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## LEVEL TWO TRAINING COURSE

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**Texas Department of Public Safety/ Private Security Bureau**  
**Level Two Student Training Manual**

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# Texas Department of Public Safety/ Private Security Bureau

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### Chapter One

#### History of the Private Security Bureau

The Texas Department of Public Safety, Regulatory Services Division which oversees the Private Security Bureau, formerly known as the Texas Board of Private Investigators and Private Security Agencies, was created in 1969 to license and regulate the investigations and security industry in Texas.

Regulated Services include: Investigations, Guards (both unarmed and armed), Security Alarms, Armored Car Service, Courier Service, Electronic Access Devices, Locksmiths, Guard Dogs, Telematics, Security Consultants and Training Schools.

#### TEXAS DEPARTMENT OF PUBLIC SAFETY ON PRIVATE SECURITY

##### OCC §1702.021. BOARD MEMBERSHIP.

(a) The Texas Private Security Board consists of seven members appointed by the governor with the advice and consent of the senate as follows:

- (1) Four public members, each of whom is a citizen of the United States;
- (2) One member who is licensed under this chapter as a private investigator;
- (3) One member who is licensed under this chapter as an alarm systems company; and
- (4) One member who is licensed under this chapter as the owner or operator of a guard company.

(b) Appointments to the board shall be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointee.

#### Subpoena and Injunctive Powers

The Department retains the power to issue subpoenas and injunctions, as outlined in the OC below.

Subpoena Types:

- a. Subpoena duces tecum is a summons ordering the parties named to appear in court and produce tangible evidence for use at a hearing or trial.
  - b. Instantner Subpoena is issued when a person fails to comply with a subpoena and is brought to court by the officer.
- Civil Injunction: is an order requiring a person to do or cease to do a specific action. (1702.381)(1702.382)(1702.383)

#### OC Sec. 1702.367. COMPLAINT INVESTIGATION; SUBPOENA; WITNESS.

- a) For an investigation conducted under this chapter, the Department may issue a subpoena to compel the attendance of a witness or the production of a pertinent record or document. The hearings office may administer oaths and require testimony or evidence to be given under oath.
- b) A witness is not privileged to refuse to testify to a fact or to produce a record or document with respect to which the witness is properly examined by the hearings officer.
- c) A person required to testify or to produce a record or document on any matter properly under inquiry by the Department who refuses to testify or to produce the record or document on the ground that the testimony or the production of the record or document would incriminate or tend to incriminate the person is nonetheless required to testify or to produce the record or document. A person who is required to testify or to produce a record or document under this subsection is not subject to indictment or prosecution for a transaction, matter, or thing concerning which the person truthfully testifies or produces evidence.
- d) If a witness refuses to obey a subpoena or to give evidence relevant to proper inquiry by the Department, the Department may petition a district court of the county in which the hearing is held to compel the witness to obey the subpoena and to give the evidence. The court shall immediately issue process to the witness and shall hold a hearing on the petition as soon as possible.
- e) An investigator employed by the department may take statements under oath in an investigation of a matter covered by this chapter.

#### Actions Against Violators

The Department may take actions against persons including administrative, civil and criminal actions. The following escalates with the severity of the violations (OCP 1702.061).

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**Reprimand:** A reprimand results in an official record being made of a violation with admonishment to cease any further violation. The violator may be allowed to continue work if his company so desires.

**Probation:** Probation involved a finding of wrongful doing and a period of time during which the violator must not commit any violation. The violator may be allowed to continue work if his company so desires.

**Suspension and /or a Fine:** Suspension means that a person who was found to have committed a violation must cease employment in a position requiring registration, commissioning, or licensing until the period of time for the suspension has passed and application for reinstatement has been made. A person may be fined as well. Sometimes, the opportunity to pay a fine instead of being suspended is offered. The fine must be paid before the suspension goes into effect or the person must cease work until the suspension is over.

**Revocation:** Revocation means the loss of all privileges associated with a commission, registration, or license and that any further work requiring them is a criminal violation.

**Summary Suspension/ Summary Denial:** The Department may summarily (immediately) suspend or deny a person's license as a result of certain violations. Refer to OC 1702.364, 1702.371, 1702.113, and 1702.3615.

**Criminal Charges:** The Department has the authority to license its investigative employees as a peace officer and does so. The Department can and will file criminal against individuals and companies committing criminal offenses. It is a crime for a security company to operate without a license, if they are found to be guilty; they have committed a Class A Misdemeanor.

### Definitions

Definitions are from the Occupations Code Chapter 1702

The word "Department", means the Department of Public Safety of the State of Texas.

**Person:** includes an individual, firm, association, company, partnership, Corporation, nonprofit, organization, institution, or similar entity.

**Guard Company:** A person acts as a guard company for the purposes of this chapter if the person employs an individual described by section 1702.323(d), applies to an individual described by subsection (a) who in the course of employment comes into contact with the public who wears a uniform, any type of badge, a patch or apparel containing the word security or a substantially similar word that would intended to or is likely to create the impression that the individual is performing security services, or performs a duty described by section 1702.222 or 1702.108. ;or engages in the business of or undertakes to provide a private watchman, guard, or street patrol service on a contractual basis for another person to:

- (1) Prevent entry, larceny, vandalism, abuse, fire, or trespass on private property;
- (2) Prevent, observe, or detect, unauthorized activity on private property;
- (3) Control regulate, or direct the movement of the public, whether by vehicle or otherwise, only to the extent and for the time directly and specifically required to ensure the protection of property;
- (4) Protect an individual from bodily harm including through the use of a personal protection officer; or
- (5) Perform a function similar to a function listed in this section.

**Security Services Contractor:** means a person who performs the activities described by Section 1702.102;

### Scope of License

(a) Unless the person holds a license as a security services contractor, a person may not:

- (1) Act as an alarm systems company, armored car company, courier company, guard company, guard dog company, locksmith company, or private security consultant company;

**Firearm:** means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use.

**Peace Officer:** refer to police officers, sheriffs, marshals, constables, rangers etc. as described in Art. 2.12. Texas Code of Criminal Procedures.

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### Chapter Two

#### Roles and Responsibilities of Security Officers

The Government Bureau of Labor Statistics Occupational Handbook discusses the roles of Security Officers as follows: Security guards, also called security officers, patrol and inspect property, to protect against fire, theft, vandalism, graffiti, terrorism, and illegal activity. These workers protect their employer's investment, enforce laws on the property, and deter criminal activity, and other problems. They use radio and telephone communications to call for assistance from police, fire or emergency medical services, as the situation dictates. Security guards write comprehensive reports outlining their observations and activities during their shift. They also may interview witnesses or victims, prepare case reports, and testify in court.

Although all security officers perform many of the same duties, their specific tasks depend on whether they are work in a "static" security position or on a mobile patrol. Security Officers assigned to static security positions usually stay at one location for a specified length of time. These guards must become closely acquainted with the property and the people associated with their station and must often monitor alarms and closed circuit TV cameras. In contrast, security officers assigned to a mobile patrol drive or walk from one location to another and conduct security checks within an assigned geographical zone. They may detain or arrest criminal violators, answer service calls concerning criminal activity or problems.

The security officers' job responsibilities also vary with the size, type and location of the employer. In department stores guards protect people, records, merchandise, money and equipment. They often work with undercover store detectives to prevent theft by customers or employees and to apprehend shoplifting suspects prior to the arrival of police. Some shopping centers and theatres have officers who patrol their parking lots to deter car thefts and robberies. In office buildings, banks and hospitals, security officers maintain order and protect the institution's customers, staff and property. At air, sea and rail terminals and other transportation facilities security officers protect people, freight, property and equipment. Using metal detectors and high-tech equipment, they may screen passengers and visitors for weapons and explosives, ensure that nothing is stolen while a vehicle is being loaded or unloaded, and watch for fires and criminals. Security Officers who work in public buildings such as museums or art galleries protect paintings and exhibits by inspecting people and packages entering and leaving the building.

In factories, laboratories, government buildings, data processing centers and military bases security officers must protect information, products, computer codes, and defense secrets, and check the credentials of people and vehicles entering and leaving the premises. Security officers working at universities, parks and sports stadiums perform crowd control; supervise parking and seating, and direct traffic. Security officers stationed at the entrance to bars and night clubs to maintain order among customers and protect patrons and property.

**Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Outlook Handbook, 2008-09 Edition*, Security Guards and Gaming Surveillance Officers, on the Internet at <http://www.bls.gov/oco/ocos159.htm> (visited April 02, 2009)**

To do this job well, the security officer MUST-  
+ be alert + listen + watch

The absence of incidents/ crimes is one sign that a security officer is doing a good job. If an offense does occur, an officer DOES NOT CHARGE IN. Instead the security officer should:

- Stay calm
- Observe and report events in his field notebook
- Report to his supervisor as per company policy

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### Site Assigned to Only

Your job responsibilities limit your involvement in protecting and deterring crime to the property / premises that you were hired to protect. According to state occupation code, your authority is limited to the contracted site. There is also a chance that a diversion could be made at another site to draw you off your post in order to commit a burglary or other criminal mischief on the property that you are assigned to. Do not leave your post in order to investigate another property. If you observe suspicious/criminal activity on a nearby property you should observe and report; call the police. Your company was hired to protect a certain property and that is your primary concern.

### Ethics

#### Code of Conduct

This code of conduct requires that all security officers must, in the course of their employment:

- Behave honestly and with integrity.
- Act with care and diligence.
- Treat everyone with respect and courtesy and without harassment.
- Comply with all federal, state and local laws.
- Comply with client and employer policies.
- Never provides false, misleading or incomplete information in response to a request for information that is made for official purposes.
- Use client and employer resources in a proper manner.

### Nondisclosure

In the security business it is essential to honor the client's and the company's privacy. Respect the confidentiality of information acquired in the course of the performance of your responsibilities except when authorized or otherwise legally obligated to disclose.

### Client

Insure that your actions are legal and are in compliance with the client's policies.

### Company

As a representative of your company, act ethically and legally. Uphold your company's values and good reputation.

### Professional Look and Conduct

The public perception of a security officer is not always kept as high as a police officer. To enhance this perception and enable command presence, a professional look and conduct is of the utmost importance. This includes a clean and pressed uniform, good personal hygiene and professional actions.

### Uniform

#### OCC §1702.130. USE OF CERTAIN TITLES, UNIFORMS, INSIGNIA, OR IDENTIFICATIONS PROHIBITED.

- (a) A license holder, or an officer, director, partner, manager, or employee of a license holder, may not:
- (1) use a title, an insignia, or an identification card, wear a uniform, or make a statement with the intent to give an impression that the person is connected with the federal government, a state government, or a political subdivision of a state government; or (2) use a title, an insignia, or an identification card or wear a uniform containing the designation "police."
  - (b) Subsection (a) does not prohibit a commissioned security officer employed by a political subdivision of this state from using a title, insignia, or identification card, wearing a uniform, or making a statement indicating the employment of that individual by the political subdivision.

### RULE 35.39 Uniform Requirements

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- (a) Each commissioned security officer shall, at a minimum, display on the outermost garment the name of the company under whom the commissioned security officer is employed, the word "Security" and identification which contains the last name of the security officer.
- (b) The name of the company and the word "Security" shall be of a size, style, shape, design, and type which is clearly visible by a reasonable person under normal conditions.
- (c) Each noncommissioned security officer shall display in the outermost garment in style, shape design and type which is visible by a reasonable person under normal conditions identification which contains:
  - 1) either the name or board-approved logo of the company under whom the security officer is employed, or the name or the board-approved logo of the business entity with whom the employing company had contracted;
  - 2) the last name of the security officer; and
  - 3) the word "Security."
- (d) No licensee shall display a badge, shoulder patch, logo or any other identification which contains the words "Law Enforcement" and/or similar word(s) including, but not limited to: agent, enforcement agent, detective, task force, fugitive recovery agent or any other combination of names which gives the impression that the bearer is in any way connected with the federal government, state government or any political subdivision of a state government.
- (e) A regular peace officer who maintains full-time employment, and meets the requirements of §1702.322 of the Act, may wear the uniform of the licensed security services contractor (guard company), private business letter of authority, or governmental letter of authority or the official police officer uniform of their appointing law enforcement agency while working private security in Texas.

### §35.34 Standards of Conduct, Texas Administrative Code;

- (a) Licensed companies may use the phrase "Licensed by the Texas Private Security Board" on stationery, business cards, and in advertisements, but no licensee shall have a badge, shield or insignia as part of any uniform, identification card or markings on a motor vehicle containing the State Seal of Texas, except those identification and license items that are prepared or issued by the board. No licensee shall use the State Seal of Texas or the seal of the Department of Public Safety to advertise or publicize a commercial undertaking.
- (b) No licensee shall have a badge, shield or insignia as part of any uniform, identification card or markings on a motor vehicle containing the Flag of the State of Texas, except those identification and license items that are prepared or issued by the board. No licensee shall use the Flag of the State of Texas to advertise or publicize a commercial undertaking. Because there should be no allusions of law enforcement, the security officer's uniform cannot have the state seal or state flag.

