

	GENERAL ORDER	SERIES 308	NUMBER 7	EFFECTIVE DATE September 28, 1993
SUBJECT Private Security		DISTRIBUTION A		
		ORIGINATING UNIT PDD		

The purpose of this order is to establish the policy and the procedures governing the conduct and performance of private security within the District of Columbia. This order consists of the following three parts:

Part I Responsibilities and Procedures for Members of the Department

- A. Definition of Terms
- B. Private Detective Agencies
- C. Private Detectives
- D. Special Police Officers
- E. Security Officers
- F. Weapons
- G. Reporting Incidents Involving Security Personnel
- H. Suspensions

Part II Responsibilities and Procedures for Special Assignment Personnel

Distribution of Reports

Part III Responsibilities and Procedures for Supervisory and Command Personnel

- A. Director, Audit & Compliance Division
- B. Watch Commander, Communications Division
- C. Commanding Officers

Part I

A. Definition of Terms

1. The term "private detective agency" is defined as a security company legally licensed, upon approval of the Chief of Police, to sell it's various security services to an individual, corporation and/or government agency.

2. The term "private detective" means any person (whether self-employed or employed by others), firm, or corporation, licensed pursuant to DCMR Title 17, Chapter 20, Section 2000.1, engaged in, or represents or advertises as being engaged in the business of any of the following:

- a. The business of detecting, discovering, or revealing crime or criminals;
 - b. The business of security information for evidence relating to crime or criminals; or
 - c. The business of discovering or revealing the identity, whereabouts, character or actions of any person(s) or thing(s).
3. The term "special police officer," is any person who is commissioned pursuant to the provisions of D.C. Code §4-114 (1981) and other regulations which have been approved pursuant to this act, and who may be authorized to carry a weapon.
 4. The term "security officer," is any person who is licensed pursuant to DCMR Title 17, Chapter 21, Section 2100.1 and is privately employed to do any of the following:
 - a. Prevent the theft, misappropriation, or concealment of goods, wares, merchandise, money, bonds, stock certificates, or other valuable documents, papers and articles;
 - b. Prevent damage to real or personal property;
 - c. Prevent assaults, gate-crashing, or other disorders at meetings, events, or performances; or
 - d. Prevent similar illegal occurrences.

B. Private Detective Agencies

1. Private detective agencies are those companies which have been licensed to sell their security services to individuals, and private and/or government agencies. Private detective agencies "only" may employ either special police officers, private detective, and/or security officers. No individual or corporation may employ security personnel or conduct a security business without acquiring a "Private Detective Agency License".
2. The holder(s) of a private detective license is required by law to renew the license by November 1, of each year. The license will be in effect until the following October 31, of each year.
3. Applicants for agency licenses must possess the following:
 - a. Be at least 18 years of age;
 - b. Have no felony convictions;

- c. Have no misdemeanor convictions within 5 years of making an application; and
- d. Applicant must be a U.S. Citizen or present proof that they have a permanent resident status(i.e., a Resident Alien Card).

C. Private Detectives

- 1. Private detectives are non-uniformed and unarmed civilian investigators. They are not authorized to make arrests under their license, however, they may make a citizens arrest for violations of the law occurring in their presence as allowed by D.C. Code §23-582 (Arrests Without Warrant by Other Persons).
- 2. No person shall be licensed as a private detective unless the Chief of Police, or designee, certifies to the Mayor that the Chief of Police approves of the issuance of the license.
- 3. Each person applying for a license shall submit to the Mayor, under oath, any information that the Mayor may require to assist in determining whether the applicant is of good moral character and that granting the license will be in the public interest.
- 4. Each person licensed as a private detective shall, while engaged in dealings with any person while doing business as a private detective, carry on their person, the identification card bearing their photograph issued by the Mayor.
- 5. Upon request of any person with whom the licensee may deal or have contact in connection with doing business as a private detective, the licensee shall display the card and furnish to the requesting person a business card or other written matter containing the licensee's full name and license number.

D. Special Police Officers

- 1. Special police officers are privately commissioned police officers with full arrest powers within an area or premises which the officer has been employed to protect. The commission is conditional and is required to be renewed each year.
- 2. Special police officers may be appointed by the Mayor for duty in connection with the property of or under the charge of a corporation or individual requesting the appointment. Special police officers shall be strictly confined in their authority to the particular place or property which they are commissioned to protect.

