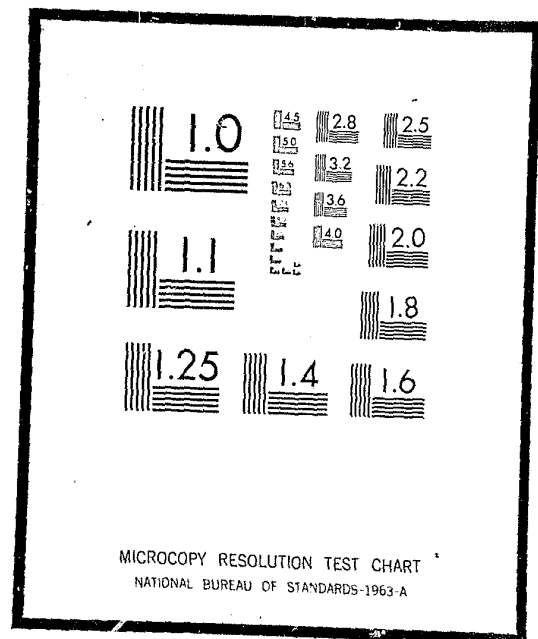


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U. S. DEPARTMENT  
OF JUSTICE  
Law Enforcement  
Assistance  
Administration

Report on  
the meeting of  
September 19-20, 1974

NATIONAL  
PRIVATE  
SECURITY  
ADVISORY  
COUNCIL

LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

Richard W. Velde, Administrator  
Charles R. Work, Deputy Administrator

NATIONAL PRIVATE SECURITY ADVISORY COUNCIL

CO-CHAIRMEN

Arthur J. Bilek Pinkerton's Inc.	Leighton C. Wood International Business Machines
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MEMBERS

Jim L. Bridges Federated Department Stores	Donald J. Eaddy Lewis Foods, Inc.
Richard C. Clement Dover Township Police Department	Eugene L. Fuss Honeywell, Inc.
Richard F. Cross Bank of New York	Robert D. Gordon International Conference of Police Assns.
Don R. Dering Winnetka Police Department	Harold W. Gray, Jr. Pacific Fire Extinguisher Company
Joseph F. Doherty American Telephone & Telegraph Co.	David B. Kelly Great Atlantic and Pacific Tea Company
Howard L. Mai University of Denver	Thomas E. Smith California Federal Savings and Loan Assn.
Fritz A. Schumacher Walter Kidde and Company, Inc.	C. W. Thompson Wackenhut Corporation
John L. Swartz Abbott Laboratories	James H. Young Sheriff of Richmond, Virginia
George A. Smith, Jr. Smith Alarm Systems	

NON-MEMBERS

<u>Federal Representative</u>	<u>Staff Support Contractor</u>
Irving Slott Law Enforcement Assistance Administration	Dennis M. Crowley, Jr. The New England Bureau for Criminal Justice Services

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## 1. INTRODUCTION

A meeting of the National Private Security Advisory Council to the Law Enforcement Assistance Administration was held in the Lafayette Suite of the Washington Hilton Hotel, Washington, D.C. on September 19 and 20, 1974. The meeting was convened on September 19 at 1:30 p.m. by Co-Chairman Leighton C. Wood and recessed at 9:48 p.m. The Council reconvened on September 20th at 9:00 a.m. and the meeting was adjourned at 12:15 p.m.

All appointed members of the National Private Security Advisory Council (PSAC) attended the meeting. Also in attendance was the Federal Representative, Mr. Irving Slott, Director, Program Development and Evaluation, Office of National Priority Programs, and the Staff Support Contractor, Dennis M. Crowley, Jr. of The New England Bureau for Criminal Justice Services.

Others present included Robert O. Donnelly, Chairman, PSAC Alarm Committee; John A. Willis, Chairman, PSAC Guards and Investigative Committee; Bernard M. Beerman, Counsel to the Alarm Industry Committee for Combating Crime (AICCC); Garis F. Distelhorst, Executive Director, National Burglar and Fire Alarm Association; William E. Douglas, Central Station Electrical Protection Association; Philip C. Stenning, Research Associate, University of Toronto; and Professor Leon Weaver, University of Michigan. The entire meeting was open to the public and approximately thirty additional interested parties attended various segments of the meeting.

The Council was advised by the Federal Representative that LEAA has expanded the size of the Council and broadened the membership base by appointing six new members. Also, LEAA had responded to the Council's request for additional committees by establishing three new committees. Concomitant with the three new committees, and in recognition of the new direction of the Advisory Council, two committees, Manufacturing and Armored Car, were disbanded.

The Executive Planning Committee reported on its meeting with LEAA Deputy Administrator, Charles R. Work and his response to re-vitalization of the Private Security Advisory Council. The Chairman of the Alarm Committee made a presentation on the Model Alarm Business Licensing Statute

being developed by his committee. That model statute is expected to be released from the committee in October and will be sent to the Council for review at the December meeting. The Chairman of the Guards and Investigative Committee reported on the status of the Model Private Security Regulatory Statute under development by his committee.

The Advisory Council reviewed the tasks and activities expected of the newly established committees, developed action plans for the first meetings of the committees, and discussed the roles of the Council liaison members to the committees. The Council requested that the three new committees meet as soon as possible to begin working on their assigned tasks.

The Advisory Council heard presentations from: Irving Slott on the possibility of developing standards and goals for private security; Chief Don Darning on the Private Security Committee of IACP; and Philip Stenning on a study of private security industry licensing in Canada.

The Advisory Council voted to meet December 11-13, 1974 in Williamsburg, Virginia, and February 18-21, 1975 in Austin, Texas.

A verbatim transcript of the full meeting was prepared and will be maintained.

## 2. MEETING DETAILS

The following is a detailed summary of the activities, discussions, findings, and recommendations of the National Private Security Council during its September 19-20, 1974 meeting. A verbatim transcript of the meeting is available for public review at the Law Enforcement Assistance Administration.

### Council Membership

The Council welcomed the six new members appointed by LEAA to the Advisory Council. The new members are: Jim L. Bridges, Federated Department Stores; Richard F. Cross, Bank of New York; Joseph F. Doherty, American Telephone and Telegraph Company; John L. Swartz, Abbott Laboratories; Donald J. Eaddy, Lewis Foods Inc.; and David B. Kelly, Great Atlantic and Pacific Tea Company. The new members attended an orientation session on the Advisory Council operations and activities prior to the Council meeting. The orientation session was presented by Co-Chairman Bilek.

### Committees

Mr. Slott advised the Council that Richard W. Velde, Administrator of LEAA, had established three of the new PSAC committees recommended by the Advisory Council at its June meeting and had appointed members to serve on those committees. The three new committees and their members are:

#### Prevention of Terroristic Crimes Committee

E. M. Lembke Deputy Chief Los Angeles Police Dept.	Rocky Pomerance Chief of Police Miami Beach, Florida
Fred Rayne Director Burns Intern'l Invest. Bureau	Ernest H. Dunham Director, Loss Prevention Eastern Airlines
Albert S. Davis Corporate Director of Sec. B. F. Goodrich Company	Kenneth Porter Senior Vice President Chemical Bank

Walter Burns  
Dir., Oper. Serv. Div.  
Office of Fed. Protection  
Serv. Mgmt., GSA

John M. Kirsch  
Chief of Law Enforcement Arts  
FBI Academy

Joseph Blank  
Acting Chief, ACS 300  
Ground Operations Security Division  
Federal Aviation Administration

Defensible Space Committee

Michael B. Barker  
Director, Urban Problems  
The American Inst. of Arch.

John J. O'Neill  
Director of Security  
Mount Sinai Hospital

Joseph V. Riggio  
Vice President of Operations  
Holmes Protection, Inc.

Professor George Rand  
U.C.L.A. Sch. of Architecture  
and Urban Planning

Howard G. Weaver  
General Contractor  
Vista, California

Joseph E. Seubert  
Executive Vice President  
JBG Properties

Albert Stephens  
Underwriting Standards  
Dept. of Housing & Urban Dev.