A security Office's uniform should always be clean and neatly pressed.

### **Responsibilities of the Security Officer**

A security officer is assigned to protect specific people and property. This may include detecting some of the same offenses that would cause a peace officer (police officer) to act, such as fight or burglary. However, it would not include other offenses such as vehicle violations or prostitution.

*For example, if you were on duty at a plant gate and you saw two teenagers having an auto race down a public road, you would not try to arrest them. You may decide to report it to the police if a telephone is nearby. Remember, you were hired to protect the plant- not to arrest speeders. [In fact you should be suspicious of any activity that may draw you away from your post. It could be a plan to draw your attention away from your duties.]*



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Peace officers are law enforcement officers, their duty is to enforce the law and preserve the public peace. If a law is violated, peace officers are required to pursue and apprehend the person responsible. This is not required or expected of a security officer!

**REMEMBER, a peace officer's responsibilities are different from a security officer's responsibilities. SECURITY OFFICERS only protect specific people and property. POLICE [PEACE OFFICER] protect people and property and enforce laws.**

A security officer may also be responsible for maintaining certain company policies. These could include:

- Requiring employees to show badges when entering the property; or
- Recording license plate numbers of vehicles entering or leaving; or
- Monitoring safety standards and reporting hazards: blocking exits, fire, safety, slippery floors, etc.

Prevention is the Key

*For example, if you spotted some young people trying to climb a fence to private property you could shout at them or turn on the lights. Do anything lawful that would discourage their trespassing: don't wait until they cross the fence so that you can confront them.*

Another typical situation might be: A person intends to steal from a store but sees a uniformed officer on patrol. The person leaves the store without stealing anything. The officer, simply by being there in uniform (command presence), has prevented a crime.

**Observe and Report! Observe and Report! Observe and Report! Observe and Report!**

If you can't prevent an incident, the proper action is to observe and report. You should:

- Observe carefully and take accurate notes.
- Report immediately to the local law enforcement, and/or your supervisor.

### Relations with Local Police

During an emergency, you may not interfere with peace officers who are on the scene of an incident at your company. Your role remains the protection of the clients or employer's assets. Your job is made easier if you have a good working relationship with the local police; be respectful. A security officer may sometimes be directed by a police officer. As any other citizen, you must obey his commands. If a police officer asks you to leave your post, you CANNOT refuse.

Never play "cop." You don't have the legal authority to do the same things a peace officer can do. Any security officer who pretends or even implies {lets others think} that he is a peace officer may be committing an offense. The Penal Code, in Section 37.11 makes it an offense to falsely identify oneself as a peace officer (public servant). A person who is found guilty of impersonating a peace officer would be punished by a fine or county jail sentence, or both.

A peace officer is defined in the Texas Penal Code as a person elected, employed or appointed as a peace officer under Article 2.12 of the Code of Criminal Procedure

- Common examples of this would be a Sheriff and their deputies, city police, state police (DPS), and constables.
- Peace officers are also considered Public Servants in the Penal Code.
- The Code of Criminal Procedure does not list a private security officer as a peace officer.

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Your roles are different! A peace officer is charged with the enforcement of laws. A security officer is responsible for protecting specific people or property; his client's or employer's.

### **Remember you do not have;**

- the same job duties as peace officers;
- the same training; or
- the same powers as peace officers, according to the law.

Don't mislead people. Because of your uniform, badge, hat, or gear, some people may think you are a peace officer. Don't do anything to encourage this false idea. Whenever the opportunity arises be sure to make it a point to let them know that you are not a peace officer, but a security officer.

### **4. Pocket Cards**

Pocket cards are issued by and remain the property of the State of Texas. The pocket cards are issued after application is made to the Department and all requirements have been met. It must be carried while on duty. It must bear a signature and a photograph of the individual. It must not be altered or misused. The pocket card must be presented to the Department investigators upon request. It must be returned to the Department upon request.

If, during their shift, a security officer is approached by a Department investigator or any other peace officer and is unable to present their pocket card as requested, then they may receive a citation for this violation.

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### **Chapter Three**

#### **Art. 2.12 Who Are Peace Officers**

The following are peace officers:

- (1) Sheriffs, their deputies, and those reserve deputies who hold a permanent peace officer license issued under Chapter 1701, Occupations Code;
- (2) Constables, deputy constables, and those reserve deputy constables who hold a permanent peace officer license issued under Chapter 1701, Occupations Code;
- (3) Marshals or police officers of an incorporated city, town, or village, and those reserve municipal police officers who hold a permanent peace officer license issued under Chapter 1701, Occupations Code;
- (4) Rangers and officers commissioned by the Public Safety Commission and the Director of the Department of Public Safety;
- (5) Investigators of the district attorneys', criminal district attorneys', and county attorneys' offices;
- (6) Law enforcement agents of the Texas Alcoholic Beverage Commission;
- (7) Each member of an arson investigating unit commissioned by a city, a county, or the state;
- (8) officers commissioned under Section 37.081, Education Code, or Subchapter E, Chapter 51, Education Code;
- (9) Officers commissioned by the General Services Commission;
- (10) Law enforcement officers commissioned by the Parks and Wildlife Commission;
- (11) airport police officers commissioned by a city with a population of more than 1.18 million that operates an airport that serves commercial air carriers;

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- (12) airport security personnel commissioned as peace officers by the governing body of any political subdivision of this state, other than a city described by Subdivision (11), that operates an airport that serves commercial air carriers;
- (13) Municipal Park and recreational patrolmen and security officers;
- (14) Security officers and investigators commissioned as peace officers by the comptroller;
- (15) Officers commissioned by a water control and improvement district under Section 49.216, Water Code;
- (16) Officers commissioned by a board of trustees under Chapter 54, Transportation Code;
- (17) Investigators commissioned by the Texas State Board of Medical Examiners;
- (18) officers commissioned by the board of managers of the Dallas County Hospital District, the Tarrant County Hospital District, or the Bexar County Hospital District under Section 281.057, Health and Safety Code;
- (19) county park rangers commissioned under Subchapter E, Chapter 351, Local Government Code;
- (20) Investigators employed by the Texas Racing Commission;
- (21) Officers commissioned under Chapter 554, Occupations Code;
- (22) officers commissioned by the governing body of a metropolitan rapid transit authority under Section 451.108, Transportation Code, or by a regional transportation authority under Section 452.110, Transportation Code;
- (23) Investigators commissioned by the attorney general under Section 402.009, Government Code;
- (24) Security officers and investigators commissioned as peace officers under Chapter 466, Government Code;
- (25) An officer employed by the Texas Department of Health under Section 431.2471, Health and Safety Code;
- (26) Officers appointed by an appellate court under Subchapter F, Chapter 53, Government Code;
- (27) Officers commissioned by the state fire marshal under Chapter 417, Government Code;
- (28) An investigator commissioned by the commissioner of insurance under Article 1.10D, Insurance Code;

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- (29) Apprehension specialists commissioned by the Texas Youth Commission as officers under Section 61.0931, Human Resources Code;
- (30) Officers appointed by the executive director of the Texas Department of Criminal Justice under Section 493.019, Government Code;
- (31) investigators commissioned by the Commission on Law Enforcement Officer Standards and Education under Section 1701.160, Occupations Code;
- (32) Investigators commissioned and non-commissioned by the Texas Department on Private Security under Section 1702.061(f), Occupations Code;
- (33) The fire marshal and any officers, inspectors, or investigators commissioned by an emergency services district under Chapter 775, Health and Safety Code; and
- (34) officers commissioned by the State Board of Dental Examiners under Section 254.013, Occupations Code, subject to the limitations imposed by that section.
- (35) Investigators commissioned by the Texas Juvenile Probation Commission as officers under Section 141.055, Human Resources Code; and
- (36) The fire marshal and any related officers, inspectors or investigators commissioned by a county under Subchapter B, Chapter 352, Local Government Code.

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### Chapter Four Conflict Resolution

As a security officer your job responsibilities will often cause you to come into contact with the public. Remaining calm and professional will ordinarily make these encounters stress free. However, occasionally the situation may result in a conflict between you and another person. Your goal in dealing with people is to persuade them to *–gain voluntary compliance*. In order to do this, you have to get them to do what they originally did not want to do. The best way to gain their cooperation is through the use of effective professional language.

#### Know Thyself

Before dealing with the public, begin by examining yourself.

##### **Appearance**

Your presence alone has the ability to alter behavior. Keep your uniform clean and pressed. Assure that you are well groomed, clean, with hair and nails trimmed. You should be somewhat physically fit. Have good posture.

##### **Conduct**

How you carry yourself- with confidence, anger or fear, these things can be detected by others. Your voice should be clear and calm, with appropriate language. Train yourself to deflect (ignore) rude comments. By maintaining a professional demeanor you are more likely to resolve the problem.

##### **Triggers**

All of us have certain expressions or phrases that serve to "trigger" us to react with anger, humiliation, prejudice, etc. This can be as simple as "You can't make me!" Recognize your triggers. Write them down. When confronted with one of these verbal assaults- recognize it and do not react. By reacting you will escalate the problem and allow your personal self to take over the situation.

#### The Public

##### **Types of people**

There are two basic types of people you will encounter through work. The first will respond to your authority and request by complying readily. The other type will challenge you. This is not usually personal. They simply do not routinely respond to authority. They are not rule followers. They will ask, "Why?" This opens a dialogue and requires further attention from you.

##### **Respect**

Both types of people deserve your respect. You always begin any dialogue where you are seeking voluntary compliance by issuing a request. You do not demand but simply *ask* the person.

#### Face to Face

##### **Professional Face**

As a security officer you are going to come into contact with people from all walks of life on a daily basis. You will not only be representing yourself to the public but you will be representing your company and client. Every time you open your mouth you will be speaking for your boss, the company manager, and everyone else in the organization. If someone in your company treats people poorly, he lowers your credibility and the credibility of

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everyone else in your company- and he makes your job more difficult. Any confrontation is not about you personally; therefore, leave your personal face at home.

### **Listen Before you Speak**

When dealing with the public you must also be able to read the person you are dealing with. That person may be under some kind of influence- he may be under the influence of alcohol, drugs, a misunderstanding, or anger. Therefore, you are going to have to listen to him carefully- what he says and how he says it. When interacting with someone who may be under an adverse influence you may have to think for that person. He may not be able to think rationally for himself at the present time. Your appeal will have to be in terms and language that he will understand.

In order to communicate effectively with someone, you must put what you say in the most proper, fitting, and assertive words possible. This process does not have to be difficult; you can simplify it by using the following elements.

- a. Know what you are talking about. Think about what you want and need to communicate.
- b. Put your thoughts into words that reflect your meaning.
- c. When you know what you want to say and have chosen the proper words you are ready to send, or transmit your message. One thing to remember: communication is accomplished primarily through nonverbal signals (facial expressions, body language, etc.) and tone of voice. The words of the message have the least influence.

A persons' history or background will determine how that person hears the message that you send. Each person has different experiences to relate to in a given situation. What might work for an elderly person may not work for an affluent, young corporate executive. The language you use when talking to a socialite would be totally different from what you might use for a gang member. You may be transmitting the same message, but your words may have an entirely different meaning for people with widely differing backgrounds.

Recognize that there are some phrases that don't work in a conflict. For instance, telling someone to "calm down" is a wasted effort. Instead you can get someone to calm down by assuring them that you will help them solve their problem and by modulating your own voice slower and lower. "Because I said so" won't work on a stranger any better than it works on your teenager at home.

### **1. Saving Face**

During times of conflict it is important to try to always allow the other person a way to "save face." The easiest way to do this is rather than issuing a command, phrase the action as a choice. Also give a reason for your request if possible. Ex Instead of demanding "Put that cigarette out!" Say, "I am sorry sir, but Texas law prohibits smoking in public buildings. However, outside those doors and about 50 yards to the right is a picnic table with an ash tray."

### **2. Empathize**

Listen carefully to what the person is saying. Empathize with them (this does not necessarily mean that you agree with them). Try to understand how and why they are acting the way that they are. Ask if you can restate what they said so that you are hearing them correctly. This gives you several advantages. One, they can clarify what you heard. Two, while not agreeing with them you're simply restating what they said, it shows empathy, and it allows you to change the pace and tone of the dialogue.

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### Chapter Five Use of Force

#### **Totality of the Circumstances**

In response to an incident, a security officer enters the "force continuum" at the level appropriate to the incident. He is actively attempting to calm the situation and lower the level of force necessary. Where he enters the continuum is dictated by circumstances.

These could include:

- Relative size
- Relative strength
- Type of crime
- Weapons
- Suspicion of alcohol or drugs by the suspect
- Number of suspects vs. number of officers
- Immediacy of danger
- Exceptional skills (e.g. martial arts)
- Environment

Think of using the Use of Force Continuum like an elevator. You may need to enter at any floor and go up, but you always want to get back to the ground level.

