



STATE REPRESENTATIVE

JESSE JAMES

February 9th, 2022

Testimony of Representative James in favor of AB 865

Thank you Mr. Chairman and other committee members for holding this hearing on Assembly Bill 865. This bill will help businesses, entities, and organizations that choose to protect their property by installing a battery-powered, electric security fence. This legislation will establish a statewide standard and regulation for the installation of these all-inclusive fence systems. The purpose of these systems is to deter those who might attempt to enter a property with the intent to commit a crime.

I want to share a story about a business in my district that that is a prime example of why this legislation is needed. While working as a law enforcement officer, I heard about a recent incident at the Wisconsin Auto Auction, located in Lake Hallie on December 26, 2021.

Two officers responded to a call regarding suspicious subjects walking around the facility with flashlights. As they arrived on scene, an officer observed a burgundy Jeep leaving the parking lot. The officers conducted a routine traffic stop, and while doing so, the officers observed what appeared to be power tools commonly used to cut catalytic converters off out of cars on the floor of the front passenger's seat. A catalytic converter was found in the back seat, with what appeared to be fresh cut marks. They had just stolen the converter from the auto auction. As the search continued, additional stolen goods were discovered, as well as drug paraphernalia. What a bust, right? The electric fence surrounding the property was enough to deter these perpetrators from breaking into the secured auto lot and doing even more damage, and kept them out in the public parking lot. The Wisconsin Auto Auction benefited from having an electric fence installed in this situation. Just imagine what it could do for other businesses.

I talked to the Lake Hallie Police Department, Chief Ed Orgon, and he was excited to hear about this legislation. When I told him about it his reply was, "yes, yes, yes." This will help law enforcement, it will help businesses protect their property, and there will be safety standards for the electrified portion of the fence.

Let's make this process less of a headache. Let's support property owners' freedoms to set up protection for their goods. I ask for your support in moving this legislation forward, and thank you for your time.



Van H. Wanggaard

Wisconsin State Senator

TESTIMONY ON ASSEMBLY BILL 865

Thank you committee members for today's hearing on Assembly Bill 865, which defines and regulates "battery-powered, alarmed electronic security fences."

If you're like me a few months ago, right now you're wondering what a battery-powered alarmed, electronic security fence actually is. I don't blame you. Simplified, these fences are electric security fences within an outer fence that are able to signal law enforcement of an intrusion.

With the crime increasing across the state and law enforcement already overburdened, many people are seeking additional security for their businesses. Unfortunately, there is no state standard for a battery-powered alarmed, electronic security fence. As a result, local governments, businesses and fence suppliers are faced with a hodge podge of regulations across the state. This causes confusion.

To fit the new statewide definition the fence must:

- Be equipped to a battery supplying not more than 12 volts of power.
- Fits the International Electrotechnical Commission's definition of electric fence energizers
- Be connected to an alarm system that can contact law enforcement
- Contains a warning sign
- Is surrounded by a perimeter fence of wall at least 5 feet high
- Is no more than 10 feet high, or 2 feet higher than the perimeter fence

Because this bill creates a new statewide definition, and to prevent the hodge podge of regulations and permits, the bill prohibits local governments from regulating these fences.

To give a brief example of why this bill is necessary, Milwaukee requires the following steps to install one of these fences within a fence:

- An alarm permit + alarm fee
- An electrical permit + fee, which is unusual because these fences are battery powered
- An electrical contractor, even though it runs on a battery (an additional cost)

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- A TUV permit + fee
- Monthly Knox switch fee
- Compliance fees

In addition, if the fence is higher than 9 feet tall, a site plan is required (which adds months and costs to the project), a variance is required, as well as additional compliance fees.

As you can see the Milwaukee hurdles can add thousands of dollars and months of time to the process of installing a non-lethal fence. Now multiply that by the hundreds of municipalities in Wisconsin, and you begin to see the problem this bill addresses.

I urge your support. Thank you.

Thank you.

TO: Assembly Committee on Criminal Justice and Public Safety
FROM: Michael Pate, Director of Government Relations at Amarok, LLC
DATE: February 9, 2022
RE: Testimony in Support of AB 865

Good morning, Chairman Spiros and Committee Members. My name is Michael Pate, and I am the Director of Government Relations at Amarok.