Law Enforcement/Private Security  
Relationship Study Committee

Arthur G. Dill  
Chief of Police  
Denver Police Dept.

Garis F. Distelhorst  
Executive Director  
Nat'l Burglar & Fire Alarm Assn.

Dale G. Carson  
Sheriff of Jacksonville  
Jacksonville, Florida

Joseph McCorry  
Director of Corp. Security  
Loew's Corporation

Joseph M. Jordan  
Deputy Superintendent  
Boston Police Dept.

Thomas W. Brown  
Dir., Texas Board of Private  
Invest. & Pri. Sec. Agencies

George P. Heinrich  
Asst. Vice President  
Rocky Mountain BankAmericard

Robert L. Arko  
Vice President  
Wells Fargo Guard Services

George A. DeBon  
President  
Loomis Corporation

Mr. Slott explained that LEAA had not yet made a firm decision on the establishment of the two other committees, School Security and Security/Privacy, which had been recommended by the PSAC. He suggested that the problem of security and privacy is the type of issue which might be best handled by the Council itself or a sub-committee of Council members. As presently constituted, the organization of the Private Security Advisory Council is as shown on the following page.

#### Meeting with LEAA Deputy Administrator

Chairman Wood reported to the PSAC on the meeting of The Executive Planning Committee with LEAA Deputy Administrator, Charles R. Work. The Committee briefed Mr. Work on the June meeting of the PSAC, the Council's goals and objectives for the coming year, and the support needed from LEAA. The Committee was pleased with the interest expressed by Mr. Work in the Council's activities and his suggestions for furthering the Council's objectives. Mr. Work expressed LEAA's desire for input from the Council on specific areas, particularly model statutes. Mr. Work also felt that LEAA might consider a volume of standards and goals for private security. Mr. Slott reported that Mr. Velde has also mentioned a standards and goals volume and also that Mr. Velde had testified before the Internal Security Committee of the House of Representatives about the PSAC intention to study the problem of international terroristic crimes. In that testimony, Mr. Velde stated that there has been an increased demand by businesses and individuals for both public and private security services because of the increase in terroristic type crimes. LEAA will ask the Council and its committee to review the problem and existing protective practices thoroughly.

#### Model Alarm Statute

Mr. Robert O. Donnelly briefed the Advisory Council on the recent work of the PSAC Alarm Committee and the status of the Model Burglar and Hold-Up Alarm Business Licensing Statute being developed by the Alarm Committee. Mr. Donnelly stated that his committee feels that the Model Statute is not the only recommendation of the committee which deserves action. He explained that the first recommendation of the committee to the Advisory Council and LEAA was a program to deal with the false alarm problem. His committee believes that education is a prime necessity if there is to be a reduction in false alarms. Education of the users can be accomplished with greater speed than can the development of effective false alarm proof devices.

Mr. Donnelly went on to explain that the Alarm Committee has been working with the Alarm Industry Committee for Combating Crime on the development of the Model Alarm Business Licensing Statute requested by the PSAC. A draft of the statute was completed in January 1974. The committee planned to submit the draft to the PSAC but in the absence of a scheduled PSAC meeting, gave wide circulation to the

draft seeking comments from the industry and public law enforcement. Subsequently another draft incorporating the comments received was prepared in June 1974. That draft has since undergone revision and the Alarm Committee will now meet on October 17, 1974 for its final review of the document before forwarding it to the Council. The following are the key sections of the statute most closely examined and discussed by the Alarm Committee:

Goal of the Statute. The primary goal of the statute was to license alarm businesses and to provide identification cards for those people who are in the business. That leads to the problem of what businesses should be covered by the statute. The committee's position is that the statute should regulate the people who are in the business of selling, installing, and maintaining alarm systems. That excludes retail merchants like hardware stores, Woolworth's and Sears. The qualifications for receiving a license have also been troublesome. The committee began with the concept that a certain number of years of experience should be the qualifer. The committee has also been considering an examination requirement.

Identification of Employees. The committee believes that a consumer has the right to know that the person coming into his home or business to install an alarm system does not have a criminal record. Alarm businesses also want to insure that their employees are not persons with a criminal background. If a felony conviction is a disqualifier, then the only way to verify the criminal history of an applicant is through fingerprint record searches and therefore, the Alarm Committee is recommending that the state process fingerprints of alarm business employees before an identification card is issued.

Revocation of License. The Model Statute makes an alarm business accountable for the operation of their alarms. The IACP Model Ordinance places accountability on the buyer of the alarm system and requires that person to obtain a permit before installation. The permit can be revoked for improper use or operation. The Model Statute, however, makes the alarm business responsible not only for installation, but also the training of customers in the use of the alarm system.

Following Mr. Donnelly's remarks, the members of the Advisory Council discussed the Model Statute and asked questions of Mr. Donnelly. In response to questions concerning a "grandfather clause," Mr. Donnelly responded that the

statute recommended will not include such a clause since the committee felt that an examination was better than a "grandfather clause." He explained also that the statute would cover a business which was not operating a central station but was hard-wired directly to the police station. Proprietary systems would not be covered under the statute. In response to a question from Sheriff Young, Mr. Donnelly explained that mandatory maintenance contracts and a maximum response time of 24 hours to a service call were discussed by the Alarm Committee, however, they were not made part of the mandatory requirements.

The Council discussed the problem of false alarms in connection with a discussion of the differences between the Alarm Committee statute and the IACP ordinance. It was pointed out that the primary cause of false alarms is the alarm user. The second major cause is said to be improper installation or misapplication of equipment. The third major cause, as pointed out by Mr. Bridges, is faulty telephone lines.

During a discussion of the merits of the two documents related to alarm regulation, the possibility of melding the PSAC statute and IACP ordinance into one model statute was discussed. Chief Darning strongly recommended, however, that each document be completed and disseminated and the issue not be confused by a third document. The Council agreed, but requested that the feasibility of merging the two documents be placed before the Council at a later meeting. It was the decision of the Advisory Council that the Alarm Committee continue with its schedule, complete the recommended model statute in October, and forward the final draft to Mr. Crowley. Mr. Crowley was directed to disseminate the draft to all interested parties and solicit comments and suggestions. The Council will consider the recommended draft at public hearings conducted in conjunction with the December meeting.

#### Model Guards Statute

Mr. John Willis briefed the Advisory Council on the status of the Model Private Security Regulatory Code being developed by the Guards and Investigative Committee. Mr. Willis explained, as a point of history, that his committee originally began with an assignment to draft legislation to encompass the four components of the private security industry--guards, investigators, manufacturers, and armored car operators. During initial committee meetings, the enormity of the task was realized and priorities were set. With these objectives in mind, the committee tackled the development of

standards for selection, training and regulating security guards. The first product of the committee was a pamphlet on standards which was reviewed and accepted by the Private Security Advisory Council in November 1973. The Council then directed the committee to prepare a model regulatory statute based on the approved standards. A legislative drafting group was organized by the Guards and Investigative Committee and that drafting group has been working on the model statute for several months. Mr. Willis indicated that there has been disagreement between himself and the drafting group over the language which translates the standards to codified status. He suggested that the objective of preparing the model statute might be better achieved by having the statute drafted by the staff support contractor to the Advisory Council. This suggestion led to a discussion of whether a codified version of the standards was a necessity. Some members of the Council indicated that many states were moving towards regulation of the private security industry and if the Council was to have any impact in this area, a model statute was important.

Chief Darning made a motion which was seconded by Mr. Schumacher that the Council endorse and implement the suggestion of Mr. Willis that the layman's language version be given to qualified firm or agency selected by LEAA to be translated into model statute form and then returned to the Council for review. The motion passed with an opposing vote from Mr. Doherty. Prior to registering his opposition, Mr. Doherty asked whether the Council would be able to vote on the model statute. He was assured that no action would be taken to forward the model legislation to LEAA until it was considered and voted on by the Council.

#### The Role of Council Members

During the discussion of the Model Private Security Regulatory Code, the role of Council members in providing input was questioned. Specifically, the question was asked if members sat on the Council as representatives of their companies or as individuals. Mr. Wood reviewed his understanding of the Federal Advisory Committee Act and stated that members were selected, appointed, and sat on the PSAC as individuals, not as company representatives.