#### **Use of Force Continuum**

The use of force continuum illustrates the appropriate level of response an officer uses to respond to a specific level of subject resistance. The "One Plus One" theory indicates that the officer respond with one level of force higher than the subject, with the intent to de-escalate the situation.

The force continuum is broken down into five broad levels. Each level is designed to be flexible as the need for force changes and the situation develops. It is common for the level of force to go from a level two to a level three and back again in a matter of seconds.

As a Security Officer you are in the role of an authority figure. As such you still cannot expect complete compliance with your directions all the time; you have to make it happen. As stated earlier, the goal of persuasion is to generate voluntary compliance.

#### **Command Presence - Officer Presence**

It is an identification of authority. A security officer's mere presence brings with it the assumption that the public should obey him.

This is the lowest level of control available. This is the way you approach someone, how you carry yourself, and the image that you project. The person that you are dealing with must recognize that you have the authority granted by law and that you have the will to use that authority. You must appear to be self confident. Speak in a calm and pleasant voice. At this level gestures should be non-threatening and professional.

Officer presence is a "zero" level of force and always that best way to resolve any situation if possible.

Ex: Finding an individual in an unauthorized area. Simply appearing and asking "Can I help you?" may be enough for the person to acknowledge his trespass and leave.

#### **Verbal Command**

The use of a voice command, together with the officer's presence is usually enough to gain compliance from most subjects.

The right combination of words in combinations with the officer's presence can de-escalate a tense situation and prevent the need for a physical altercation. Training and experience improves the ability of an officer to communicate effectively with everyone he comes in contact with. You have been given a certain authority to enforce society's rules. Therefore you must act and speak with authority. You can gain the confidence to perform these actions appropriately through your knowledge of the law and your ability to do what is right. You must use the right words on a particular person at the right time. In order to do this you must be able to communicate skillfully under pressure- such as when dealing with:



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- People who do not want to talk or listen
- Emotionally charged individuals
- Dangerous circumstances
- Being watched by others
- People who dislike or distrust officers

The content of the message is just as important as your demeanor. It's always best to start out calm, but firm and non-threatening. Your choice of words and intensity can increase as necessary; use short commands in more serious situations.

An important aspect of the verbal command is that it is heard by other people in the area. This allows them to be advised of the situation and assists the officer should they have to give witness testimony. It shows the surrounding people that you did everything in your power to get the subject to cooperate with you in case a physical confrontation is necessary.

Verbal commands should accompany all successive levels of force.

*Ex. As before, a person trespassing, but this time he ignores you. So now you must add a command. "Sir this is a restricted area, for your own safety I must ask you to leave immediately."*

### **Weaponless Strategy / Empty Hand Control**

#### ***Soft Empty Hand Control***

For passive or defensive resistance, techniques may be used to generate compliance. These include touch, joint locks, and pressure points. While causing minor pain and discomfort they have little potential for injury.

*Ex. As before, a person that is trespassing verbally tells you that he will not leave. You inform him that you are escorting him from the restricted area, and use a proper arm control technique to remove him.*

#### ***Hard Empty Hand Control***

To control active aggression, counterstrikes and restraints may be used. Examples are empty hand strikes and kicks. These techniques may result in minor injury including bruising, lacerations and contusions. Targets should be major muscle groups.

### ***Intermediate Weapons***

This includes the use of any weapon to control a subject that is not part of the human body. The intent is to disable the subject, not to cause permanent injury. There are two levels of intermediate weapons- soft and hard.

#### ***Soft Intermediate Weapons***

Soft intermediate weapons are non-injurious weapons such as OC (pepper) spray or Tasers. Pepper spray is an inflammatory. It results in the burning sensation and a closing of the eyes, inflaming muscle membranes, and burning sensation of the skin, and a sensation of not being able to breathe. This causes panic and disorientation. Tasers discharge a high voltage spark (50,000 volts) at very low amperage. Tasers fire two small darts, connected to wires, which drop a suspect at non-contact distance. These devices are easily carried. They are lightweight and affordable. Extensive training is not required, and they may be more effective on persons under the influence of PCP and other drugs who do not respond to chemical irritants. They can be especially useful for controlling non-criminal violent behavior, such as persons who are mentally impaired, or under the influence of mind-altering substances.

Soft weapons can cause pain and panic. They disorient the subject and stall his aggression. These items produce the kind of force needed to temporarily immobilize the person so that you can generate compliance.

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### ***Hard Intermediate Weapons***

Hard intermediate weapons are typically an ASP (expandable baton), straight stick, or PR-24 (side handled stick). According to the Texas Penal Code Chapter 46: Commissioned Officers can carry an ASP or expandable baton under certain conditions; these can be used in many different ways. The hard intermediate weapon gives an officer another tool to use before having to use their firearm. If a control technique is applied to affect an arrest, it should be applied only to the extent necessary to achieve control. According to the Texas Commission on Law Enforcement Officer Standards (TCLEOSE) manual the definition of "Control" is that degree of influence you must exert over another (violate) to safely take the person into custody.

For additional information refer to the following sections;

**Penal Code sec. 46.01 Definitions;**

**Penal Code sec. 46.05 Prohibited Weapons.**

### **Deadly Force**

Definition: According to the Texas Penal Code, "Deadly Force" means force that is intended or known by the actor to cause , or in the manner of its use or intended use is capable of causing, death or serious bodily injury.

Deadly force does not only mean that you are shooting someone or striking the person to kill them. Deadly force, according to the law, can be striking someone with a fist in the face and breaking his nose, kicking to the groin, kicking to the knee, etc. Most strikes to targets that are not major muscle groups can lead to breaks and serious/permanent injury and are considered to be deadly force.

Deadly force is at the top of the Use of Force Continuum because it should be used as a last resort or when the threat is immediate fear of death for you or a third party.

Remember, you must be able to justify this use of force in a court of law and that there were no other alternatives.

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### Chapter Six

#### Penal Code Sec. 9.31. SELF DEFENSE

- (a) Except as provided in Subsection (b), a person is justified in using force against another when and to the degree the actor reasonably believes the force is immediately necessary to protect the actor against the other's use or attempted use of unlawful force. The actor's belief that the force was immediately necessary as described by this subsection is presumed to be reasonable if the actor:
  - (1) Knew or had reason to believe that the person against whom the force was used:
    - (A) unlawfully and with force entered, or was attempting to enter unlawfully and with force, the actor's occupied habitation, vehicle, or place of business or employment;
    - (B) unlawfully and with force removed, or was attempting to remove unlawfully and with force, the actor from the actor's habitation, vehicle, or place of business or employment; or
    - (C) was committing or attempting to commit aggravated kidnapping, murder, sexual assault, aggravated sexual assault, robbery, or aggravated robbery;
  - (2) Did not provoke the person against whom the force was used; and
  - (3) Was not otherwise engaged in criminal activity, other than a Class C misdemeanor that is a violation of a law or ordinance regulating traffic at the time the force was used.
- (b) The use of force against another is not justified:
  - (1) In response to verbal provocation alone;

#### Sec. 9.32 DEADLY FORCE IN DEFENSE OF PERSON.

- (a) A person is justified in using deadly force against another:
  - (1) If the actor would be justified in using force against the other under Section 9.31; and
  - (2) When and to the degree the actor reasonably believes the deadly force is immediately necessary:
    - (A) To protect the actor against the other's use or attempted use of unlawful deadly force; or
    - (B) To prevent the other's imminent commission of aggravated kidnapping, murder, sexual assault, aggravated sexual assault, robbery, or aggravated robbery.
- (b) The actor's belief under Subsection (a)(2) that the deadly force was immediately necessary as described by that subdivision is presumed to be reasonable if the actor:
  - (1) Knew or had reason to believe that the person against whom the deadly force was used:

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- (A) Unlawfully and with force entered, or was attempting to enter unlawfully and with force, the actor's occupied habitation, vehicle, or place of business or employment;
- (B) Unlawfully and with force removed, or was attempting to remove unlawfully and with force, the actor from the actor's habitation, vehicle, or place of business or employment; or
- (C) was committing or attempting to commit an offense described by Subsection (a)(2)(B);

(2) Did not provoke the person against whom the force was used; and

(3) Was not otherwise engaged in criminal activity, other than a Class C misdemeanor that is a violation of a law or ordinance regulating traffic at the time the force was used.

(c) A person who has a right to be present at the location where the deadly force is used, who has not provoked the person against whom the deadly force is used, and who is not engaged in criminal activity at the time the deadly force is used is not required to retreat before using deadly force as described by this section.

(d) For purposes of Subsection (a)(2), in determining whether an actor described by Subsection (c) reasonably believed that the use of deadly force was necessary, a finder of fact may not consider whether the actor failed to retreat.

### **Sec. 9.33. DEFENSE OF A THIRD PERSON.**

A person is justified in using force or deadly force against another to protect a third person if:

- (1) under the circumstances as the actor reasonably believes them to be, the actor would be justified under Section 9.31 or 9.32 in using force or deadly force to protect himself against the unlawful force or unlawful deadly force he reasonably believes to be threatening the third person he seeks to protect; and
- (2) the actor reasonably believes that his intervention is immediately necessary to protect the third person.

### **Sec. 9.34 PROTECTION OF LIFE OR HEALTH**

- (a) A person is justified in using force, but not deadly force, against another when and to the degree he reasonably believes the force is immediately necessary to prevent the other from committing suicide or inflicting serious bodily injury to himself.
- (b) A person is justified in using both force and deadly force against another when and to the degree he reasonably believes the force or deadly force is immediately necessary to preserve the other's life in an emergency.

### **Sec. 9.41 PROTECTION OF ONES OWN PROPERTY**

- (a) A person in lawful possession of land or tangible, movable property is justified in using force against another when and to the degree the actor reasonably believes the force is immediately necessary to prevent or terminate the other's trespass on the land or unlawful interference with the property.

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- (b) A person unlawfully dispossessed of land or tangible, movable property by another is justified in using force against the other when and to the degree the actor reasonably believes the force is immediately necessary to reenter the land or recover the property if the actor uses the force immediately or in fresh pursuit after the dispossession and:
  - (1) the actor reasonably believes the other had no claim of right when he dispossessed the actor; or
  - (2) the other accomplished the dispossession by using force, threat, or fraud against the actor.

### **Sec. 9.42 DEADLY FORCE TO PROTECT PROPERTY**

A person is justified in using deadly force against another to protect land or tangible, movable property:

- (1) if he would be justified in using force against the other under Section 9.41; and
- (2) when and to the degree he reasonably believes the deadly force is immediately necessary:
  - (A) to prevent the other's imminent commission of arson, burglary, robbery, aggravated robbery, theft during the nighttime, or criminal mischief during the nighttime; or
  - (B) to prevent the other who is fleeing immediately after committing burglary, robbery, aggravated robbery, or theft during the nighttime from escaping with the property; and
- (3) he reasonably believes that:
  - (A) the land or property cannot be protected or recovered by any other means; or
  - (B) the use of force other than deadly force to protect or recover the land or property would expose the actor or another to a substantial risk of death or serious bodily injury.

### **Sec. 9.43 PROTECTION OF THIRD PERSON'S PROPERTY**

A person is justified in using force or deadly force against another to protect land or tangible, movable property of a third person if, under the circumstances as he reasonably believes them to be, the actor would be justified under Section 9.41 or 9.42 in using force or deadly force to protect his own land or property and:

- (1) the actor reasonably believes the unlawful interference constitutes attempted or consummated theft of or criminal mischief to the tangible, movable property; or
- (2) the actor reasonably believes that:
  - (A) the third person has requested his protection of the land or property;
  - (B) he has a legal duty to protect the third person's land or property; or
  - (C) the third person whose land or property he uses force or deadly force to protect is the actor's spouse, parent, or child, resides with the actor, or is under the actor's care.

### **Sec. 9.44 USE OF DEVICE TO PROTECT PROPERTY**

The justification afforded by Sections 9.41 and 9.43 applies to the use of a device to protect land or tangible, movable property if:

- (1) the device is not designed to cause, or known by the actor to create a substantial risk of causing, death or serious bodily injury; and
- (2) use of the device is reasonable under all the circumstances as the actor reasonably believes them to be when he installs the device.

### **Sec. 9.51. ARREST AND SEARCH.**

- (a) A peace officer, or a person acting in a peace officer's presence and at his direction, is justified in using force against another when and to the degree the actor reasonably believes the force is immediately necessary to make or assist in making an arrest or search, or to prevent or assist in preventing escape after arrest, if:
  - (1) the actor reasonably believes the arrest or search is lawful or, if the arrest or search is made under a warrant, he reasonably believes the warrant is valid; and
  - (2) before using force, the actor manifests his purpose to arrest or search and identifies himself as a peace officer or as one, acting at a peace officer's direction, unless he reasonably believes his purpose and identity are already known by or cannot reasonably be made known to the person to be arrested.
- (b) A person other than a peace officer (or one acting at his direction) is justified in using force against another when and to the degree the actor reasonably believes the force is immediately necessary to make or assist in making a lawful arrest, or to prevent or assist in preventing escape after lawful arrest if, before using force, the actor manifests his purpose to and the reason for the arrest or reasonably believes his purpose and the reason are already known by or cannot reasonably be made known to the person to be arrested.

