State students involved in San Marcos by helping residents and organizations throughout the community. Officers and students teamed together to clean up the brushy area between Sagewood and the adjacent neighborhood. Years of discarded furniture, beer bottles, and trash were collected and hauled away; and

Insert Photo 5 about here

- Consult professionals in sound patterns and crime prevention through environmental design (CPTED). The feasibility of a natural or man-made sound barrier was not selected as an effective means for noise reduction. The CPTED recommendations implemented were the social and cultural definitions in how space was used plus reducing symbols of disorder.

### ***Long Term Goals***

- Continue pro-active policing in areas with repeat problems;
- Seek funding sources for Sagewood CPTED physical changes – funding has not been found; and
- Implement strategic plan of programs and services successfully to transition students living off-campus into neighborhoods, increase positive interactions with students and non-students, combine resources to effect long-term change.

### *The ACT Campaign*

One way to get through turbulence is to create new norms. The ACT campaign brings together the San Marcos community and Texas State University to work together on common values, mission, and goals. The focus is to promote positive relations between student and non-student residents through education, community connectedness, and resources. This is the first time stakeholders in San Marcos have come together on such a large scale to problem-solve and create change.

Insert Photo 6 about here

The ACT Campaign committee has broad-based membership and includes City of San Marcos representatives from the San Marcos Police Department, Code Enforcement, and Neighborhood Services. University members include the Vice President for Student Affairs, the Dean of Students, the LBJ Student Center, the Texas State University Police Department, Housing and Residence Life, the Attorney for Students, Community Relations, and Associated Student Government. Community representatives and the Hays County Dispute Resolution Center also joined the group. The committee's charge is to create a student and non-student

resident culture of care, cooperativeness, and collaboration. Regular communication, planning, and problem-solving are hallmarks of the ACT coalition.

One of the first steps in the ACT campaign was to establish a common mission between the stakeholders. A familiar cry from the San Marcos community was for the University to “do something” regarding off-campus conduct, implying punitive sanctions. The University focused on positive steps to develop student success leading to graduation. This understanding of the University’s mission led to the common goal – retention of students. For the University, engaged and contributing students stay in school. For the community, engaged and contributing students make good choices and do not disrupt quality of life in neighborhoods.

Insert Photo 7 about here

ACT education for students demonstrates how to transition successfully to off-campus housing and live in the community. For long-term residents, it means learning how to develop positive interactions with students and to deal with changing neighborhoods.

The educational efforts of the benefits in reducing noise are promoted in various ways. Students learn how to hold a responsible gathering and avoid having the police respond and issue an expensive citation. Property owners and apartment managers learn the financial reality that noise does not operate in a vacuum. Tenants with noise problems generally have other issues, such as late payment of rent, damaging or abusing the property, and attracting other criminal activity such as assaults, thefts, and burglaries. All these conditions can result in increased make ready costs for landlords at turnover. The police learn how to reduce the demand on resources, which frees officers to focus on other pressing issues. For the University and parents, it means students staying in school.

In 2009, the ACT campaign partnership expanded to include property owners and property managers through the ACT Ally program. ACT Ally is an alliance to educate residents about community expectations and to promote positive citizenship in the City of San Marcos. In two years the program has grown to include 25 multi-family complexes committed to supporting a healthy living environment.

### **Assessment**

The Police Department's efforts to reduce noise in neighborhoods have produced significant results. The problem-solving effort began in August 2007, continued with public presentations in March 2008, July 2008, and March 2009 for ordinance changes. The ordinance changes were implemented in April 2009. The assessment of the noise effort spans from 2007-2010.

#### ***From 2007 to 2010***

- Noise calls reduced by 16.3 percent from 2,833 to 2,371;
- Noise calls from 9:00 p.m. to 3:00 a.m. reduced by 20.4 percent from 2,194 to 1,747;
- Noise calls as a percentage of the total calls for service dropped from 8.2 percent to 5.4 percent, and noise calls are no longer the type call to which officers most frequently respond;
- Noise calls cleared as unfounded dropped 46.3 percent from 1087 to 584; and
- Arrests and citations for noise dropped 43.6 percent from 303 to 171.



The department accomplished these reductions despite a 25.4 percent increase in total calls for service from 34,726 in 2007 to 43,542 in 2010. Chart 2, Calls for Service – Noise, depicts the decrease in calls for service regarding loud noise from 2007 to 2010. Chart 3, Arrests and Citations, depicts the decrease in enforcement activity regarding noise complaints from 2007 to 2010.

Insert Chart 2 about here

Insert Chart 3 about here

June 2009, the City of San Marcos permitted extended hours for the service of alcohol. Previously, bars closed at midnight. Following the extended hours, bars closed at 2:00 a.m. The extended bar hours no doubt had an effect on the reduction of loud party calls in the neighborhoods, as people could stay longer at the bars. How much of the reduction in loud party calls is attributable to extended bar hours and how much is attributable to problem solving efforts is undetermined.

In the Sagewood area, a comparison in calls for service for noise showed a 15.2 percent reduction from 92 to 78. Factoring out officer-initiated calls revealed that citizen complaints went from 59 to 43, a reduction of 27.1 percent. Additionally, factoring out officer-initiated calls due to pro-active policing at all locations revealed that Sagewood was no longer in the top ten locations of citizen-generated calls for loud noise.

From 2007 through 2010, repeat noise locations at apartments have dropped from 110 to 46, single-family residences from 40 to 26, and Sagewood residences from 6 to 1. The incidences of large scale parties in neighborhoods and the common areas of apartment complexes are no longer common place in San Marcos. However, large scale parties have been

displaced, moving outside the city limits and into Hays County jurisdiction where the host responsibility and noise ordinances do not apply. To address this development, a representative of the Hays County Sheriff's Office became a member of the ACT committee.