3. Commissions issued to special police officers shall specify the following information:
 - a. The particular place or property they are commissioned to protect (this information is normally kept in the form of a contract list which is available for inspection at the Security Officers Management Branch):
 - b. Any waiver of the uniform requirement;
 - c. Firearm authorization status; and
 - d. In the case of DCMR Title 6-A, Chapter 11, Section 1101.2, any requirement for storage or special provisions for transportation of firearms or other dangerous weapons.
4. Special Police officers are normally in uniform as required by DCMR Title 6-A, Chapter 11, Section 1109, however, upon request a uniform waiver may be granted.
5. Special police officers may be authorized to bear firearms, however, they must meet additional requirements which included completing an annual firearms training course.
6. The holder of a special police officer's commission is not authorized to take police action on public space, except when in fresh pursuit from an authorized location. The holder of a special police officer's commission may not take police action on private property, unless their employing agency has contracted with the owner of the private property to render security related services. Violations may result in the revocation of both the agency's license and special police officer's commission.
7. Special police officers are explicitly prohibited from engaging in roving patrols on public space. However, officers may travel upon public space to get from one job site to another and the most direct route must be taken. Any deviations of armed special police officers traveling between job sites may subject the officer to arrest for firearms violations and the revocation of their commission.
8. No person shall be appointed as a special police officer pursuant to D.C. Code §4-114, and DCMR Title 6-A, Chapter 11, unless they meet the following requirements:
 - a. Have reached the age of twenty-one (21) years;
 - b. Be a citizen of the United States;

- c. Be of good moral character;
- d. Be approved for appointment by the Chief of Police

NOTE: An extensive arrest record may disqualify an applicant under section c above.

E. Security Officers

1. Security officers are licensed private citizens who act as a watchman to prevent assaults, damage to personal or real property, gate crashing and other minor illegal acts. They are unarmed and have no arrest authority except as a citizen. Security officers must be in uniform with a distinctive half moon red patch which states at a minimum "SECURITY OFFICER".
2. The licenses of all security officers expire on January 31 of each year. However, to facilitate the large number of licensed security officers within the District of Columbia, renewal begins October 1 of each year.
3. The term "Security Officer" does not include any of the following:
 - a. Persons commissioned as special police officers;
 - b. Persons working in their official capacity as employees of the federal government; or
 - c. Members of the Metropolitan Police Department or the public police force of any other jurisdiction.
4. No person shall be employed as a security officer unless that person has first been certified by the Mayor as being of good moral character.
5. To determine good moral character, the Mayor shall consider information from the applicant's previous employers of the past five (5) years. Character references, convictions for misdemeanors, military record, and any other relevant information that the Mayor's investigation reveals.
6. Each applicant for certification shall be required to submit a physician's certificate stating, that to the best of the physician's knowledge after examining the applicant, the following:
 - a. The applicant is not presently addicted to drugs or alcohol;
 - b. The applicant is not suffering from any debilitating mental

defect or disorder; and

- c. The applicant is not suffering from serious heart disease, severe epilepsy, or other physical defect which might cause substantial loss of control in situations of severe stress.
7. An applicant who is in either of the following categories shall not be eligible for certification as a security officer unless they meet the burden of proving to the Board of Appeals and Review that they are not a significant safety risk to the community and meet all other requirements for certification:
- a. Released from incarceration for a felony conviction in any jurisdiction in the United States within two (2) years prior to the date of filing an application for certification; or
 - b. Released from incarceration for a misdemeanor conviction in any jurisdiction in the United States involving larceny or involving the illegal use, carrying, or concealment of a dangerous weapon within one (1) year prior to the date of filing an application for certification.

NOTE: A person on conditional release from any jurisdiction within the United States, is prohibited from making an application as a security officer. Additionally, if the condition of release is for a felony, two (2) years must expire and if a misdemeanor, one (1) year must expire from the anniversary of the release from conditions set by the court, to be eligible to make an application (e.g., probation, parole, etc).

8. An individual who makes an application for a security officer's license and meets the initial requirements as set forth in DCMR Title 17, Chapter 21, Sections 2103, 2105 and 2106 may be issued a temporary identification card while their application is being processed. The temporary identification card shall have inscribed conspicuously across its face the word "TEMPORARY" and shall contain on its face an expiration date that is not later than six (6) weeks after the date of issuance. If extenuating circumstances exist a temporary license may be extended by re-issuing a new temporary identification card.