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- (c) A peace officer is justified in using deadly force against another when and to the degree the peace officer reasonably believes the deadly force is immediately necessary to make an arrest, or to prevent escape after arrest, if the use of force would have been justified under Subsection (a) and:
  - (1) the actor reasonably believes the conduct for which arrest is authorized included the use or attempted use of deadly force; or
  - (2) the actor reasonably believes there is a substantial risk that the person to be arrested will cause death or serious bodily injury to the actor or another if the arrest is delayed.
- (d) A person other than a peace officer acting in a peace officer's presence and at his direction is justified in using deadly force against another when and to the degree the person reasonably believes the deadly force is immediately necessary to make a lawful arrest, or to prevent escape after a lawful arrest, if the use of force would have been justified under Subsection (b) and:
  - (1) the actor reasonably believes the felony or offense against the public peace for which arrest is authorized included the use or attempted use of deadly force; or
  - (2) the actor reasonably believes there is a substantial risk that the person to be arrested will cause death or serious bodily injury to another if the arrest is delayed.
- (e) There is no duty to retreat before using deadly force justified by Subsection (c) or (d).
- (f) Nothing in this section relating to the actor's manifestation of purpose or identity shall be construed as conflicting with any other law relating to the issuance, service, and execution of an arrest or search warrant either under the laws of this state or the United States.
- (g) Deadly force may only be used under the circumstances enumerated in Subsections (c) and (d).

### **Sec. 9.52. PREVENTION OF ESCAPE FROM CUSTODY.**

The use of force to prevent the escape of an arrested person from custody is justifiable when the force could have been employed to effect the arrest under which the person is in custody, except that a guard employed by a correctional facility or a peace officer is justified in using any force, including deadly force, that he reasonably believes to be immediately necessary to prevent the escape of a person from the correctional facility.

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### Chapter Seven Detainment / Arrest

If you detain a suspect in an incident, it may be considered that you have placed him under citizen's arrest. This can only be done if it is quickly followed up by a call to the police with the intention to remand this person into police custody.

An arrest is defined by article 15.22 of the Code of Criminal Procedure and states that: A person is arrested when he has been actually placed under restraint or taken into custody by an officer or person executing a warrant of arrest, or by an officer or person arresting without a warrant.

Black's Law Dictionary defines arrest as: "To deprive a person of his liberty by legal authority

In simple terms an arrest is a form of lawful control by one person over the actions of another. An arrest, in Texas law, is "The apprehension or detention of another in order that he may be forthcoming to answer for an alleged or supposed crime." An arrest may be made by a peace officer or a private citizen. To deprive someone of their liberty or freedom of movement may be viewed as an arrest.

For an arrest to be lawful, acceptable and without immediate liability, it must result in the legal apprehension or detention of a person. It must be done with the intention of presenting the person to a magistrate to answer for an illegal crime.

IF YOU, BY COMMUNICATION OR OTHER MEANS, MAKE A PERSON FEEL THAT THEY ARE NOT FREE TO GO, THEN YOU HAVE ARRESTED THEM.

The Texas Code of Criminal Procedures (14.01a) allows any person to make an arrest without a warrant under certain circumstances.

Including:

- (1) When a felony is committed within the view of the person making the arrest.
- (2) When an immediate breach of the peace is committed within the view of the person making the arrest.
- (3) Preventing consequences of theft.

#### Types of Arrest

**Security officers are not obligated / required to make an arrest!** You may be right at the scene when a violation occurs, but you do not have to make an arrest. Your first responsibility is protection / prevention. Also, your responsibility is to observe and report.

The purpose of this training is not to encourage you to make more arrests, but to teach you the law concerning arrest, so you will know what you can and cannot do under the law.

Before making an arrest, consider the following factors:

- a. Physical Size- Is the suspect bigger or stronger than you? Is he / she in better physical condition or younger than you?
- b. Weapons- Is the suspect armed? Could he be carrying a weapon?
- c. Escape- If you do not make an arrest now, will the suspect escape; not just leave the scene- but get away completely? Get a good description and call the police without delay, the police may be able to arrest him.
- d. Type of Offense- Is the offense major or minor? You should be more concerned with major offenses. A person setting a fire to the loading dock is more likely a candidate for arrest than kids climbing the fence to steal apples from the company orchards.
- e. Relation to Your Job- Know your company's SOPs (Standard Operating Procedures). Does the offense relate to the property or persons you were hired to protect? As a good citizen, you want to uphold the law but your first duty is to your client / employer.

#### 1. Actual

An actual arrest occurs with the use of physical force (this could be mere touching). Taking a person into custody by the use of hands, handcuffs, and /or the use of weapons or force is an actual arrest. This includes touching the person in any way or pointing a firearm in the person's direction.



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### 2. Constructive

Officers try to avoid physical force. A constructive arrest occurs when the person arrested submits to control of the officer without the use of any physical force.

Circumstances can imply an arrest. Such as when an officer steps in front of a suspect and says, "Come with me."

Simply telling a person that they are under arrest does not place them under lawful arrest. Actual or constructive **custody** must occur before a person is legally under arrest.

#### The Arrest

According to our legal system a person is innocent until proven guilty. It is up to the court to determine if a person is guilty, not the police. When a person is arrested, he is called a suspect. He is then considered a suspect until the court finds him guilty or innocent. Therefore, do not refer to an arrested person as the criminal, the offender, the murderer, the robber, burglar are by any other term which implies guilt. You can say he, she, they, this person, or the suspect, since none of these terms implies guilt.

#### • Making an Arrest

If you should happen to be in a situation where an arrest is called for, you must tell the person he is under arrest, the charges, and by what authority you act. Once you effect the arrest [i.e. deprive him of his liberty or freedom of movement] you cannot discharge him from it; only a magistrate can do that. If he resists you must then decide if reasonable force is necessary.

If you are legally detaining a person you have the right to conduct a "frisk" of that person for your safety.

Remember that you must be able to justify the "frisk" of that person as it relates to your safety. A "frisk" is defined as a "pat-down" search of a suspect designed to discover weapons, not to recover contraband. A FRISK IS NOT A FULL SCALE SEARCH OF THE PERSON.

#### • Use of Force in an Arrest – Article 15.24 [T.C.C.P]

If the suspect resists, you are permitted to use no greater force that is necessary to affect his detention and arrest. A judge or jury will have the final say as to whether or not you acted reasonably.

Examples of excessive force include:

- Knocking unconscious and unarmed suspect when he is only trying to leave the scene. Handcuffs may be used on persons who have resisted or on suspects you think may be trying to resist or escape.
- Using physical force against someone who is only verbally provoking you. As a security officer you will have to deflect and ignore rude comments.

#### • Arrest or Detainment

A person who voluntarily responds to questioning and is not actually restrained [i.e. free to go at any time] is considered to be detained. A person may be detained by the police for further questioning in an investigation, and that person is not necessarily under arrest. While the police may do this, a private citizen [including a security officer] cannot, unless he is investigating a probable theft and then the detention must only be for a reasonable period of time.

It should be clear to the suspect that he is under arrest after you have communicated your intent to arrest him and affect a detention that is actual or constructive. However, there are also other actions that may make a suspect feel that he is under arrest. If, because of your uniform, badge, hat or words the suspect concludes he must answer your questions, or is not free to walk away, he may justifiably claim that he was arrested.

*Guilty by association is not a lawful way to make an arrest. Let's look at an example:*

It's 11:00pm and, while making his rounds, a security officer finds a gate open. There are pry marks on the chain. About 50 yards from the gate is an old pickup truck parked by the side of the road. The hood is up and two men are bent over the engine. The officer walks over and says, "All right, you guys, what are you doing here?" One of the men responds, "What's it to you pal?" The officer answers angrily, "Look you had better tell me what you are doing here or you're in trouble!" One of the men gets in the truck and tries to start it. The officer then asks, "Didn't you hear what I said?" The other man says "Leave us alone." The officer moves to the front of the truck and grabs the man's arm, stating, "You guys aren't going anywhere until you answer a few questions."



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**Analysis:** Finding the gate open with pry marks does not necessarily mean there has been a crime. Next there is nothing to tie the two men in the truck to any alleged crime. Furthermore, the security officer cannot demand the men answer his questions. By his action the officer could well have caused the men to believe they were under arrest, particularly when the officer assaulted the man by grabbing his arm.

### ***What should the security officer have done?***

First he should take complete notes to include description of the condition of the gate and report his observations to his supervisor. If he can approach the two men without leaving his post unprotected he should do so in a friendly manner. An accusatory approach seldom gets good results.

### **• A better Approach:**

Remember that you are seeking the information that they have; it your responsibility to get them to talk to you and that does not happen when you are hostile. Most people have a difficult time refusing a request for help. Let's try this approach!

"Hi! Got car troubles?" One of the men replies, "Yeah! This darn thing shorts out every once in a while." The officer then says, "I need some help, I found a gate open a few minutes ago, have you seen anybody around the gate?" The men reply, "No, we haven't seen anybody but you." The officer asks, "How long you guys been broken down?" "Oh, maybe five minutes." "Well, thanks for your help, if you need to call for road service, I can make the call for you." "Thanks anyway but we'll get it going." The officer then walks away.

***The security officer may not have gotten much information, but at least he had a chance to observe each man closely and check their activities without running the risk of bad public relations or a false arrest suit.***

### **• Rights of Suspect after arrest or detention**

After you arrest someone you must turn him over to the police without delay. You should right down the time you made the arrest and the time that you called the police. If you delay too long in calling the police, you may be guilty of an illegal detention.

Texas law does not define a "reasonable delay." For example, if you had to walk a half-mile to get to the nearest phone or wait at your post for your partner to relieve you, these would be considered reasonable delays. However, if a phone is handy and you wait an hour before calling, this could be considered an unreasonable delay.

If you made a legal arrest then the police, by law, must take custody of the suspect. Custody means "to take charge of." If the suspect is charged with a serious offense, the police will probably take him down to the station, take fingerprints and make a photo-identification. They might not release the suspect unless bail is posted. Taking custody of suspects charged with less serious offenses may not involve going to the station. The police may choose to cite and release the suspect pending a hearing. This is also considered "taking into custody."

The police will take down a statement of what happened, so you should take care to observe as many details as possible. The police will also investigate to collect evidence. You may be asked to testify at the trial.

## **Criminal Acts**

The company/client will advise you of their policy with respect to arrest. Your primary responsibility is to prevent and deter crime. You are not a police officer. Your right to arrest is the same as any other private citizen, which means that you are not required to perform an arrest. The majority of companies' policies require you to observe and report, rather than arrest.

## **Legal Liability**

The authority to arrest is given to all private persons. A security officer arrests with the same power as any other private person. However, because the security officer wears a badge and a uniform, that can lead to misunderstandings and abuse.

Article 14.01 of the Code of Criminal Procedure states the conditions that allow a private person to make an arrest. Article 14.01 "Offense within View" A peace officer or any other person, may, without a warrant, arrest an offender when their offense is committed in his presence or within his view, if the offense is one class as a felony or as an offense against the public peace.

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Actions based on poor judgment can lead to legal problems for both you and your employer. You must, by law, avoid certain actions. The legal responsibilities and liabilities that affect you are presented in this section.

### **Criminal Liabilities**

Crimes are generally defined in the penal statutes of a state, or in ordinances of local cities or counties. All persons are expected to know and obey these laws. Anyone who violates a criminal law is subject to a fine and/ or a term in jail or prison. The potential for punishment as a result of violating a criminal law is called Criminal Liability.

*Some acts by security officers by which criminal liability is possible include:*

- **Intimidation:**

Do not threaten physical harm or otherwise frightening people when they do not cooperate or confess to a crime.

- **Excessive physical force:**

When an arrest is made the law allows the person making the arrest to use force that is responsible and necessary to restrain the suspect. A person may use force, but not deadly force against the person being arrested to the degree that is reasonable and necessary to prevent the person being arrested from committing suicide or harming himself. When more force is used than the law allows, the arresting party is said to have used "excessive force."

The arresting party may be held criminally and civilly liable if excessive force is used.

- **Possession of prohibited weapons:**

Receiving a security officer's commission does not entitle you to carry another weapon other than a firearm.

- **False Arrest: (unlawful restraint):**

A private person making an arrest may be found criminally liable if the offense did not happen within their presence or view and the offence was neither a felony nor a misdemeanor against the public peace. If you arrest a person and it did not meet the above criteria you could be charged with the criminal offense of Unlawful Restraint (PC 20.02) which is punishable by fine and/ or jail or prison time or both.

### **Examples include:**

- Traffic stops and the use of emergency vehicle lighting and sirens
- Entry into premises not under the officer's control
- Giving the impression the officer is connected in any way with the law enforcement or a government subdivision.
- Use of the state flag or seal of Texas
- The ability to divulge information to anyone other than law enforcement
- The use of power and authority delegated exclusively to peace officers.