ACT Ally apartment complexes promote their properties as a fun place to live without using alcohol or parties as marketing strategies. Managers now report that potential residents ask whether the property is quiet when looking for a place to live.

The noise reduction problem-solving has led to collaborative partnerships and strengthened relationships. The effort is a long-term project because every year San Marcos has a new crop of student residents who move into the community. The ongoing nature of this project seeks to institutionalize problem-solving, communication and integration of new citizens. The educational process is not limited to just student residents, but includes non-student residents in learning how to get along with people who are different from them. The emphasis of this education reflects the true nature of Texas State University as an academically advanced institution with outstanding and talented students from across the world.

The close partnerships between the City of San Marcos and Texas State University and between student and non-student residents create maps for cross-cultural communication. The ACT campaign holds the view of a person as a global citizen. ACT demonstrates how to transform people from temporary visitors to full time citizens — whether they choose to live permanently in San Marcos or move to another community.

## **Agency and Officer Information**

### ***Key Project Team Members***

Dr. Joanne H. Smith, Vice President for Student Affairs

Dr. J. Pete Blair, Associate Professor

Michelle M. Lopez, Assistant Director of the LBJ Student Center

Assistant Chief Lisa Dvorak (ret.)

Assistant Chief Chase Stapp

Commander Penny Dunn

Commander Terry Nichols (ret.)

Sgt. Martin Manzi

Ken Bell, Fire Marshal

***Project Contact Person***

Lisa Dvorak, Community Liaison

San Marcos Police Department

2300 IH 35 South

San Marcos, Texas 78666

Phone: 512/753-2110

Fax: 512/753-2190

Email: [ldvorak@sanmarcostx.gov](mailto:ldvorak@sanmarcostx.gov)

**Photo 1**



Caption: Raucous parties create repeated police calls for service

**Photo 2**



Caption: Single family home adjoins Sagewood duplexes

**Photo 3**



Caption: The duplex visible behind the single family residence in Photo 2

**Photo 4**



Caption: The results of an estimated 3,000 person gathering in the common area of an apartment complex

**Photo 5**



Caption: Police officers and students participate in Bobcat Build



**Photo 6**



Caption: ACT volunteers gather for a Community Welcome walk through neighborhoods

**Photo 7**

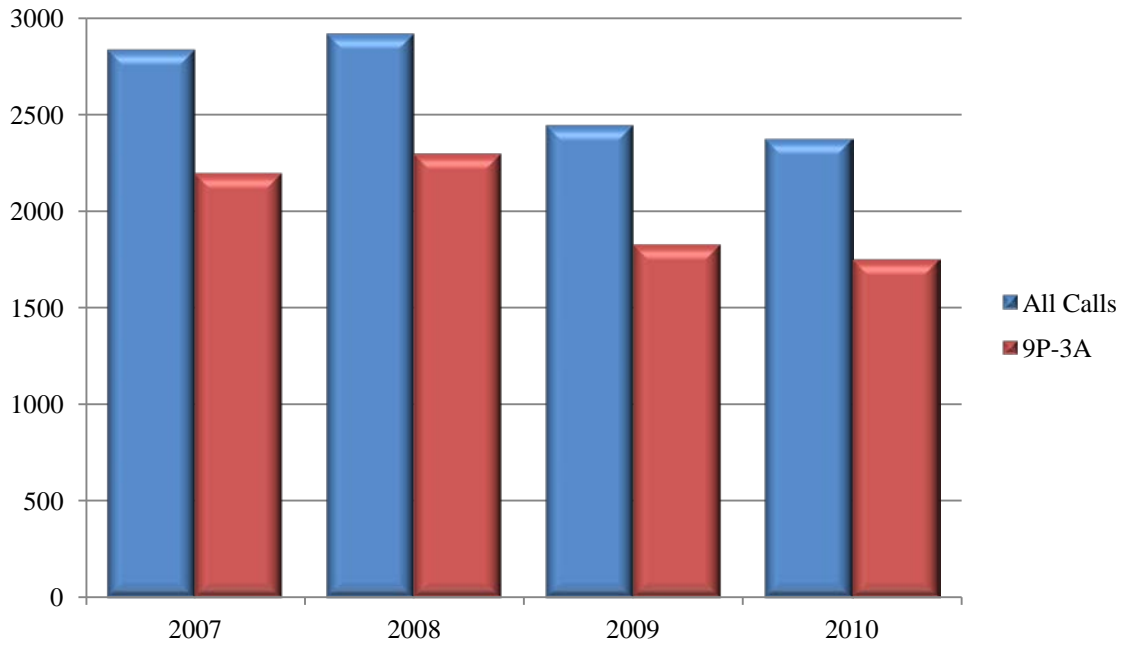


Caption: ACT volunteers engaging residents

**Chart 1. Geospatial Relationship – Sagewood 2007**

<b>Noise Source and Complainant Locations</b>				
	800 Block Sagewood	900 Block Sagewood	1000 Block Sagewood	
<b>Complainant Location</b>				<b>Totals</b>
Juniper Court	12	11	0	23
Sagewood	13	3	1	17
Redbud Court	2	1	0	3
Camaro Way	2	0	0	2
Yaupon Court	0	1	0	1
Craddock	0	0	3	3
Refused	2	7	1	10
Officer Initiated	24	6	3	33
<b>Totals</b>	55	29	8	92

**Chart 2. Calls for Service – Noise**



**Chart 3. Arrests and Citations**