F. Weapons

1. Unless otherwise approved by the Chief of Police, special police officers shall carry a .38 caliber revolver with a 4' barrel. Authorization to possess shotguns may be given with additional firearms training required.

2. The conditions under which special police officers may carry firearms are set forth in Chapter XI of the Police Manual. Special police officers are permitted to carry blackjacks while acting within the scope of their authority and while performing the duties for which they have been commissioned.
3. If a security officer, private detective, or special police officer who does not possess a commission authorizing the carrying of a firearm is discovered carrying a firearm, they are in violation of the D.C. Code §22-3204, "Carrying Dangerous Weapons" and are subject to arrest and prosecution just as a private citizen. A security officer or private detective who is carrying a blackjack is in violation of D.C. Code §22-3214, "Possession of a Prohibited Weapon". The same will apply to a special police officer carrying a firearm or blackjack other than as authorized by their commission. There is nothing in the law to prevent those authorized to carry firearms at a specific location to carry their firearm while in fresh pursuit or while immediately adjacent to the property or area for which they are commissioned.
4. Upon learning that a special police officer has discharged any weapon while on or off duty, and in the District of Columbia, the officer(s) arriving on the scene are responsible for notifying the official in charge of the Communications Division.

G. Reporting Incidents Involving Security Personnel

1. All criminal and serious traffic violations by private security personnel shall be reported and the appropriate reports prepared. The reporting officer shall notify a member of the Security Officers Management Branch no later than the next business day after making an arrest or filing a report.
2. Members shall report all violations of the D.C. Code, Police manual and DCMR Title 6-A and 17 pertaining to private detective agencies, private detectives, special police officers and security officers., when complaint numbers (CCN) are obtained, to the Security Officers Management Branch, Audit & Compliance Division, during business hours.
3. Any member making an arrest for violations of the regulations that pertain to private security, shall immediately notify the watch commander in the District where the violation occurred.
4. Minor violations of security regulations shall be enforced by executing a PD 61-D (Violation Citation), or a PD 251 (Incident Report) and/or a verbal warning(e.g. failure of a security officer to display identification upon request). If a question arises as to how to proceed, you may contact the Security Officers Management Branch for guidance.

5. It is the policy of the department that minor violations committed by security personnel will not be enforced by a summary arrest, except in aggravated circumstances.
6. Members who make contact with a person who is performing as either a private detective or uniformed security officer without a license, shall, where an arrest is not contemplated, summon the individual and their agency representative for a hearing in the Corporation Counsel's Office. A representative of the Security Officers Management Branch shall be notified of the hearing and the disposition.

H. Suspensions

When a special police officer is arrested for any offense which would justify the suspension of a member of the Metropolitan Police Department, the special police officer shall be suspended by a member of this department of the rank of sergeant or above. However, sworn members assigned to the Security Officers Management Branch have the same authority to suspend as a sergeant or above. Upon suspension the special police officers' commission, badge, firearm, and any other dangerous weapon shall be taken from them.

Part II

A. Distribution of Reports

The original PD Form 251 shall be forwarded to the Identification and Records Division where copies of all violations that pertain to private security and the arrest of all private security personnel shall be made and distributed as follows:

1. The Director, Audit & Compliance Division
2. Division or district as applicable.

If an arrest was reported, a copy of any previous arrest record of the defendant shall be attached by the Identification and Records Division.

Part III

A. Director, Audit & Compliance Division

The Director, Audit & Compliance Division, shall make the appropriate notification involving violations to the Commander, Security Officers Management Branch.

B. Watch Commander, Communications Division

The official in charge of the Communications Division shall be responsible for notifying the commanding officer of the district in which an incident involving the discharge of a weapon by a special police officer has taken place.

C. Commanding Officers

Upon notification by the Communications Division that a weapon has been discharged by a special police officer, an official shall be designated to respond to the scene and conduct the preliminary investigation. A full report shall be prepared and submitted, with recommendations, through channels, to the Director, Audit & Compliance Division.

//SIGNED//

Fred Thomas

Chief of Police

FT:RJT:jtp