### **Civil Liabilities**

Everyone has a Civil Liability. The legal term "PARTY" can be a person, company or organization. When one party believes it has been injured, damaged or wronged by another party, it may make lawful claim for damages. The claim or "LAWSUIT" is presented to a civil court where both parties may explain their position to a judge or jury. A court judge may decide whether or not one party in a lawsuit has damaged another. If damages are due, the court will decide, after a trial, how much money must be paid by one party to another. The responsibility for the things we do, or fail to do, with the possibility of being sued is called "Civil Liability."

As a security officer you are a representative of your employer. Therefore, any negligent or wrongful act committed by you may also cause your employer and the client to be held responsible. Lawsuits may be brought against you (the security officer) your employer and/ or the client.

*For Example a security officer makes a false arrest. The person arrested may file a civil suit for damages against the officer, his employer and anyone else he believes to be responsible. Even if the civil suit fails, the action may be costly to you and your employer.*

A security officer who is expected to make arrests should receive instructions and the training on how to do so. Training should make the circumstances under which an arrest can be made and the procedure for making them very simple. As a security officer you should work primarily in a preventative role. Use good judgment and exercise caution when faced with an arrest situation. Every person is accountable for his actions. Acts of a

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security officer in an arrest situation are easy to defend when good judgment and good faith have been used. An officer must not be afraid to execute an arrest, but must use restraint and good judgment.

### A. Types of Offenses

Although your normal responsibilities include protection, prevention, observation and reporting, there may be rare occasions when you consider it necessary to arrest. Every company in the Private Security Industry has different policies about when and if you should arrest. If you do not know your company's policies, find out what they are, and follow them!

A security Officer's legal powers to arrest are the same as any private citizen and no greater. An arrest made by such a private party is commonly known as a "citizen's arrest."

Texas Criminal procedure- Code and Rules, specifies the conditions under which you, a private citizen may make an arrest. A private person may arrest another person without a warrant when:

The offense is committed within his presence or view and the offense is either:

- a. A misdemeanor against the public peace or
- b. A felony

The Penal Code defines criminal offenses. This program will not attempt to cover all of them but it will cover many of the most common ones. The Penal Code classifies crimes into two categories: Misdemeanors, and Felonies.

### Misdemeanors

Misdemeanors are offenses that are punishable by; a fine and/ or term in the county jail. The following two conditions must exist in order for you to arrest a person on a misdemeanor charge:

1. The misdemeanor must be against the public peace; not all misdemeanors fit under this category; and
2. The misdemeanor must be committed within your presence or view.

*The following are common examples and are found in section 42.01 "Disorderly Conduct" in the Texas Penal Code:*

1. Use of indecent, abusive, profane, or vulgar language or gesture in a public place to incite an immediate breach of the peace.
2. Creating, by chemical means, a noxious and unreasonable odor to incite an immediate breach of the peace.
3. Abuses or threatens a person in a public place in an obviously offensive manner.
4. Makes an unreasonable noise in a public place or near a private residence that he has no right to occupy.
5. Fights with another in a public place.
6. Enters on the property of another and for a lewd and unlawful purpose, looks into a dwelling on the property through any window or other opening in the dwelling.
7. Discharges a firearm in a public place other than a public road.
8. Discharges a firearm on or across a public road.
9. Displays a firearm or other deadly weapon in a public place in a manner to cause alarm.
10. Exposes his anus or other genitals in public and is reckless about whether another may be present who will be offended or alarmed by his act.

Other examples of Misdemeanors against the public peace are:

11. Assault- if a person intentionally, knowingly or recklessly causes bodily injury to another or threatens another with imminent bodily injury.
12. Indecent Exposure-The act of exposing the person's anus or any part of his genitals with intent to arouse or gratify the sexual desire of another person and is reckless about whether another person is present who will be offended or alarmed.
13. Criminal Trespassing- Entering the property of another without permission; refusing to leave when asked. The offense may be aggravated if property is destroyed or damaged.
14. Criminal Mischief- Maliciously defacing, damaging, or destroying property.

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You cannot arrest a suspect for a misdemeanor unless it happens in your presence or view and it is against the public peace.

14.01 [T.C.C.P] If you arrest a suspect, you must deliver them to a peace officer or magistrate. When they arrive, turn the suspect over to them and make your statement.

Other things you will be expected to do when you make a misdemeanor arrest include:

- Meeting with the district attorney to discuss the case and give a sworn statement regarding what happened.
- Attending the suspects hearing.
- Testifying at the suspect's trial.

### **Felonies: Apprehensible Offenses**

A felony is a more serious offense than a misdemeanor and is punishable by confinement in a penitentiary to a maximum of death.

The following condition must exist in order to arrest a person on a felony charge:

The felony must have been committed in your presence or view!

The following are common felonies: [PC stands for Penal Code]

- Aggravated Assault [22.02 PC] Assault of a person by another with a deadly weapon or instrument; or by any other means of force likely to produce great bodily injury.
- Arson [28.02] The willing and unlawful setting of a fire.
- Theft [31.03 PC] The taking of money, labor, real or personal property from the person of another. The value must be greater than \$1,500 to qualify as a felony.
- Burglary [30.02 PC] the entering of the residence or property of another with the intent to commit a felony theft or an assault.
- Kidnapping [20.03 PC] Taking and transporting a person against their will.
- Robbery [29.02 PC] By force or intimidation, taking personal property from a person or from the immediate presence of a person against that person's will.
- Sexual Assault [22.011 PC] Forcing sexual intercourse.
- Manslaughter [19.04 PC] Causing the reckless death of an individual.
- Murder [19.02 PC] An individual intentionally or knowingly causing the death of another individual.

Other statutes that allow arrest or detainment by security officers:

- Article 18.16 of the Code of Criminal Procedures titled "Preventing consequences of Theft" States that: "all persons have the right to prevent the consequences of theft by seizing any personal property which has been stolen and bringing it, with the supposed offender, if he can be taken, before a magistrate for examination, or delivering the same to a peace officer for that purpose. To justify such seizure, there must, however, be reasonable grounds to suppose that property to be stolen, and their seizure must be openly made and the proceedings had without delay."
- Civil Practices Chapter 124 "Privilege to Investigate Theft" states that, "A person who reasonably believes that another person has stolen or is attempting to steal property is privileged to detain that person in a reasonable manner and for a reasonable time to investigate the ownership of the property."  
Security officers working in retail assignments may use the above statute to arrest or detain suspects. It is important to remember that the offender must be handed over to the police.  
It's important to comply with the company policy with regards to arrest or detainment of any person to avoid civil and criminal liability for the officer and the company.

Penalties:

Felony

- a. Capital
  - 5 years to 99 years, life or death and/or both a \$10,000
- b. 1<sup>st</sup> Degree
  - 2 years to 99 years and/or both a \$10,000
- c. 2<sup>nd</sup> Degree
  - 2 years to 20 years and/or both a \$10,000

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- d. 3<sup>rd</sup> Degree
  - 2 years to 10 years and/or a \$10,000
- e. State Jail
  - 180 days to 2 years and/or a \$10,000
- f. Misdemeanor
  - Class A, up to 1 year in the county jail and/or \$2,000 fine
  - Class B, up to 180 days in the county jail and/or \$2,000 fine
  - Class C, fine only up to \$500

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### Chapter Eight

#### Radio Procedures

A **two-way radio** is a radio that can both transmit and receive. Using two way radios to communicate in and around industrial sites of buildings saves workers time and is a practical solution for communication, especially in areas where other means of communication are almost impossible.

Understand your company's policy regarding the proper use and handling of their two-way radios.

#### A. FCC Regulations

The federal Communications Commission (FCC) requires all two-way radios to operate on frequencies regulated and issued by them. The FCC has set aside 22 UHF frequencies as general frequencies for use by consumers. These frequencies make up GMRs and FRS channels.

Business radios use different frequency ranges that have been approved by the FCC for business use. These frequencies are not as popular, so you typically don't have to worry about "chatter" on your channels. The company must obtain a license from the FCC to operate the radios.

#### B. Proper Methods of Speaking

Radio communications need to be professional, clear and precise.

1. Verify that your radio equipment is functioning properly by performing a radio check with another radio operator before you get in the field.
2. Except in an emergency, plan your message before you transmit; using the least number of words. Be brief. Be concise.
3. Hold the radio at a 45 degree angle, approximately one to three inches from the lips and slightly to the side. This eliminates "blowing" into the mouth piece.
4. Always listen first to be sure that the channel is clear before transmitting.
5. Press the microphone button firmly, wait a few seconds, and then begin speaking.
6. Speak clearly and distinctly.
7. Signal quality is affected by talking too loudly, too fast, and also by being too close or too far from the mic. Do not shout or become excited. It is essential that your voice remain a constant volume that does not trail off. Do not mumble.
8. Do not transmit when advised to standby.
9. Note: Being asked to repeat constantly indicates that you may not be using the microphone correctly.

#### C. Courtesy

1. Don't talk too much
2. Don't swear
3. Don't try to adjust the antenna
4. Don't interrupt other people
5. Avoid "keying" your microphone.

#### D. Care

The general life term for the two way radio is 5 to 7 years and 1 to 2 years for its accessories. The usage, atmosphere and environment play a major role in determining its life term. Verify battery conditions frequently.

#### E. Practice

As with any tool entrusted to you on the job, practice will improve your skills. You need to know the correct position to hold the unit, how loudly to speak and the effective range of the equipment.

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### Chapter Nine

#### Report Writing and Observation Training

As a security officer your job is to act as a deterrent to crime by your presence.

You are in a position to observe any suspicious activity and report on the incident. Report writing is an essential element of communication between the client and security officer. The client relies on well written and neatly presented documents. These documents reflect the professionalism brought to the client by your company.

#### A. Field Notes

1. Reasons for field note:
  - To help to remember details
  - To help find out what happened
2. Field Notes:
  - A pocket sized notebook with thin, lined, filler paper.
  - Two writing instruments, including one pencil.
3. Questions:
  - Ask, "Who, what, when, where why and how?"
  - Let one question lead to the next
  - Ask as many questions as you can think of.
4. Write down all of the basic information:
  - Names, addresses, race, sex, hair color, eye color, approximate height, weight and age, clothing description, vehicle description, year, make, model, color and license plate number.
  - Note the time of day and what happened
  - Remember that you are creating a record of what happened.
5. Practical Reminders:
  - Use your notebook for your notes. Use plenty of room to write your notes.
  - Write as neatly and clearly as possible.
  - Number your pages.
  - Put the same information in the same place each time.
  - Be concise. Be accurate. Be complete. Be specific.
  - File your notes so that you can find them later.

#### B. Written Report Types

##### 1. Narrative

- a) Requires good writing skills and practice
- b) Is written in the "first person" i.e. "I..."
- c) The security officer
  - expands the information from his field notes;
  - explains the event in logical order;
  - and arranges the report to clearly present the details
- d) Narrative report is a short summary of an incident
  - Overview- date, time location, event suspect, victim
  - Witnesses- listed by name, address, phone, description, relation to incident, and a summary of what they can testify to.
  - Evidence- numbers and lists and evidence seen
  - Detailed narrative of the event- including "5-W's and H" in time sequence from beginning to end.

##### 2. Pre-printed

- a) Form- style report (fill in the blank)
- b) The security officer
  - completes the form from information in field notes
  - fills in all the blanks; if one does not apply use the notation N/A
  - pays attention to detail and accuracy
  - write a summary of the event at the end of the pre-printed form.

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### C. Correct Writing

A well written report is:

- clear
- complete
- neat
- accurate
- legible
- written in plain, "everyday" language
- free from opinion, prejudice and bias

Pay special attention to the following areas:

1. Spelling- if you are using a computer to type your report; access the "tools" and perform a spelling and grammar check. If the report is hand written use a dictionary to verify spelling.
2. Grammar- if you are using a computer to type your report; access the "tools" and perform a spelling and grammar check. If the report is handwritten remember to use short, clear sentences to minimize grammatical errors.
3. Objective versus subjective- As you make observations that you are required to report it is necessary to distinguish between objective and subjective. The type of description you should use in your report is objective, factual commentary. This could include a person's height, weight, skin color, weapons seen, threats made, etc. A subjective comment is one in which you are expressing an opinion. For instance you see a man running from an open door and you conclude he was breaking in. This conclusion is subjective. Avoid making subjective comments.
4. Legibility- If possible use a computer to type your report. It has the advantages of spelling and grammar checks, being legible, and can be saved for future reference. Otherwise, use a pencil and print legibly.

### D. Importance

A written report provided a clearly understandable, permanent record of an event. It provides a traceable method for a security officer to communicate important information to his employer and client.

#### 1. *Client*

The security personnel may be the only source of information to the client for certain items: including repairs (lights, doors, etc). And the more information provided to the client, the more he has confidence in your ability.

#### 2. *Court Documentation*

Written documentation from the time of an event serves as an excellent resource to recall events for testimony in a court of law.