Amarok is a manufacturer of the type of security fences that AB 865 would apply to. We support this bill because it will provide uniform safety standards for security systems like ours, as well as certainty and uniformity during the installation process.

You've probably seen our product or something similar at a business with an outdoor storage lot. Our customers are businesses of all sizes that rely on outdoor storage, handle sensitive materials, and are prone to attracting criminal trespassers and property theft. In Wisconsin we do business with auto salvage and auction lots, trucking companies, shipping and distribution hubs, landscapers, and other businesses that park vehicle fleets outdoors.

Oftentimes a customer will reach out because they've been victimized by crime, and they are looking to enhance their perimeter security to deter future theft from occurring. A small business owner does not make the decision to contact us lightly – our products are not cheap. If they are compelled to make the investment in one of our security systems, it is likely because property crime has become a very real threat to their livelihood.

Let me describe our product which meets the definition of a "battery-powered, alarmed, electric security fence."

You start with an exterior fence or a wall. The most common example would be a chain-link fence. This fence is approved locally and complies with all local ordinances. The electrified security fence is installed directly behind that perimeter fence. Our electrified fence is equipped with an audible alarm, LED lighting, and has warning signs posted every 30 feet. Our product is also connected to a 24/7 monitoring service, which has the ability to contact the business owner if a breach takes place and can signal law enforcement. The electrified fence is powered by a 12-volt battery, similar to a car battery, that is charged by solar panels. We are not plugged in to the electrical grid.

All of these components, when taken together, create a product unique to regulation. We are not just an alarm system. We are not just a fence. We are not just an electric fence. We are an all-in-one security system – and oftentimes, local governments struggle to classify our product, and do not know what permit should apply to us. Which brings us to the need for a statewide standard.

The problem we are ultimately trying to solve is the confusion and significant delay during installation, where unnecessary red tape and paperwork leave business owners vulnerable for months on end. Building permits, conditional use permits, calls for site plans, and even electrical permits – even though our system is powered by a 12 volt battery, are examples of what's been thrown at our customers to install our security system.

Our customers know that we can't always install a fence overnight, but they have an expectation it can be done in a reasonable amount of time. We run into this problem all over the country. We have supported the passage of statewide standards in 13 other states, and 7 other states are considering similar bills.

AB 865 simply provides uniform safety standards, clear regulation, and specifies that the appropriate permit to be required locally, if any, is an alarm system permit.

The municipality can still receive a permit fee; and still regulates the exterior fence which the rest of the system depends on.

The bill's safety standards are important to note. To be covered by this legislation, the system must be powered by a 12-volt battery. A system powered by fixed electrical wiring is not covered by the bill and should be subject to different standards. The electrified portion must satisfy the standards provided by the International Electrotechnical Commission. The charge is enough to shock and deter – not injure. In fact, a typical electric fence for livestock containment is 3 to 4 times more powerful.

The bill expressly requires warning signage. As mentioned, we include warning signs at 30-foot intervals on the entirety of the fence. That is consistent with the International Electrotechnical Commission standards. Further, the bill specifies use only in non-residential areas. AB 865 does not impact a local government's ability to regulate exterior fences.

Our electrified security fence is installed behind the exterior fence. If the existing exterior fence does not comply with local ordinance, then we don't sell and install our product.

Concerns with aesthetics, disrepair, or traffic sight lines can all be addressed through a municipality's regulation of the exterior fence. Again, this bill does not change that. If the exterior fence *is* compliant with local ordinance, then this legislation kicks in and we have a straightforward regulatory framework in place.

Our product keeps businesses safe and secure. It provides an enormous deterrent to unlawful entry. It eliminates the need for antiquated and unsafe security strategies such as armed guards, dogs, and barbed-wire fencing. It gives law enforcement a clearer picture of what they are walking into when the alarm system is triggered. This legislation creates reasonable regulation while still maintaining important pieces of local control.

As a whole, this bill creates a clear and consistent standard for how to treat a combination system such as Amarok's, to ensure a timely and straightforward process.

Thank you very much for your time and consideration.