Mr. Slott took a few moments to reinforce the reasons an individual was appointed to sit on the Council and how that individual was expected to serve in the PSAC:

WHY: Because of his experience and leadership in the industry and in his company. However, his company was not asked to be represented, HE was asked to serve.

HOW: By advising LEAA and Federal government as an individual.

Mr. Slott also noted that the PSAC is prohibited from supporting or opposing legislation. The PSAC can only make recommendations which are the consensus opinions of the Council's attitude on the subject. Because the Council represents many types of companies and the people serving on the Council and its committees have expertise in their individual fields, their comments on legislation should prove valuable and be in the best interest of the public. Mr. Slott explained how the Council could influence legislation at the state level by enlightening the legislators as to what the effects are going to be in the private security industry should the legislation pass. That type of information would be significant to legislators. What the Council develops as model statutes are only for consideration of the states.

Mr. Slott stated that a member could disagree with an item(s) in the report and have his dissenting view(s) included in the document. Also included in the dissent statement would be the reason for that item or items being ineffective. This would be one way of representing viewpoints the member may have.

#### Discussion of New Committees

The evening session of the Council was devoted to planning the initial activities of the three new committees and discussing potential problems. One common problem which was expressed was the lack of communication between the Council and its committees. The recommended solution was for the Council to direct the liaison personnel to play a more active role in committee activities. The Council agreed by consensus that two Council members should be assigned as ex officio members of each committee. As such, they could participate fully in the committee meetings.

#### Remarks by Mr. Stenning

Mr. Philip C. Stenning of the University of Toronto, who was present as an observer, addressed the Council on the results of research on private security licensing statutes in Canada. Mr. Stenning's remarks are presented in their entirety in the appendix to this report.



### Standards and Goals

Mr. Slott was requested by Co-Chairman Wood to discuss the issue of private security standards and goals. Mr. Slott suggested that the Council could establish a committee to guide an effort to develop standards and goals for private security or the Council itself could guide the effort. He pointed out that many states and state criminal justice planning agencies have either begun or are considering funding an effort in their state for regulation of the private security industry. The Council should initially consider the feasibility of a standards and goals volume and begin planning what should be included in such an effort. He agreed that such a project would require funding support and that LEAA would be the logical funding source.

### Private Security Institute

Mr. George Smith led a discussion by the Council on the need for a "private security institute." Mr. Slott advised that LEAA might be able to fund the development of curricula for an institute that included training but was prohibited by law from funding the cost of training for other than public law enforcement personnel. LEAA would, however, like to have the advice of the Council on the need for such a vehicle and the form it should take. The Council listened to a presentation by Mr. Smith and reviewed possible functions of such an institute provided by Mr. Crowley. After lengthy discussion, however, the Council conceded that it did not have sufficient information on the subject before it. Chief Dering moved that the Council recommend that LEAA commission a study to carefully consider the feasibility and functions of a private security institute and that the study be presented to the Council for review and comment. The motion was seconded and carried unanimously.

### Other Matters Considered

The following motions were properly made, seconded, discussed, and passed by the Advisory Council:

1. That The New England Bureau for Criminal Justice Services, the staff support contractor to the Council, be directed to develop a report on actions already underway by state planning agencies in the area of private security and continually update that report;

2. That the staff develop a newsletter to inform the state planning agencies and other interested parties on the activities of the PSAC;

3. That the State Planning Agency Director's Association be asked if the PSAC can make a presentation to that group at its next meeting;

4. That the staff develop a report on existing legislation relating to private security and develop a mechanism for updating that report when new legislation is passed;

5. That the minutes of the meetings of the PSAC be "draft minutes" until formally approved at the next meeting of the Council;

6. That a committee be formed to study the feasibility and desirability of the development by LEAA of a task force report on standards and goals for private security; and

7. That the Executive Planning Committee develop a policy statement for the PSAC that the private security industry should have an opportunity through appropriate law enforcement agencies to conduct criminal background checks on their prospective employees and that private security employee background data is essential to the industry.

### IACP Private Security Committee

Chief Don Dering briefed the Advisory Council on the International Association of Chiefs of Police (IACP) Private Security Committee. That group was formed approximately eight months ago with the purpose of initiating and receiving items for consideration from the public and private sectors, to define problems for staff attention, to receive and review possible solutions or positions, and to articulate recommended policies, staff activity and/or legislative activity for IACP consideration. The committee is advisory in nature and reports directly to the Executive Committee of the IACP.

The IACP staff prepared a concept paper which puts forward a methodology to develop a national advisory body in the area of public and private security services and from that, to initiate the development of state boards, state agencies, or councils so that people can not only be brought together but also a way found to implement the dissemination of standards, statements, and position papers. Chief Dering described some of the recent activities of the IACP committee and the positions it is taking on matters such as interaction between public law enforcement and the private security industry; the Cedar Rapids police alarm situation; and the possibility of IACP membership for responsible corporate leadership from the private security field.

### 3. FUTURE MEETINGS

The Private Security Advisory Council agreed that some future meetings should be held outside the Washington, D.C. area to provide an opportunity for persons in other sections of the country to attend the meetings and comment on matters pending before the Council. This is particularly important in view of the Council's stated intention to hold public hearings on the model legislation it is developing.

The Council agreed to meet in December 1974 and again in February 1975. The dates and locations selected for the meetings are:

- December 11-13, 1974 at Williamsburg, Virginia
- February 18-21, 1975 at Austin, Texas

### Appendix September Meeting Report PSAC

Remarks by

*Philip C. Stenning*  
Research Associate and Special Lecturer  
Centre of Criminology  
University of Toronto

I expressed on Wednesday evening my great sense of privilege of being allowed to come and attend these meetings.

I'm even more grateful now to have an opportunity to participate a little. I suppose everyone feels a little like a parasite if you sit listening long enough and so the opportunity to contribute even a little to these deliberations is very much appreciated.

I do think that the research which we are doing in Canada has quite substantial bearing on your deliberations and I hope to try and outline briefly where I think that kind of bearing occurs.

I also think that your deliberations are of great significance to us in Canada, too, because we are at the stage now where we are seriously reconsidering the licensing legislation which we have had in Canada for the last 50 or 60 years in many provinces.

The Center of Criminology at the University of Toronto, where I come from, is a research center within the university and the way we got involved in this private security field was, basically, through two routes.

One was a spin-off of our research into the public police. The more we got into this field, the more the question became of interest to us as to how the allocation of public and private resources is made in providing the total policing needed for any community and how this allocation of resources between the public and private sectors is changing with changing conditions with, for instance, the increase in high-rise apartments where you virtually have streets on the 11th floor, the increase in large, multiple shopping units, this type of thing, all of which are private property largely dealt with through private security but which pose problems very similar to those faced by the public police.

The second avenue which brought us to the private police field was a mounting level of allegations about abuses which were or are occurring by private security people.

Now, of course, one of the purveyors of these allegations was the Rand report, which at this time that I am aware of is the only substantial piece of research which has been done in this field.

We have looked at that report very carefully and I must say that we feel very sympathetic to those who have expressed some fairly adverse comments about the way--not only the way the Rand report arrived at its conclusions, but the kind of conclusions it drew from what we feel is basically, in many instances, inadequate data.

So, arriving at an interest in this field, we started to ask some very basic questions about private security in Canada and by basic, I mean basic sorts of questions like how many people are involved in the industry?

Who are they? What do they do or tasks do they perform? How much money do they spend? What constraints and controls exist on them? And who owns the private security industry in Canada?

And after asking a lot of questions, we very soon found that there were no answers. Nobody had the answers.

The people in the industry were full of guesses, the kinds of guesses which seems that it only takes one leader in an industry to throw out a guess and it immediately becomes an expert statistic.

And so what we did was to call a workshop to which we invited people from all sides of the private security industry and I stress all sides rather than both sides because I think the more you get into this, the more you realize that the simple in-house contract distinction simply doesn't hold water when it has got a whole range of people along a continuum, including government protection services, semipublic, public utility protection services, a whole range of people.