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### Chapter Ten

#### Response to Emergencies and Safety Hazards

Safety is another important issue for the Security Professional. Here are three things that can help you prevent accidents and injury:

- *Practice a Plan-* By practicing a plan you will know what to do when a problem or situation arises.
- *Follow Proper Procedures and Common Sense-* Carelessness and becoming too comfortable with a situation can result in harm to yourself and others.
- *Anticipate Danger and Hazards-* By anticipating you will usually be able to avoid the problem before it occurs.

Make sure that you report any potential safety hazards to the proper personnel during your normal rounds.

#### Emergency Response

As emergency situations occur in the workplace your response begins with knowing the company procedures for handling various types of emergencies. Your response usually begins with the notifying your manager / supervisor; if it is a major emergency then you should call 911 first and then follow up with a quick call to your manager / supervisor.

#### Company and Client policies and procedures

Both the security company that employs you and the client that your company is protecting probably have Standard Operating Procedures (SOPs) in place for fire protection and other emergencies. Be familiar with their methodology and follow their rules. Contact your supervisor and designated manager as your initial response to all emergencies.

#### Fire Recognition and Response

When a fire occurs evaluate the type and extent. If it is a large fire all personnel should be evacuated. Control measures should only be taken for small isolated fires.

#### Types of Fires

"Fire Extinguisher Types (What Kind do I use?) ." *Fire Extinguisher:101*. Fire Protection Online Co. UK, 06/29/2010. Web. 2 Jul 2010. <<http://www.fire-extinguisher101.com/>>.

There are three common types of fires. The method of extinguishing the fire depends on the type.

- **Class A-** involves wood, paper, plastics, and other solid combustible material. These materials may smolder and reignite.
- **Class B-** burning flammable liquids, such as gasoline, oil, grease, or acetone. If flammable liquids have spilled but not ignited then sand activated charcoal or another non-flammable absorbent may be used to contain the spill. Natural gas fires are also considered Class B fires. After the gas has been turned off they may be extinguished with CO2. Do not use water as it may spread the fire.
- **Class C-** are fires that involve electricity. Dry chemical extinguishers may be used, but CO2 is the most effective. If possible turn off the power source. The fire then becomes a Class A or B fire. Do not use liquid as the risk of electric shock is too great and will cause shorting of circuitry (potentially leading to more fires).

#### Indications

##### Sight

- Smoke
- Flames

##### Smell

- Smell of something burning;
- acrid smell(chemical)

##### Touch

- Heat felt on the doorknob, wall, etc.

##### Hearing

- Sound of fire crackling
- Explosion
- Alarms.

#### Alarms

- 1) May give the specific location of the fire

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- 2) May ring locally to make you aware of the smoke, flame, or carbon monoxide in a general area.
- 3) Treat all alarms as though they are real. Use your senses when verifying an alarm.

### Response

#### RACE

When a fire is discovered or suspected, do the following:

- 1) **Rescue**- immediate lifesaving and warning those in danger.
  - 2) **Alarm**- signal the alarm and/ or fire department by calling 911
  - 3) **Confine**- close doors and windows to cut off oxygen supply to the fire
  - 4) **Extinguish**- know locations of fire extinguishers and/ or extinguishing systems and how to use them.
- Put out the fire only if it is safe to do so. Evacuate if necessary.

### Fire Extinguishers

Fire Extinguishers are divided into 4 different categories, based on different types of fires. Each fire extinguisher also has a numerical rating that serves as a guide for the amount of fire the extinguisher can handle. The higher the number the more firefighting power.

- **Class A** extinguishers are for ordinary combustible materials such as paper, wood cardboard, and most plastics. These extinguishers are air pressurized water. The numerical rating on these types of extinguishers indicates the amount of water that it holds and the amount of fire it can extinguish.
- **Class B** fires involve flammable and combustible liquids such as gasoline, kerosene, grease, and oil. Usually Co2, the numerical rating for Class B extinguishers indicates the approximate number of square feet of fire that it can extinguish.
- **Class C** fires involve electrical equipment, such as appliances, wiring, circuit breakers and outlets. Dry chemical Class C extinguishers do not have a numerical rating. The classification means the extinguishing agent is non-conductive.
- **Class D** extinguishers are commonly found in a chemical laboratory. They are for fires that involve combustible metals, such as magnesium, titanium, potassium and sodium. These types of chemical extinguishers also have no numerical rating, nor are they given a multi-purpose rating- they are designed for Class D fires only. Some fires may involve a combination of these classifications. Your fire extinguishers should have ABC ratings on them.

### Types of Fire Extinguishers

#### a. Air pressurized water (APW)-

Air pressurized water extinguishers are designed for Class A fires only. They should not be used on liquid or electrical fires.

#### b. Carbon Dioxide Co2

Carbon dioxide is a non-flammable gas that extinguishes a fire by displacing oxygen. The carbon dioxide is also very cold as it comes out of the extinguisher, so that it cools the fuel as well. These are used for Class B and C fires.

#### c. Dry Chemical ABC

Dry Chemical extinguishers are designed to fight Class A, B, and C fires. ABC extinguishers coat material with a thin layer of chemical dust, separating the fuel from the oxygen in the air. The powder works to interrupt the chemical reaction of fire, making these extinguishers very effective. However, the sticky residue may damage computers and other electrical devices.

### Proper Use

In case of electrical fire, try to safely turn off the source of electricity (i.e. fuse, breaker box, main power shut off). Before using your fire extinguisher, be sure to read the instructions before it's too late. Although there are many different types of fire extinguishers, all of them operate in a similar manner.

Use this acronym as a quick reference (it is a good idea to print this reference and pin it next to your fire extinguisher):

#### PASS

**Pull the Pin** at the top of the extinguisher. The pin releases a locking mechanism and will allow you to discharge the extinguisher.

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**Aim at the base of the fire**, not the flames. This is important- in order to put out the fire, you must extinguish the fuel.

**Squeeze the lever slowly**. This will release the extinguishing agent in the extinguisher. If the handle is released, the discharge will stop.

**Sweep from side to side**. Using a sweeping motion, move the fire extinguisher back and forth until the fire is completely out. Operate the extinguisher from a safe distance, several feet away, and then move towards the fire once it starts to diminish. Be sure to read the instructions on your fire extinguisher- different fire extinguishers recommend operating them from different distances.

Remember: Aim at the base of the fire, not at the flames!!!

A typical fire extinguisher contains 10 seconds of extinguisher power. This could be less if it has already been partially discharged. Always read the instructions that come with the fire extinguisher before hand and become familiarized with its parts. It is highly recommended by fire prevention experts that you get hands-on training before operating a fire extinguisher. Most local fire departments offer this service.

Once the fire is out, don't walk away! Watch the area for at least 10-15 minutes in case it re-ignites. Recharge the extinguisher immediately after use.

*Notes: Be aware that different types of fires can exist together and can feed each other. Be aware that explosions can occur when a fire is suddenly exposed to air or chemicals.*

Finally when the fire department arrives, redirect your efforts to securing the area and assisting fire crews only as directed.

### Reporting Procedure

- a. Contact emergency response authority (911) or the local fire department after which, call your supervisor/ manager.
- b. Provide responding authority with clear, concise and accurate information.
  - i. *State your reason for calling.*
    - Are flames visible?
    - Smoke? Color and density
    - Heat?
    - Smell? Smoke or electrical
    - Explosion? With or without the above
  - ii. *State the fire's address*
    1. Actual street address (12345 Main St.) or distance from landmarks (1/2 mile south on Hwy 90 from the intersection of FM123 and Hwy 90, on the left.)
    2. Location of building, land, or property at that address that is involved in the fire ( a brown Ford LTD in the rear parking lot)
    3. Use compass direction to describe location within the confines of a particular street address (NW corner of the Acme building located at 12345 Mai St.)
  - iii. *State the fires location*
    - Ex. Roof
    - Number of floors in building
    - Approximate amount of acreage if it is a brush or forest fire
  - iv. *Is the building occupied?*
  - v. Number and location of people?
  - vi. *Apparent injuries?*
  - vii. *Be prepared to give:*
    - your name
    - location you are calling from
    - Who you work for and your occupation
    - What time you discovered the fire

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### Accidents

Many different accidents can occur at your duty assignment including falls, contact with electricity and chemical contact. You should not attempt to treat any injuries unless you have the medical training to handle the victim.

#### Medical Emergencies

Head injury

Include:

Loss of consciousness

Stroke

Overexposure to the elements/ weather

Heat exhaustion/ heat stroke

Hypothermia (loss of body heat)

And many more...

### Reporting Procedure

In the event of an accident emergency do the following:

1. Notify emergency Medical Services 911; afterwards contact your supervisor/ manager.
2. Give your name
3. Provide a description of the scene
4. Injured person's age, sex and weight
5. Injured person's main complaint
  - Ex. Stopped breathing, broken arm, heart attack, etc.
6. Location of injured person including street address, location on property and directions on locating the person.
7. Provide information on any measures already performed
  - ex. First aid, CPR, doctor on scene etc.
8. Be prepared to give
  - Your name
  - Location that you are calling from
  - Who you work for and your occupation
  - What time you discovered the injured person

### Hazardous Material/ Dangerous Goods Incident

Hazardous material/ dangerous goods can be defined as: any substance (gas, liquid, or solid) either alone or mixed with another substance that may cause injury or death to any person or damage to the environment.

#### Classification of Hazardous Materials/ Dangerous Goods

**Class 1** Explosives

**Class 2** Gasses

**Class 3** Flammable Liquids (combustible liquids)

**Class 4** Flammable Solids

**Class 5** Oxides and Organic peroxides

**Class 6** Toxic Material and infectious substances

**Class 7** Radioactive Materials

**Class 8** Corrosive Materials

**Class 9** Miscellaneous dangerous goods

### Identification Emblems

*Any vehicle transporting hazardous material must have a diamond shaped identification placard showing what type of material it is transporting. These placards will be color-coded and will use words or symbols or both to identify the materials contained within the freight containers, motor vehicles or train cars. Labels communicate the same hazards for small containers and packages offered for transport.*

A hazmat incident happens when a hazardous material or dangerous good escapes or has a potential to escape its container in an uncontrolled environment.

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An example of this would be if a fuel truck was involved in an accident and the fuel was leaking or had the potential to leak. Remember that the substance does not have to be in a liquid form to be considered a Hazmat incident. Gasses such as hydrogen or oxygen can be considered hazardous material under certain circumstances.

### 1. Safety Response

- a. Remain calm
- b. Call emergency response 911
- c. Contact your supervisor or designated manager.
- d. Maintain a safe distance from the spill or accident. This varies from a few hundred feet to a mile. Keep the potential of drifting fumes and gas in mind. Victims are often overcome by fumes or vapor from a spill without coming into physical contact with the substance. Be aware of wind direction and speed. It can affect how fast flames and vapors can travel.
- e. Secure the scene. Without entering the immediate hazard area, isolate the area and assure the safety of people and the environment. Keep people in the safety zone.
- f. Above all, do not walk into or touch spilled material. Avoid inhalation of fumes, smoke and vapors, even if no dangerous goods are known to be involved.
  1. Give your name, call back number
  2. The location and nature of the problem
  3. The name and identification number of the material involved
  4. The shipper, consignee, and point of origin
  5. The carrier name, rail car, or truck number
  6. The quantity of material being transported and / or spilled
  7. The local conditions (weather, terrain, proximity to schools, hospitals, etc.)
  8. Any injuries or exposures
  9. Any emergency response agencies that have been notified
  10. Be prepared to give
    - your name
    - the location that you are calling from
    - who you work for and your current occupation
    - what time you discovered the incident

### Bombs

A bomb can look like ANYTHING. Look for things that are out of place or that do not belong in an area. Be suspicious of unattended bags/ briefcases; boxes left in strange places, etc.

If you find a suspected bomb: DO NOT TOUCH IT. Notify 911 via land line.

### Types of Threats

#### a. Threats made in Person

- Notice and be able to recall physical characteristics of the person making the threat
1. Remember what the person sounded like
  2. Make note of their actions
  3. Make note of what the suspect was carrying and anything that they left behind.
  4. Written Materials- if a bomb threat is received in writing it should be kept including any envelope or other container. Unnecessary handling must be avoided and every possible effort must be made to retain possible evidence such as fingerprints, hand writing, paper and postmarks
  5. Make note of the information on the Bomb Threat Check List.

#### b. Threats made by Phone

The person receiving the call should not disconnect the caller and should try to find out the information required on the Bomb Threat Check List. Report details immediately to Security and Emergency Services. In the event of a threat:

- Take every threat seriously
- More dangerous if the caller gives you an amount of time to respond between the threat and reported detonation time.

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- The caller gives a reason for the bomb.
- Most threats occur during work hours and are intended to disrupt businesses.
- Most callers do not want anyone to be hurt, they may give you time to evacuate.