We also invited representatives from public police, from the government responsible for administering the licensing legislation and developing police policy, from design engineers and manufacturers and architects, from the insurance industry, interested academics and trainers of both public police and private security.

This I think, in Canada was the first time that the group had ever been got together.

We considered a program which included the following topics:

We had a plenary session on legal regulation and control of the private security industry and another plenary session of the relationships between the public and private police and then we had some small groups.

We broke the workshop up into small groups and we had five small-group discussions, one on the relative merits and demerits of in-house rather than contract security, one on residential security, one on commercial security, one on selection and training of security officers and one on what we broadly lumped together as "special service police."

Basically here we were looking at airport police, campus police, harbor police, railroad police--police with a special function, specialized function.

We felt that the meeting was very productive. The report of it, we produced in a blue book like this which have been made available to Mr. Slott.

I have a number of extra copies, if people are interested.

But what we discovered was that the basic ignorance in this field was not simply a result of our not successfully finding the information, but the information still really is not there.

In addition to this publication, we also prepared an annotated bibliography in the private policing field which is, I think, up-to-date now to November 1973, which you may also find useful.

We also prepared a background reader to introduce the workshop participants to the topics we were discussing. Unfortunately, that can't be published because the terms of its being put together is that it is only available to the conference participants.

However, with suitable assurances of non-publication, I think that it would not be difficult for me to make that available also to this group.

As a result of the workshop, the Center of Criminology developed three major research proposals in this area.

One was to study the contract security industry. Another was to study a limited range of issues in the in-house security field and the third, which is my own research, is a study of the legal regulation and control of the private security industry and the law, the general law as it relates to private security generally.

I think perhaps this last one would be the most germane to this group.

The basic objective of this research at this stage is simply to gather the essential basic information about the industry which we feel is not available and is an absolute prerequisite to any decision as to what kind of legislation is needed, what kind of controls are needed.

The only one of these studies which has really gotten substantially underway so far is the last one, the one relating to legal regulation and control and what I have done so far is a preliminary study in this area, the results of which have been reported in a fairly bulky document which I also hope to make available to this group.

In Canada, seven out of the ten provinces have active licensing statutes relating to private security and another two of them already have them enacted and are waiting to put them into effect.

So the basis of the preliminary study in this area was to take a look at the current position of those licensing statutes in Canada and to take a look, a preliminary look at the general law of Canada as it relates to the private security function and its relationship to the public police.

This includes federal and provincial law because, similar to here, the jurisdiction in this area is split between the federal government and the provincial governments and in terms of the general law, we looked at a variety of aspects including criminal law, criminal procedure, contract law, law relating to master-servant relationships, labor relations, evidence and provincial privacy statutes, and federal.

The methodology I adopted was that, first, I did a complete comparative analysis of the nine statutes which are in existence.

Secondly, I sent a lengthy questionnaire to the administrators of the seven statutes which are actually enforced and I was very gratified to get 100 percent cooperation from them and some very revealing answers to that questionnaire.

And the third was to do, as I say, a preliminary analysis of the existing law as it relates to private security.

The report contains a longish chapter of the historical development of those licensing statutes. The oldest one was passed in 1909 in Ontario and the report also contains a complete comparative analysis of the provisions of those statutes.

I think this material, in particular, could be particularly valuable to your group because although basically in intent and purpose the statutes are similar in form, they contain a wide variety of different provisions relating to different forms of control and those provisions are all set out.

When I was listening to Mr. John Willis yesterday, I was acutely aware that the problems he has been having in getting his concepts drafted could be greatly aided by this kind of analysis because there are, amongst those various provisions, provisions which he could transform without any great difficulty.

In terms of what I have seen of the American legislation in this field, I have had a chance in the last few days to look at the statutes from Texas. Certainly, in fitting the Texas statute on the continuum of statutes which exist in Canada, it certainly doesn't rate as the most or the least comprehensive, although probably in terms of enforcement it rates a lot higher than most of the Canadian statutes.

Looking, then, at the enforcement of these statutes, the returns we got from the questionnaire were, in many respects, very revealing. I backed up these returns with substantial interviews with the Registrar of private security guards and investigators in Ontario and his staff to try and give a little flesh to what can otherwise be rather bare data.

The first thing which came out of this survey of enforcement was that, despite the fact that several provinces had substantially similar legislation, there were huge variations in the extent and degree to which this legislation was a practical reality for the industry in terms of enforcement.

We found that many of the administrators were unable to give us even the most basic information about their licensees and by that, I mean, even the number of licensees they had.

I am satisfied from talking personally with each of them that this is not in any sense a lack of cooperation on their part. It was simply that they did not have their offices organized in such a way that they could bring this data to us.

Almost all of them complained of a lack of sufficient staff and budget to carry out any effective enforcement of the Act.

Two exceptions were the largest two provinces, Ontario and Quebec and even in those, there clearly had been a complete lack of proper provision to ensure that the Act was more than just a series of pious hopes.

There seemed to be a substantial difference between those provinces which had a full-time agency in control of this area and those in which it was assigned as, perhaps, a ninth or tenth priority task to an administrator in a department who had several other things to do before he got around to the private security industry.

Another important thing which came out was that unless there was provision for staff in the licensing agency to go out into the field, licensing really amounted to no more than a paper-pushing, revenue-collecting exercise.

We found there was no substantial enforcement in six out of the seven provinces that we looked at. This meant that, for instance, sanctions and controls, the inspection powers, the examination powers which were given under the statutes simply did not translate into practical reality.

There were, however, some valid reasons for this other than simply budgeting and personnel ones which I have documented in the report and I think one of the things which you may be able to get out of this report will be some of the very substantial problems which exist in enforcing statutes of this kind, not the least of which are the problems of definition as to who is or is not included in the various definitions of security guard, private investigator, private detective, that type of thing.

Another thing which comes out of the report is the potentially extremely high costs which would be involved in developing an adequate enforcement agency. One is dealing, for instance, in Ontario with a contract security industry alone of 16,000 personnel.

If one were to include the in-house security industry--and assuming one were able to achieve definitions which could reasonably determine who should be licensed and who shouldn't, that figure would probably go up into the 40,000 or 50,000 bracket.

Now, to provide any effective monitoring investigation, examination, training requirements for that kind of industry, one would need, it seems to me, a huge amount of money to put into it.

We also discovered some very interesting things about the contract industry which confirmed much of what the Rand study had disclosed, namely, that the industry was made up--the personnel in the industry--of essentially short term, part-time, poorly educated, poorly paid workers who apparently had very little loyalty to the individual company for which they worked.

The average term of a license for a security guard was six to eight weeks and many of the guards were getting six or seven or eight licenses a year as a result of changing employment.

I think these kinds of facts about the industry have serious implications in terms of developing any serious training programs and serious minimum standards.

In the legal side of the study relating to the law, I don't think it would be helpful for me to go through our findings there. It'll be better for me just to submit the report and let you draw your own conclusions, but, basically, the main conclusion is that the law in Canada, at least, is very unclear as to both the status and the position of private security personnel and in terms of security management, the law appears to be almost completely undeveloped.

If I can talk briefly about what we are going to do now in the future to build on this research, I am beginning to undertake on the 1st of October a study which will develop the preliminary legal analysis. The intention here is to look at the law in Canada from a task-oriented, job-related, jurisdiction-related point of view to try and develop a summary of the law which can be used in training periods for the private security industry.

We at the Center feel that this is an essential requirement for research now, to try and relate training and, in particular, the analysis of the law to the job which a private security person has to do and this means that the kind of material which one would need, for instance, for a security guard may be very different from that which one would need with respect to a security manager, so in the next six months I am going to be trying to do that in Ontario-- in Canada.

I am also negotiating with the Ontario Solicitor General's department to build on the study of the licensing function by doing an in-depth study of the operation of the Ontario registrar's office to discover in more detail to fill out the kind of information that I was able to get on the survey questionnaire and interviews with the registrar.

I am also trying to get underway a study of police attitudes towards the private security industry and private security industry attitudes towards the public police.