### Threat Response

#### a. BOMB THREAT CHECKLIST

1. Document the Exact Wording of the Threat:
  - Threat Language
  - Well spoken:
  - Incoherent:
  - Irrational:
  - Taped:
  - Message red by caller:
  - Abusive:
  - Other:
2. Suspect's Voice
  - Accent(specify):
  - Any impediment (specify):
  - Voice (loud, soft, etc.):
  - Diction (clear, muffled):
  - Manner (calm, emotional, etc):
  - Did you recognize the voice?
  - If so, who do you think it was?
  - Was the caller familiar with the area?
3. Background Noises
  - Street Noises:
  - House Noises:
  - Aircraft:
  - Voices:
  - Music:
  - Machinery:
  - Other:
4. Other
  - Sex of Suspect:
  - Estimated age:
5. Call details
  - Date of the calls:
  - Time of the calls:
  - Duration of the calls:
  - Number called:
  - Person taking the call:
6. Questions to ask
  - When is the bomb going to explode?
  - Where did you put the bomb?
  - When did you put it there?
  - What does the bomb look like?
  - What kind of bomb is it?
  - What will make the bomb explode?
  - Did you place the bomb?
  - Why did you place the bomb?
  - What is your name?
  - Where are you?
  - What is your address?

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### Reporting

- Consider all threats to be real.
- Notify the fire and police department; 911, via land line. DO NOT use the radio or cell phone. Some explosive devices can be detonated by radio frequencies.
- Call your supervisor / manager.
- Provide clear, concise and accurate information
- Name and Occupation
- Type of Threat: Suspected Bomb
- Location of suspected bomb
- Information from the Bomb Threat Check List
- Information on any found device

Remember, security officers are not bomb experts. Evacuation should be ordered by the police department, fire department, or the owner of the property/client.

All information should be kept confidential. Refer requests for information from the public, media or client to your supervisor.

Building Evacuation- Determine if your supervisor/client has an evacuation plan that explains who will decide to evaluate and how the evacuation will be carried out.

If an evacuation is called for: safety first; avoid causing a panic; remain calm, people rushing to exist can cause injuries and complicate the scenario. Follow the directions of the police and the fire departments if they are on the scene. Evacuate Everyone!

Direct help for handicapped persons, and ask evacuees if anyone was left behind. Evacuate persons 1,000-2,000 feet from the building with the bomb site, out of the elements. Avoid evacuating to a parking lot, if possible.

### Bomb Search Priorities

#### Location

Most bombs are placed on the outside of the threat location. In the last ten years approximately 10,000 bombs detonated. Eighty percent of those went off outside the building's perimeter. 18% of the bombs were detonated in public areas. A potential target is the area where the sign or logo identifies the company that has been threatened. Response

**When something suspicious is found: do not touch the device or packaging. Do not use a radio or a cell phone. Observe people in the crowd. (The bomber may be watching). Look for suspicious people in the area.**

**Terrorist-** Can look like **ANYBODY**



### Ted Kaczynski- The Unabomber

-Three-decade-long bombing campaign that killed three and injured 23 people. He used a variety of pipe bombs in packages, bags, as well as strange looking devices.

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### **Umar Farouk AbdulMutallab- Underwear Bomber**

-suspect in the failed 2009 Christmas Day bombing of a U.S. airliner carrying 290 people. He detonated the bomb, causing a fire on board flight 253." Luckily, the device failed to fully detonate.



### **Faisal Shahzad-**

-suspect in the failed Times Square car bombing May 2010. This bomb also failed to detonate. Thankfully street vendors noticed smoke coming from the vehicle and contacted the authorities.

Terrorist will use **ANY** device (bomb or otherwise) in order to instill terror in others. Always be aware of your surroundings and follow the proper procedures necessary to insure the safety of everyone.

#### **A. Shots Fired**

1. Get down low
  2. Remain calm
  3. Call the police, emergency 911
  4. Lock down the location per your companies policy
  5. Call your supervisor / manager
- If you hear shots fired at your post, you should NOT evacuate the building!



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### Chapter Eleven

#### **WEAPONS; Penal Code CHAPTER. 46.**

##### **Sec. 46.01. Definitions**

In this chapter:

- (1) "Club" means an instrument that is specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, and includes but is not limited to the following:
  - (A) blackjack;
  - (B) nightstick;
  - (C) mace;
  - (D) tomahawk.
- (2) "Explosive weapon" means any explosive or incendiary bomb, grenade, rocket, or mine, that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror, and includes a device designed, made, or adapted for delivery or shooting an explosive weapon.
- (3) "Firearm" means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use. Firearm does not include antique or curio firearms that were manufactured prior to 1899 and that may have, as an integral part, a folding knife blade or other characteristics of weapons made illegal by this chapter.
- (4) "Firearm silencer" means any device designed, made, or adapted to muffle the report of a firearm.
- (5) "Handgun" means any firearm that is designed, made, or adapted to be fired with one hand.
- (6) "Illegal knife" means a:
  - (A) knife with a blade over five and one-half inches;
  - (B) hand instrument designed to cut or stab another by being thrown;
  - (C) dagger, including but not limited to a dirk, stiletto, and poniard;
  - (D) bowie knife;
  - (E) sword; or
  - (F) spear.
- (7) "Knife" means any bladed hand instrument that is capable of inflicting serious bodily injury or death by cutting or stabbing a person with the instrument.
- (8) "Knuckles" means any instrument that consists of finger rings or guards made of a hard substance and that is designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.
- (9) "Machine gun" means any firearm that is capable of shooting more than two shots automatically, without manual reloading, by a single function of the trigger.
- (10) "Short-barrel firearm" means a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a shotgun or rifle if, as altered, it has an overall length of less than 26 inches.
- (11) "Switchblade knife" means any knife that has a blade that folds, closes, or retracts into the handle or sheath, and that:
  - (A) opens automatically by pressure applied to a button or other device located on the handle; or
  - (B) opens or releases a blade from the handle or sheath by the force of gravity or by the application of centrifugal force.
- (12) "Armor-piercing ammunition" means handgun ammunition that is designed primarily for the purpose of penetrating metal or body armor and to be used principally in pistols and revolvers.
- (13) "Hoax bomb" means a device that:
  - (A) reasonably appears to be an explosive or incendiary device; or
  - (B) by its design causes alarm or reaction of any type by an official of a public safety agency or a volunteer agency organized to deal with emergencies.
- (14) "Chemical dispensing device" means a device, other than a small chemical dispenser sold commercially for personal protection, that is designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being.
- (15) "Racetrack" has the meaning assigned that term by the Texas Racing Act (Article 179e, Vernon's Texas Civil Statutes).
- (16) "Zip gun" means a device or combination of devices that was not originally a firearm and is adapted to expel a

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projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

### **Sec. 46.02 UNLAWFUL CARRYING WEAPONS.**

(a) A person commits an offense if the person intentionally, knowingly, or recklessly carries on or about his or her person a handgun, illegal knife, or club if the person is not:

- (1) on the person's own premises or premises under the person's control; or
- (2) inside of or directly en route to a motor vehicle that is owned by the person or under the person's control.

(a-1) A person commits an offense if the person intentionally, knowingly, or recklessly carries on or about his or her person a handgun in a motor vehicle that is owned by the person or under the person's control at any time in which:

- (1) the handgun is in plain view; or
- (2) the person is:
  - (A) engaged in criminal activity, other than a Class C misdemeanor that is a violation of a law or ordinance regulating traffic;
  - (B) prohibited by law from possessing a firearm; or
  - (C) a member of a criminal street gang, as defined by Section 71.01.

(a-2) For purposes of this section, "premises" includes real property and a recreational vehicle that is being used as living quarters, regardless of whether that use is temporary or permanent. In this subsection, "recreational vehicle" means a motor vehicle primarily designed as temporary living quarters or a vehicle that contains temporary living quarters and is designed to be towed by a motor vehicle. The term includes a travel trailer, camping trailer, truck camper, motor home, and horse trailer with living quarters.

(b) Except as provided by Subsection (c), an offense under this section is a Class A misdemeanor.

(c) An offense under this section is a felony of the third degree if the offense is committed on any premises licensed or issued a permit by this state for the sale of alcoholic beverages.

### **Sec. 46.03 PLACES WEAPONS PROHIBITED.**

(a) A person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, illegal knife, club, or prohibited weapon listed in Section 46.05(a):

- (1) on the physical premises of a school or educational institution, any grounds or building on which an activity sponsored by a school or educational institution is being conducted, or a passenger transportation vehicle of a school or educational institution, whether the school or educational institution is public or private, unless pursuant to written regulations or written authorization of the institution;
- (2) on the premises of a polling place on the day of an election or while early voting is in progress;
- (3) on the premises of any government court or offices utilized by the court, unless pursuant to written regulations or written authorization of the court;
- (4) on the premises of a racetrack;
- (5) in or into a secured area of an airport; or
- (6) within 1,000 feet of premises the location of which is designated by the Texas Department of Criminal Justice as a place of execution under Article 43.19, Code of Criminal Procedure, on a day that a sentence of death is set to be imposed on the designated premises and the person received notice that:
  - (A) going within 1,000 feet of the premises with a weapon listed under this subsection was prohibited; or
  - (B) possessing a weapon listed under this subsection within 1,000 feet of the premises was prohibited.

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- (b) It is a defense to prosecution under Subsections
- (a)(1)-(4) that the actor possessed a firearm while in the actual discharge of his official duties as a member of the armed forces or national guard or a guard employed by a penal institution, or an officer of the court.
- (c) In this section:
  - (1) "Premises" has the meaning assigned by Section 46.035.
  - (2) "Secured area" means an area of an airport terminal building to which access is controlled by the inspection of persons and property under federal law.
- (d) It is a defense to prosecution under Subsection (a)(5) that the actor possessed a firearm or club while traveling to or from the actor's place of assignment or in the actual discharge of duties as:
  - (1) a member of the armed forces or national guard;
  - (2) a guard employed by a penal institution; or
  - (3) a security officer commissioned by the Texas Board of Private Investigators and Private Security Agencies if:
    - (A) the actor is wearing a distinctive uniform; and
    - (B) the firearm or club is in plain view; or
- (4) Deleted by Acts 1995, 74th Leg., ch. 318, § 17, eff. Sept. 1, 1995.
- (5) a security officer who holds a personal protection authorization under the Private Investigators and Private Security Agencies Act (Article 4413(29bb), Vernon's Texas Civil Statutes).
- (e) It is a defense to prosecution under Subsection (a)(5) that the actor checked all firearms as baggage in accordance with federal or state law or regulations before entering a secured area.
- (f) It is not a defense to prosecution under this section that the actor possessed a handgun and was licensed to carry a concealed handgun under Subchapter H, Chapter 411, Government Code.
- (g) An offense under this section is a third degree felony.
- (h) It is a defense to prosecution under Subsection (a)(4) that the actor possessed a firearm or club while traveling to or from the actor's place of assignment or in the actual discharge of duties as a security officer commissioned by the Texas Board of Private Investigators and Private Security Agencies, if:
  - (1) the actor is wearing a distinctive uniform; and
  - (2) the firearm or club is in plain view.
- (i) It is an exception to the application of Subsection (a)(6) that the actor possessed a firearm or club:
  - (1) while in a vehicle being driven on a public road; or
  - (2) at the actor's residence or place of employment.

### **Sec.46.035 UNLAWFUL CARRYING OF HANDGUN BY LICENSE HOLDER.**

- (a) A license holder commits an offense if the license holder carries a handgun on or about the license holder's person under the authority of Subchapter H, Chapter 411, Government Code, and intentionally fails to conceal the handgun.
- (b) A license holder commits an offense if the license holder intentionally, knowingly, or recklessly carries a handgun under the authority of Subchapter H, Chapter 411, Government Code, regardless of whether the handgun is concealed, on or about the license holder's person:
  - (1) on the premises of a business that has a permit or license issued under Chapter 25, 28, 32, 69, or 74, Alcoholic Beverage Code, if the business derives 51 percent or more of its income from the sale or service of alcoholic beverages for on-premises consumption, as determined by the Texas Alcoholic Beverage Commission under Section 104.06, Alcoholic Beverage Code;
  - (2) on the premises where a high school, collegiate, or professional sporting event or interscholastic event is taking place, unless the license holder is a participant in the event and a handgun is used in the event;
  - (3) on the premises of a correctional facility;
  - (4) on the premises of a hospital licensed under Chapter 241, Health and Safety Code, or on the premises of a nursing home licensed under Chapter 242, Health and Safety Code, unless the license holder has written authorization of the hospital or nursing home administration, as appropriate;
  - (5) in an amusement park; or
  - (6) on the premises of a church, synagogue, or other established place of religious worship.
- (c) A license holder commits an offense if the license holder intentionally, knowingly, or recklessly carries a handgun under the authority of Subchapter H, Chapter 411, Government Code, regardless of whether the handgun is concealed, at any meeting of a governmental entity.
- (d) A license holder commits an offense if, while intoxicated, the license holder carries a handgun under the authority of Subchapter H, Chapter 411, Government Code, regardless of whether the handgun is concealed.

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- (e) A license holder who is licensed as a security officer under Chapter 1702, Occupations Code, and employed as a security officer commits an offense if, while in the course and scope of the security officer's employment, the security officer violates a provision of Subchapter H, Chapter 411, Government Code.
- (f) In this section:
  - (1) "Amusement park" means a permanent indoor or outdoor facility or park where amusement rides are available for use by the public that is located in a county with a population of more than one million, encompasses at least 75 acres in surface area, is enclosed with access only through controlled entries, is open for operation more than 120 days in each calendar year, and has security guards on the premises at all times. The term does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.
  - (2) "License holder" means a person licensed to carry a handgun under Subchapter H, Chapter 411, Government Code.
  - (3) "Premises" means a building or a portion of a building. The term does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.
- (g) An offense under Subsection (a), (b), (c), (d), or (e) is a Class A misdemeanor, unless the offense is committed under Subsection (b)(1) or (b)(3), in which event the offense is a felony of the third degree.
- (h) It is a defense to prosecution under Subsection (a) that the actor, at the time of the commission of the offense, displayed the handgun under circumstances in which the actor would have been justified in the use of deadly force under Chapter 9.
- (i) Subsections (b)(4), (b)(5), (b)(6), and (c) do not apply if the actor was not given effective notice under Section 30.06.
- (j) Subsections (a) and (b)(1) do not apply to a historical reenactment performed in compliance with the rules of the Texas Alcoholic Beverage Commission.

### **Sec. 46.04 UNLAWFUL POSSESSION OF FIREARM.**

- (a) A person who has been convicted of a felony commits an offense if he possesses a firearm:
  - (1) after conviction and before the fifth anniversary of the person's release from confinement following conviction of the felony or the person's release from supervision under community supervision, parole, or mandatory supervision, whichever date is later; or
  - (2) after the period described by Subdivision (1), at any location other than the premises at which the person lives.
- (b) A person who has been convicted of an offense under Section 22.01, punishable as a Class A misdemeanor and involving a member of the person's family or household, commits an offense if the person possesses a firearm before the fifth anniversary of the later of:
  - (1) the date of the person's release from confinement following conviction of the misdemeanor; or
  - (2) the date of the person's release from community supervision following conviction of the misdemeanor.
- (c) A person, other than a peace officer, as defined by Section 1.07, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision, who is subject to an order issued under Section 6.504 or Chapter 85, Family Code, under Article 17.292 or Chapter 7A, Code of Criminal Procedure, or by another jurisdiction as provided by Chapter 88, Family Code, commits an offense if the person possesses a firearm after receiving notice of the order and before expiration of the order.
- (d) In this section, "family," "household," and "member of a household" have the meanings assigned by Chapter 71, Family Code.
- (e) An offense under Subsection (a) is a felony of the third degree. An offense under Subsection (b) or (c) is a Class A misdemeanor.

### **Sec 46.05 PROHIBITED WEAPONS.**

- (a) A person commits an offense if he intentionally or knowingly possesses, manufactures, transports, repairs, or sells:
  - (1) an explosive weapon;
  - (2) a machine gun;
  - (3) a short-barrel firearm;
  - (4) a firearm silencer;
  - (5) a switchblade knife;
  - (6) knuckles;
  - (7) armor-piercing ammunition;
  - (8) a chemical dispensing device; or
  - (9) a zip gun.
- (b) It is a defense to prosecution under this section that the actor's conduct was incidental to the performance of official

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duty by the armed forces or National Guard, a governmental law enforcement agency, or a correctional facility.

- (c) It is a defense to prosecution under this section that the actor's possession was pursuant to registration pursuant to the National Firearms Act, as amended.
- (d) It is an affirmative defense to prosecution under this section that the actor's conduct:
  - (1) was incidental to dealing with a switchblade knife, spring-blade knife, or short-barrel firearm solely as an antique or curio; or
  - (2) was incidental to dealing with armor-piercing ammunition solely for the purpose of making the ammunition available to an organization, agency, or institution listed in Subsection (b).
- (e) An offense under this section is a felony of the third degree unless it is committed under Subsection (a)(5) or (a)(6), in which event, it is a Class A misdemeanor.
- (f) It is a defense to prosecution under this section for the possession of a chemical dispensing device that the actor is a security officer and has received training on the use of the chemical dispensing device by a training program that is:
  - (1) provided by the Commission on Law Enforcement Officer Standards and Education; or
  - (2) approved for the purposes described by this subsection by the Texas Private Security Board of the Department of Public Safety.
- (g) In Subsection (f), "security officer" means a commissioned security officer as defined by Section 1702.002, Occupations Code, or a noncommissioned security officer registered under Section 1702.221, Occupations Code.

### **Sec 46.13 MAKING A FIREARM ACCESSIBLE TO A CHILD.**

- (a) In this section:
  - (1) "Child" means a person younger than 17 years of age.
  - (2) "Readily dischargeable firearm" means a firearm that is loaded with ammunition, whether or not a round is in the chamber.
  - (3) "Secure" means to take steps that a reasonable person would take to prevent the access to a readily dischargeable firearm by a child, including but not limited to placing a firearm in a locked container or temporarily rendering the firearm inoperable by a trigger lock or other means.
- (b) A person commits an offense if a child gains access to a readily dischargeable firearm and the person with criminal negligence:
  - (1) failed to secure the firearm; or
  - (2) left the firearm in a place to which the person knew or should have known the child would gain access.
- (c) It is an affirmative defense to prosecution under this section that the child's access to the firearm:
  - (1) was supervised by a person older than 18 years of age and was for hunting, sporting, or other lawful purposes;
  - (2) consisted of lawful defense by the child of people or property;
  - (3) was gained by entering property in violation of this code; or
  - (4) occurred during a time when the actor was engaged in an agricultural enterprise.
- (d) Except as provided by Subsection (e), an offense under this section is a Class C misdemeanor.
- (e) An offense under this section is a Class A misdemeanor if the child discharges the firearm and causes death or serious bodily injury to himself or another person.
- (f) A peace officer or other person may not arrest the actor before the seventh day after the date on which the offense is committed if:
  - (1) the actor is a member of the family, as defined by Section 71.003, Family Code, of the child who discharged the firearm; and
  - (2) the child in discharging the firearm caused the death of or serious injury to the child.
- (g) A dealer of firearms shall post in a conspicuous position on the premises where the dealer conducts business a sign that contains the following warning in block letters not less than one inch in height:  
"IT IS UNLAWFUL TO STORE, TRANSPORT, OR ABANDON AN UNSECURED FIREARM IN A PLACE WHERE CHILDREN ARE LIKELY TO BE AND CAN OBTAIN ACCESS TO THE FIREARM."

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### LEVEL II SECURITY OFFICER EXAMINATION

1. A security officer has the same authority as a peace officer:
  - A. True
  - B. False
2. A security officer can arrest a suspect for any misdemeanor that has been committed within his view or presence.
  - A. True
  - B. False
3. A security services contractor can provide security patrol services to a business on a contractual basis:
  - A. True
  - B. False
4. The Private Security Bureau has the authority to license its investigators as peace officers:
  - A. True
  - B. False
5. One of the primary roles of a security officer is to observe and report:
  - A. True
  - B. False
6. A good report will:
  - A. Be neat and accurate
  - B. Give your opinion
  - C. Be Legible
  - D. A and C
  - E. All of the above

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7. The person that is responsible for the daily operations for a security company is the:
- A. Owner
  - B. Manager
  - C. Supervisor
  - D. Licensing department
8. If a police officer asks you to leave your post, you may refuse:
- A. True
  - B. False
9. A security officer may arrest a person for a traffic violation on his post:
- A. True
  - B. False
10. When using a fire extinguisher to put out a fire, you should sweep at the \_\_\_\_\_ of the fire:
- A. Top
  - B. Middle
  - C. Base
11. A security officer is required to make an arrest if he sees a crime committed on his post:
- A. True
  - B. False

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12. What are the two basic types of arrests:

- A. Actual and Primary
- B. Primary and Constructive
- C. Actual and Constructive
- D. Primary and Secondary

13. An officer is justified in using force in order to arrest a resisting suspect:

- A. True
- B. False

14. A person breaks into a car shop after it is closed and steals a set of mufflers. The offense he committed is:

- A. Arson
- B. Burglary
- C. Theft
- D. Assault

15. In order to legally arrest a suspect for a felony, the crime must be committed in the presence or view of the officer:

- A. True
- B. False

16. A security officer's responsibilities are to protect the specific people and property of his client:

- A. True
- B. False

17. It is not necessary for a security officer to have his state issued card on his person while he is on duty:

- A. True
- B. False



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18. In order for an arrest to be legal, the intent of the security officer must be that the suspect be presented to a magistrate in order to answer for an alleged crime:
- A. True
  - B. False
19. If a security officer sees a crime committed on a property he is not assigned to, he should:
- A. Investigate the activity
  - B. Confront the suspect
  - C. Call the police
20. A person is yelling obscene remarks to an employee at a retail store. The security officer asks him to leave and he refuses. The suspect can be arrested for:
- A. Arson
  - B. Aggravated assault
  - C. Theft
  - D. Disturbing the peace and trespassing
21. An employee forgot his company badge and is trying to get into his place of work. He has committed a:
- A. Felony
  - B. Misdemeanor
  - C. Breach of company policy
22. There are two types of crimes, felonies and misdemeanors. A misdemeanor is the crime that carries the most punishment:
- A. True
  - B. False

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23. The two basic types of written reports:

- A. Narrative and Coded
- B. Coded and Constructive
- C. Pre-printed and Constructive
- D. Narrative and Pre-Printed

24. Hand written field notes can be demanded as evidence in a court case:

- A. True
- B. False

25. Which type of fire extinguisher should be used to put out an electrical fire?

- A. A
- B. B
- C. C
- D. D

26. If you receive a bomb threat on the phone, you should immediately evacuate the building for the safety of the employees:

- A. True
- B. False

27. Any vehicle that transports hazardous material should have a \_\_\_\_\_ shaped sign showing what type of hazardous material is on board.

- A. Square
- B. Circle
- C. Diamond

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D. Rectangle

28. A security officer's uniform may have the state flag on the sleeve since the licensing is done through the state:

A. True

B. False

29. The Commission has the power to subpoena a security officer to appear at a hearing at any time:

A. True

B. False

30. The government agency that regulates radio transmission is:

A. FAA

B. FCC

C. TSA

D. None of the above

31. The lowest level of force in the Use of Force Continuum is:

A. Verbal command

B. Soft empty hand

C. Officer presence

D. Uniform presence

32. If a security officer sees an object on his round that he thinks could be a bomb, he should immediately radio his supervisor:

A. True

B. False

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33. The object of conflict resolution is to gain voluntary compliance:
- A. True
  - B. False
34. What dictates the reason a security officer can escalate the use of force?
- A. Justifiable homicide
  - B. Totality of circumstance
  - C. Subpoena duces
35. A person that operates a security company without a license has committed a:
- A. Class B misdemeanor
  - B. Felony
  - C. Class A misdemeanor
36. A security officer is justified to use force in response to verbal provocation alone:
- A. True
  - B. False
37. Medical treatment should not be given by a security officer unless he has been certified:
- A. True
  - B. False

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38. Deadly force may be used by a security officer on duty in which of the following situations:

- A. Self defense
- B. Defense of a third party
- C. To stop a suicide attempt
- D. A and B
- E. None of the above
- F. All of the above

39. Verbal command is the second level of the Use of Force Continuum. It is used to:

- A. Direct the suspect
- B. Appear tough to gain respect
- C. Let witnesses know you are trying to gain compliance
- D. A and C
- E. All of the above

40. An example of good command presence would be to stand with your hand on your gun:

- A. True
- B. False

41. Communication is accomplished primarily by:

- A. The words of the message
- B. Non-verbal communication
- C. Your appearance

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42. A security officer's job does not include reporting safety hazards:
- A. True
  - B. False
43. A written report can be used as evidence in a court case one year after the incident:
- A. True
  - B. False
44. You are a non-commissioned officer and while walking your rounds you see two armed men breaking into your building. You should:
- A. Confront the men
  - B. Call the police
  - C. Observe and report
  - D. B and C
  - E. All of the above
45. In writing a report you must include:
- A. Who, what, when, why, where, how
  - B. Your opinion
  - C. What you were doing the night before
46. A security officer should always speak to all different types of people with different backgrounds using the same words, tone of voice and demeanor in order to communicate his message:
- A. True
  - B. False

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47. A security officer should check their radio for proper function:
- A. When they start their shift on the site
  - B. Within one hour after their shift starts
  - C. Before their shift starts
48. The pocket card given to the security officer is the property of the:
- A. Officer
  - B. The licensed company
  - C. The state
49. If a security officer hears shots fired at his post, he should immediately evacuate the building:
- A. True
  - B. False
50. If a security officer is a non-commissioned officer, he can carry a baton on duty if he went through a training class:
- A. True
  - B. False