I feel from my research so far that this is a crucial area, not only in terms of the cooperation which is required between the two, but also in terms of the fact that in Canada, the control of the private security industry, the control of the licensing function, is, in most provinces, in the hands of the public police.

And, finally, arising out of our findings on the preliminary study we have done, we want to look at the knowledge which consumers of security services have of the licensing function, the regulatory process and, more importantly, the complaint-handling process.

We have found in our study that complaints against the private security industry to the regulatory agencies were minimal and it seems clear that effective regulations cannot rely on public complaints.

So now what we are going to try to do is discover to what extent that is simply a function of the fact that the consumer and the public generally do not know of the existence of regulations and do not have awareness of the fact that there is a body there which is statutorily charged with monitoring this industry.

To conclude, then, I have to get back to where I started, which was a point of ignorance.

At the Center, we believe that you can't begin to regulate an industry until you have the basic information about who you are regulating, what you are regulating and why you are regulating. We don't feel that in Canada we have this information yet and our research is at that stage where we are trying to build up that basic information.

From what I have heard down here and what I have read in the literature, I don't feel that information exists about the private security industry in the States, either and I was particularly interested to read in the Rand report the way they jumped feet-first in to recommend the licensing and regulation of the in-house security people, despite the fact that Rand admittedly did almost no research about the in-house security operations. The whole of their--almost all of their report is devoted to the contract security industry.

I feel we don't know enough about the in-house security industry, about the varieties of it, about who is involved and what they are doing to feel confident about jumping in.

We also don't know enough about the effectiveness of licensing as a means of controlling, regulating the industry. And this is, really, the kind of emphasis which we are giving at the Center to try and integrate the information we derive from the three studies and come up with some positive proposals as to how and what is the best way to go about dealing with the problems which arise in this area.

**Law Enforcement  
Assistance  
Administration**

Report on  
the meeting of  
December 11-13, 1974

**NATIONAL  
PRIVATE  
SECURITY  
ADVISORY  
COUNCIL**

LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

Richard W. Velde, Administrator  
Charles R. Work, Deputy Administrator

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Law Enforcement Assistance  
Administration

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Dennis M. Crowley, Jr.  
The New England Bureau for Criminal  
Justice Services

NATIONAL PRIVATE  
SECURITY ADVISORY COUNCIL

Law Enforcement Assistance Administration

F O R W A R D

The National Private Security Advisory Council was established by the Law Enforcement Assistance Administration (LEAA) pursuant to the provisions of the Federal Advisory Committee Standards Act, Public Law 92-463.

The purpose of the Advisory Council is to further public protection, improve and strengthen law enforcement, and reduce crime in public and private places by reviewing the relationship between private security systems and public law enforcement agencies and by developing programs and policies regarding private protection services that are appropriate and consistent with the goals of public law enforcement and the public interest.

This report provides details of the December 11-13, 1974 meeting of the Council which was held in Williamsburg, Virginia. In many ways, the December meeting was the most significant yet experienced by the Council. The Council held public hearings on a "Model Holdup and Burglar Alarm Business Licensing Statute" developed by the Council's Alarm Committee; a strong policy statement on security and privacy was approved by the Council; and an advisory to LEAA recommending the establishment of a Task Force on Standards and Goals for Private Security was developed. LEAA Administrator Richard W. Velde addressed the Council session and announced that, acting on the Council's advisory, he would establish a Standards and Goals Task Force on Private Security. The Council fully expects that its February and July meetings will be equally productive.

The views and recommendations presented in this report are those of a majority of the Advisory Council and do not necessarily represent those of the Department of Justice.

Comments and suggestions concerning the activities and reports of the National Private Security Advisory Council are invited from all interested parties. Comments should be addressed to Irving Slott, Director, Program Development and Evaluation, Office of National Priority Programs, LEAA, U.S. Department of Justice, Washington, D.C. 20531.

Arthur J. Bilek, *Chairman*  
National Private Security  
Advisory Council



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1. INTRODUCTION AND SUMMARY

A meeting of the National Private Security Advisory Security Advisory Council to the Law Enforcement Assistance Administration (LEAA) was held in The Motor House, Colonial Williamsburg, Virginia on December 11-13, 1974. The meeting was convened by Federal Representative Irving Slott at 9:00 a.m., December 11, 1974. The meeting was adjourned by Chairman Arthur J. Bilek at 11:30 a.m., December 13, 1974. The Council session on December 11 recessed at 4:00 p.m. The December 12 session began at 9:00 a.m. and adjourned at 5:15 p.m. The December 13 session convened at 8:30 a.m.

The following members of the National Private Security Advisory Council (PSAC) were in attendance at the meeting:

Jim L. Bridges  
 Arthur J. Bilek  
 Richard C. Clement  
 Richard F. Cross  
 Don R. Dering  
 Fritz A. Schumacher  
 John L. Swartz  
 Eugene L. Fuss  
 George A. Smith, Jr.  
 Harold W. Gray, Jr.  
 David B. Kelly  
 C. W. Thompson  
 James H. Young

The following members were absent:

Joseph F. Doherty  
 Howard L. Mai  
 Donald J. Eaddy  
 Robert D. Gordon  
 Thomas E. Smith

Also present were Robert O. Donnelly, Chairman, PSAC Alarms Committee; John A. Willis, Chairman, PSAC Guards and Investigations Committee; Irving Slott, LEAA, Federal Representative; and Dennis M. Crowley, Jr., Staff Support Contractor to the PSAC.

The meeting was attended by approximately thirty-five to forty persons including representatives of the press. Among the guests introducing themselves to the Council were: Bernard Beerman, Counsel to the Alarm Industry Committee for Combating Crime; John Pedlar and Joseph Althof, Detroit Criminal Justice Institute; Donald Janis, representing the Committee of National Security Companies; Thomas Brown of the Texas Board of Private Investigators and Private Security Agencies; Dennis Brennan of the Cleveland Administration of Justice Committee; Joseph Tucker of the Virginia State Planning Agency; Herbert Yost of the Pennsylvania Department of the Attorney General; Richard Beliles, Jefferson County Private Police Commission; William Douglas of the Central Station Electrical Protection Association; and James Kelly and Glenn Murphy, IACP.

Mr. Irving Slott announced that Leighton C. Wood had resigned from the Council and that Arthur J. Bilek had been appointed Chairman by the LEAA Administrator. A replacement for Mr. Bilek as Vice Chairman has not yet been named.

The PSAC liaison members to the three new committees reported on the initial work of those committees which met jointly in November. Each of the new committees, it was reported, have outlined goals and objectives to guide their activities and have begun working on specific tasks related to those goals and objectives.

The Council discussed a policy on the issue of security and privacy and drafted a statement on the subject. That statement expressed the Council's strong belief that private security employers have a legitimate right and need to have access to criminal conviction data on their employees and applicants.

The Council heard presentations on the Virginia Task Force on Private Security; the development of an ordinance for the training of private security guards in Detroit and Wayne County, Michigan; and the work of the Jefferson County, Kentucky, Private Police Commission.

Council members considered the need for, and feasibility of, a standards and goals development effort for private security. Following the discussion and review, the Council passed a motion advising LEAA that there is a positive need to be met and recommending that LEAA take the action necessary to implement a standards and goals effort for private security.

The Council held public hearings on the Model Hold-Up and Alarm Business Licensing Statute prepared by its Alarm Committee. Following the hearings the Council reviewed the draft Model Statute in detail and provided the staff with specific guidance to prepare the document for final review at the next Council meeting.

Mr. Richard W. Velde, LEAA Administrator, addressed the PSAC. In his remarks, Mr. Velde spoke of the importance of private security to the national effort to reduce crime and praised the Council for its contributions. He announced that he would follow the Council's recommendation concerning the standards and goals effort and would immediately initiate a planning effort in that area.

The next meeting of the National Private Security Advisory Council will be in Austin, Texas, February 19-20, 1975.

The sections which follow provide a detailed summary of the discussions, findings and recommendations of the National Private Security Advisory Council during its December 11-13, 1974 meeting. A verbatim transcript of the meeting is available for public review at the Office of National Priority Programs, Law Enforcement Assistance Administration, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

## 2. COUNCIL AND COMMITTEE REPORTS

### Council Chairmanship

Mr. Irving Slott announced that Leighton C. Wood, Council Chairman, had resigned from the PSAC, necessitating the appointment of a new Chairman. In his letter of resignation, Mr. Wood explained that he had been transferred within IBM and would no longer be involved with the security function. Mr. Wood did not feel that he should continue to serve on the Council since he would not be performing private security related duties in his new IBM assignment. Mr. Slott announced that LEAA Administrator Richard W. Velde had appointed Arthur J. Bilek as the new Chairman of the Council. Further, the elevation of Mr. Bilek, who had been Co-Chairman under Mr. Wood, would leave a vacancy which would be filled at the earliest date possible by LEAA's appointment of a Vice Chairman. Following the announcement, Mr. Bilek assumed the chair. Council members praised the dedicated work of Mr. Wood while Chairman and voted to present Mr. Wood with a special Justice Department plaque as an expression of their personal appreciation for his leadership and dedication to the Council.

### Committee Reports

Mr. Bilek advised the PSAC that the three new committees of the Council (Prevention of Terroristic Crimes, Law Enforcement/Private Security Relationships Study, and Defensible Space) had met jointly in Summit, New Jersey, November 6-8, 1974 and had a very successful and productive session. The committees received orientation briefings on the Federal Advisory Committee Act, the work of the Council, Council goals and objectives, and the PSAC expectations for each committee. Mr. Bilek asked the PSAC liaison members to each of the new committees to report on the first meeting.

Mr. Schumacher reported on the Defensible Space Committee. That committee will examine the concept of defensible space as it relates to housing, schools, hospitals,

and institutions and for each of those areas as the concept deals with architectural design, physical security equipment, environmental architecture, and density of population and land use. The goals developed by the Committee are: (1) assess the defensible space concept; and (2) establish areas of priority by location for defensible space. The objectives which emerge from those goals are to establish a research data base, use the data base in a technology assessment of the concept, and assuming it is assessed as viable, consider its cost effectiveness. Following the technology/impact assessment, the Committee will strive to expose various segments of society to the defensible space concept.

Following the report, members of the Council suggested that the important contribution that could be made by the Defensible Space Committee would be to examine closely the relationship of private security to defensible space, particularly in any demonstration project.

Chief Darning presented a report on the Law Enforcement/Private Security Relationship Study Committee. He described the three part mission of that Committee as:

- 1) an appraisal of the sources of conflict between private security and law enforcement;
- 2) an outline of proposals to improve understanding and cooperation between private security personnel and public law enforcement officers; and
- 3) a recommended definition of the limits of the authority of both groups.

The Committee had a frank and open discussion during its initial meeting and devoted a great deal of time to defining the problems and points of conflict which might logically fall into the first task. Some of the points of conflict the Committee identified during the first meeting were: lack of mutual respect; failure of law enforcement to support private security; claims of corruption by both sides; overregulation of the private security industry by public law enforcement; lack of reciprocity; and competition between the two groups. Chief Darning reported that he was very pleased with the quality of membership on the Committee and the willingness on the part of members to discuss problems frankly. If the Committee continues to operate in the framework established at the first meeting, he expects their outputs to be very productive.

Bud Thompson reported on the status of the Prevention of Terroristic Crimes Committee. In its first meeting, that Committee developed a definition of terrorism as:

"An activity, usually violent, designed to intimidate for criminal or political purposes."

The short-term goals of the Committee are as follows: 1) put together a bibliography to disseminate to interested parties; 2) assemble a list of countermeasures; 3) attempt to determine the awareness of private industry of the terrorism problem; 4) consider the need for a national clearinghouse on information related to terrorism; and 5) consider the possibility of developing anti-terrorism guidelines for public and private security personnel. As a long-term goal, the Committee will develop a model anti-terrorism protection program.

Mr. John A. Willis, Chairman, Guards and Investigations Committee reported on the work to date of his committee and its Legislation Drafting Sub-Committee on the Model Guards Statute. He explained that there is still some disagreement between the two groups on statute language. He recommended that a third party, perhaps the Council staff, should be assigned to complete the statute. On a motion from Chief Dering, the Council agreed unanimously to have the Executive Planning Committee review the matter in detail and take whatever action towards resolution of the apparent impasse as was appropriate in their judgement.

### 3. PUBLIC HEARINGS ON MODEL ALARMS STATUTE

On December 12, 1974 the Advisory Council held public hearings on the Model Hold-Up and Alarm Business Licensing Statute developed for it by the Alarms Committee. This was the first time that the Advisory Council had held public hearings on any item before the Council although all Council meetings are open to the public and any member of the public can request an opportunity to present his view point to the members of the Council.

In opening the public hearings, Chairman Bilek explained that the Council had not developed a set of procedural rules to govern the conduct of the public hearings and, therefore, he would permit a great deal of flexibility in the conduct of the hearings to afford the greatest possible opportunity for any person or organization who wishes to present testimony to the Council.

#### Alarm Committee Presentation

The opening speaker at the public hearings was Mr. Robert O. Donnelly, Vice President and General Counsel of the American District Telegraph Company, who in his role as Chairman of the PSAC Alarm Committee, presented the Model Statute to the Council. Mr. Donnelly, in his brief remarks, advised the members of the Council that the Alarm Committee has been meeting since October 1972 and that, since its inception, the Committee has presented seven recommendations to the Private Security Advisory Council. One of those recommendations was that a Model Licensing Statute be developed by the Committee. The Committee has been working since December 1973 on the Statute and the draft presented to the Advisory Council is the result of that year-long effort. He explained that when the Committee embarked on the task of developing a Model State Statute, they did not intend or expect, to correct all of the ills of the industry and develop omnibus type solutions. What they did do, however, was develop a Model Statute which would do two very important things: a) identify the people who are in the industry throughout the United States; and b) provide the consumer with some assurance that the people from whom they buy systems or service have at least minimum qualifications and minimum financial stability.

The primary objective was to set a pattern for the various states to avoid conflicting statutes, particularly in contiguous states. If standard statutes took effect across

the country, businessmen would not have to change business techniques from state to state, nor would the citizens of one state be disadvantaged compared with those of another state.

In his presentation, Mr. Donnelly focused on the areas that caused the most dialogue in the Committee. In discussing the problem areas, Mr. Donnelly briefed the Council essentially as follows:

The first problem area was identifying who should be licensed, and the conclusion was that people who dealt with customers as an alarm business should be. The second problem area was how a testing procedure could be devised; that question was finally thrown into the hands of the Licensing Authority which would, hopefully, consult with the industry to fashion a proper test. The third area given attention was how one should check on the identification of the people that are employed in the business. The conclusion was that the Model Statute should provide the capability for states to conduct background investigations on applicants for licenses and identification cards. The background investigation would really be conducted in the interest of the consumer and for his protection.

Next, there was lengthy and extensive dialogue on the question of how long the license or identification card should be valid. The Committee was equally split between three years and five years; as a result, the decision was to leave the final resolution of that point to the Council. Finally, the last area discussed in great detail by the Committee was the problem of state preemption where possible. The Committee realized that in certain areas, home rule regulations might make state preemption unworkable. However, the Committee felt that it was important that, where preemption was possible, the state preempt all legislation and ordinances with respect to licensing and registration of alarm businesses and alarm business employees.

In closing, Mr. Donnelly summarized the approach of the Committee to the problem as: identify the people in the industry; establish a minimum standard; and try to assure some financial stability.

Following some preliminary questions to Mr. Donnelly by members of the Council, the public hearings began. The first person to give testimony before the Council was Mr. Bernard Beerman of the law firm of Morrison, Murphy, Abrams & Haddock

in Washington, D.C. That firm represents the Alarm Industry Committee for Combating Crime (AICCC). After presenting some background information on the AICCC purpose and membership, Mr. Beerman advised that he would be speaking on behalf of the AICCC, the Nation Burglar and Fire Alarm Association (NBFAA), and the Central Station Electrical Protection Association. In his presentation, Mr. Beerman addressed several points which he felt were worthy of discussion concerning the Alarms Statute. Briefly summarized, those ten (10) points were:

1. The Model Statute has a penalty provision by which persons who fail to obtain licenses when required to do so or to obtain identification cards as required can be fined up to \$500 or be imprisoned for a period of 90 days, or both. Some members of the industry think that there should be a much broader power in the Licensing Authority than that which has been prescribed. With that in mind, it was recommended that where there was an existing Licensing Authority which did not have the broad power needed, the "Licensing Commission" alternative could be used. A specially created Licensing Authority might be able to exercise greater authority than was possible under an existing agency.

2. There is now a case pending before a state authority created under the Equal Employment Opportunity Act concerning the firing of a person in the security business because he had a particular misdemeanor conviction. The Model Statute states that no person with a record of conviction of misdemeanor relevant to the alarm business should be able to obtain license or identification card. The Equal Employment Opportunity Act might affect that provision.

3. In relation to the experience qualifications, some persons in the industry believe that specific experience in the alarm system to be installed is necessary and, therefore, a great deal of specificity in the type of experience required to qualify a person to become an alarm industry licensee is necessary. Other industry personnel state that they have systems which require a great deal less training to qualify an individual. As a result of these two divergent viewpoints, the Model Statute gives latitude to the Licensing Authority to review the actual experience to determine if it is sufficient to obtain a license. That is, perhaps, the only way to handle the problem.

4. The Statute requires every licensed company to post a bond in the amount of \$10,000, the purpose being to insure that an applicant has the basic credit and financial credentials to operate a business. Generally, AICCC members were

opposed to having persons recover against the bond as long as the company was viable. They felt that matters relating to the negligence could be settled through civil suit.

5. The period of two (2) years validity for a license and the biennial licensee fee of \$100 was an arbitrary amount and should be considered a recommendation only, not a positive statement that the period of time and the fee were the only amounts acceptable to the Committee.

6. The Freedom of Information Acts in many states could make confidential client information given to the Licensing Authority by a licensee generally available to the public and such information could be used by the terroristic organizations or burglars to compromise or defeat an alarm system. The AICCC Statute language will provide that a Licensing Authority cannot ask any company for information which could lead to the compromise of an alarm system. If such information be required when a matter is before a court, then the court should review the material "in camera."

7. The ninety (90) day temporary I.D. card protects a small company from being unable to service or install its equipment after losing an employee.

8. The Statute provides basic protection for licensees or holders of I.D. cards when their licenses or I.D. cards have been revoked or suspended by the Licensing Authority.

9. The preemption clauses of this Statute preempt local government subdivisions from enacting legislation or ordinances which require the licensing of alarm businesses, their employees or other persons associated with the business. However, these subdivisions may require alarm companies and alarm agents to register when operating in that jurisdiction. Since the Model Statute does not license businesses which sell alarm systems over the counter, local authorities could license this type of business. Also, there is nothing in the Statute which would preclude police departments from requiring alarm owners or persons who have alarms in their business or homes to obtain a user's permit for that system.

10. The Statute does not provide equipment or performance standards for alarm systems or alarm businesses.

Upon completion of his testimony, Mr. Beerman was questioned concerning the failure of the Alarm Committee and the failure of AICCC to provide standards for alarm systems

or for alarm businesses other than basic qualifications for them to enter into the business. He explained that the industry is not opposed to having such standards developed and imposed on a state level. However, there is consensus in the alarm industry that the application of minimum standards on small businesses and small residences similar to the Underwriter's Laboratory standards might have the effect of putting some alarm businesses out of business and could also have the effect of denying a person the right to have an alarm system. The Alarm Committee, as Mr. Beerman understood it, believed that it would be inappropriate to impose Underwriter Laboratory (UL) standards on all alarm businesses. UL standards, which provide for different levels and grades of protection, were developed primarily for insurance considerations.

Mr. Beerman, in response to questions, advised that the AICCC would continue to work on its model statute independent of the Alarm Committee. However, he could not see any areas of major differences in substance from the PSAC statute.

The second person to present testimony before the Council was Mr. James McHugh who is with SEEPAC, a security consulting firm in the Tidewater area. Mr. McHugh stated that he wished to express his enthusiasm for the diligent efforts of the people who drafted the Model Statute and, rather than comment on phraseology, would like to speak briefly to the philosophy of the situation. Mr. McHugh explained that the alarm industry has seen, in the last five or six years, a tremendous proliferation, not only in the types and quality of devices and equipment available, but also in the types and caliber of the sellers of alarm equipment. As an example, he cited that one yellow page in the telephone book indicated seven alarm companies for a period of approximately ten years. Then suddenly there were twenty-eight and the next year thirty-seven. He said that his personal experience was that a very large percentage of consumers are totally unaware of what is involved in a viable, acceptable, quality, standard alarm system. As a result, the field has been opened up to fly-by-night companies, opportunists, and inexperienced persons. For that reason, Mr. McHugh urged the Statute be accompanied by a very tight set of standards for installation and standards for the licensing of individuals or the business. He hoped that such a set of standards would govern the day-by-day operation and would overcome the problem of unqualified or unscrupulous alarm businesses.

The third speaker before the Council was Mr. Glen Murphy, Assistant Director, International Association of Chiefs of Police, commenting on behalf of law enforcement in the United States and the IACP. In his remarks, Mr. Murphy stated that he would like to cover four general areas which were of concern to him. Prior to discussing those four areas he did say that he was in accord with the procedural issues of the licensing function.

Mr. Murphy's first point dealt with state versus local requirements. The development of a model ordinance by IACP was based on the false alarm problem, on user requirements, and on reasonable anticipations concerning equipment. Mr. Murphy felt that the Model Statute of the Private Security Advisory Council did not regulate any of those issues, including the false alarm issue, and didn't regulate equipment standards or installation standards. In the area of licensing, he felt that the Statute was defective in that it did not regulate persons who sell for the alarm industry or sell door-to-door. He pointed that by not regulating over-the-counter sales, major chain stores and electronic shops who do sell a great deal of equipment, were excluded from coverage.

Mr. Murphy pointed out that the preemption clause limits the local government subdivisions in what they can do with respect to licensing. As the Statute is now written, a license cannot be revoked for failure to comply with a local ordinance. There is no alternative to fines at the local level to enforce local regulations which may be instituted under this Statute. He suggested that rather than eliminating proliferation, the Statute might encourage proliferation of ordinances at the local governmental subdivision level. He felt that the preemption clause which preempts only the field of licensing leaves viable as an issue for every other governmental agency in the United States, the promulgation of further rules and regulations controlling alarm operations. Local government subdivisions will continue to do this because the licensing issue is not as important as the problem of false alarms.

On the question of standards, Mr. Murphy pointed out that the IACP Model Ordinance used Underwriter Laboratory and ANSI standards as the recommended base line level to be met. He felt that UL and ANSI standards are a base line level standards that could be used as a basis for enforcement of standards in the industry. He did not believe that the problem of minimal standards could be put aside for the five, six, or seven-year period that it might take to develop a consensus set of new standards.

In closing, Mr. Murphy stated that he felt the relationship between AICCC and the IACP in the development of the AICP Model Ordinance has been very healthy for both the industry and the police profession and he hoped that the relationship would continue into the future. Following his testimony, Mr. Murphy was questioned by members of the Council on two points in particular. One point was the regulation of over-the-counter sales organizations and the second was in the area of false alarms. Both areas of questioning were covered by Mr. Murphy in his response. In discussing the false alarm situation, Mr. Murphy referred to Pasadena, California, which passed an ordinance based on the IACP Model Ordinance in which enforcement involves the user losing the ability to continue the system if corrections are not made to overcome false alarms. That is in opposition to levying a fine each time there is a false alarm. He stated that in Pasadena, based upon the available statistics, there has been a sixty-five percent reduction in false alarm with the new statute.

Also presenting testimony was Thomas J. Murphy, Director of Major Products, Mosler Safe Company. Mr. Murphy had several areas which he considered to be of concern to the Mosler Safe Company and which he expected would be of concern to large firms similar to Mosler. The first area was that the statute appeared to be localized by geography, that is, by state. There was no provision for reciprocity. Employees of Mosler now move freely across state lines. The present statute would require them to obtain an I.D. card in each state. Another similar problem is that one branch office may serve several states.

He pointed out that Mosler often uses subcontract labor, particularly on a temporary basis. The statute does not provide for temporary employment since every employee would have to obtain an I.D. card. The same problem carries over into the sales function. In a company like Mosler, sales personnel sell many products. If one of those products is an alarm system, then the salesman will have to have an I.D. card. This requirement will apply even though alarm sales are a small portion of his responsibilities.

In closing his testimony, Mr. Murphy stated that he is in agreement with much of what had been transpiring in the Council meeting and he offered his testimony as constructive criticism. He hoped that in the desire to regulate that over-regulation would not result. The requirements levied impose

on either the company or the customer an extra cost. The alarm business is competitive and there are many long standing, good, competent, capable business organizations which are the backbone of the industry. Mr. Murphy requested that the Council not establish so many goals or guidelines that these companies and the industry will be hamstrung.

#### PSAC Review of Model Statute

Following the public testimony, Council members reviewed the entire Statute, discussing each section with Mr. Donnelly and Mr. Norval E. Poulson, a member of the Alarm Committee, and instructing the staff on those changes which were agreed upon by the members of the PSAC.

The Council discussed the issue of proprietary alarm systems and the intention of the Alarm Committee to exclude such systems. Since the exclusion was not spelled out in the Statute, the Council recommended that "proprietary system" be added to the definitions and then be excluded from coverage.

Chief Darning expressed concern that the Statute is a licensing statute only and does not provide for regulation by using minimum standards. Mr. Donnelly advised that the Alarm Committee's approach was to develop a licensing statute and that the concept of creating standards and putting them in the statute was not one that the Committee indorsed or presented. There was no intention to include regulation in the Model Statute.

A number of views were presented on including standards in the Statute. The discussion included the viability of the UL and ANSI standards as minimum standards for alarm systems. Mr. Gray pointed out that UL standards were developed for insurance purposes and protection of property was the prime consideration. This Statute deals with protection of life and property and any recommended standards should reflect that.

The final consensus of the Council was that the Statute should provide for regulation and that the title should reflect that change. Further, the staff was directed to develop language for the Statute which would give the Licensing Authority the powers to develop standards through the process of public hearings and that once developed, the Licensing Authority would have responsibility for implementing those standards.

The Council changed the definition of alarm businesses to include door-to-door salesmen, but did not include over-the-counter sales.

The question of confidentiality of material furnished to the Licensing Authority was another area of concern to the Council, as it was to the industry. The final consensus was that a discussion of the potential problems should be included in the commentary.

On the question of reciprocity, the Council was in agreement that the Statute should stand as written and that there be no cross-state reciprocity for alarm business licenses, although the commentary should reflect the public testimony on that point.

Some Council members expressed reservations about the issuance of temporary I.D. cards. They felt that some employers might bring in people to work for fifteen days, let them go, and bring in others under temporary I.D. cards. Mr. Donnelly felt that the situation could be controlled by the Licensing Authority since the issuance of a temporary card requires submission of an application to the Licensing Authority. The Authority could monitor issuances and spot abuses. The Council agreed that the Statute should contain language giving the Licensing Authority power to suspend or revoke licenses of companies which abuse the issuance privilege.

The Alarm Committee did not agree on the validity period for I.D. cards. The AICCC suggested a five-year period. The Council decided that the card should be renewed annually.

The Council covered each section of the Statute and all comments and suggestions were made part of the verbatim transcript of the meeting. Following the discussion and review, the Council approved, in essence, the Statute with the changes which the staff was directed to make. The Council will review the new draft for final amendments and approval at the Austin meeting.



#### 4. FALSE ALARM STUDY

Mr. Donnelly advised the Council that an earlier recommendation of the Alarm Committee had been that there be a major research study done on the problem of false alarms. The Council discussed the fact that there exists very little data on false alarm rates, what causes false alarms, and what constitutes a tolerable rate for false alarms.

On behalf of the Alarm Committee, Mr. Donnelly made the following resolution:

"We recommend that the Private Security Advisory Council request LEAA to authorize studies designed to properly evaluate the extent and causes of false alarms so that appropriate measures may be recommended to alleviate the problems caused by false alarms.

The study must break down the alarm system by type of service and by type of device, and must include such factors as the time spent on the scene by police, the apprehension rate, and the cause of the alarm to the extent it can be ascertained."

#### 5. SECURITY AND PRIVACY

At the September meeting, the PSAC directed the staff to research and prepare a position for the Council on the issue of security and privacy. Mr. Crowley presented a draft position statement to the Council.

In the discussion that followed, several members felt that the position statement which called for private security employer access to criminal conviction data did not go far enough and that the private security industry had a need for access to criminal data on a broader scale. It was suggested that security personnel, conducting criminal investigations for a corporation should be able to request data on all employees under investigation. Some suggested that there should be access to data on all employees or applicants where the individual was to fill a sensitive position. The failure to achieve consensus led to the appointment of an Ad Hoc Committee chaired by Chief Derning to meet separately and report back to the full Council with a new statement.

Chief Derning subsequently met with the Ad Hoc Committee and reported back to the Council that his Committee recommended the following position statement:

"The National Private Security Advisory Council strongly believes that a legitimate right and need exists for private security employers to have access to criminal conviction data of private security employees and applicants which is contained in criminal justice information systems. It is also the belief of this Council that citizens have a right to be free from unwarranted and unnecessary intrusions upon their privacy and that the development of national criminal justice information systems without security and privacy controls increases the danger of such intrusion.

Therefore, the National Private Security Advisory Council supports and encourages the concept of protection of privacy and security in criminal justice information systems provided such systems legally recognize and provide for private security employer access to conviction data on private security employees and applicants."

A motion was made that the Council adopt the recommended position statement and, after discussion, the motion was passed unanimously.

## 6. STANDARDS AND GOALS

The Council received a report from Mr. Crowley and Mr. Slott on the standards and goals effort of the National Advisory Commission and Criminal Justice Standards and Goals. It had been suggested that a similar effort might be undertaken in the area of private security. LEAA had requested that the Council review the need for such an effort and the feasibility of establishing a Private Security Task Force on Standards and Goals.

Several Council members expressed personal opinions that a standards and goals report that could provide guidance for the industry could fill a much needed void. They likened the need to that of the criminal justice system. There is very little reliable data available on the industry and a standards and goals effort could undertake extensive research and data compilation. There was consensus that the need existed and the work of the Council to date proved the feasibility of such an effort.

After discussion, the following motion was passed unanimously by the Council:

"The National Private Security Advisory Council has considered the need and feasibility for the development of standards and goals for the private security industry and has determined that there is very definite need for such standards and goals.

Therefore, it is hereby moved that the Council recommend that LEAA establish a task force for that purpose, for developing LEAA standards and goals for the private security industry."

## 7. OTHER BUSINESS

The Council had expressed an interest in earlier meetings to obtain information on activities related to the private security field which were taking place at the state, county and municipal level. At this meeting, the Council invited representatives from such agencies to make presentations on their relevant activities. Mr. Richard V. Beliles, Executive Director of the Jefferson County, Kentucky, Private Police Commission, and John Pedlar, Detroit Criminal Justice Institute, briefed the Council on the establishment and activities of their organizations. Sheriff James Young briefly described the work of the Virginia Task Force on Private Security.

Mr. Willis advised the Council that he was submitting his resignation as Chairman and member of the Guards and Investigations Committee. In his resignation statement, Mr. Willis said that he felt it was inappropriate for the Chairman of the Council and a Chairman of a Committee to be employed by the same firm. He expressed his pleasure with Mr. Bilek's appointment as Council Chairman and offered to assist the Council at anytime in the future. Mr. Bilek and Council members praised Mr. Willis' work on behalf of the Council and expressed their deep appreciation for his chairmanship of the Guards and Investigations Committee.

**END**