

Law Enforcement and Private Security Sources and Areas of Conflict

39210

A REPORT PREPARED BY THE
PRIVATE SECURITY ADVISORY COUNCIL,
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION,
U.S. DEPARTMENT OF JUSTICE

LAW ENFORCEMENT AND PRIVATE SECURITY
SOURCES AND AREAS OF CONFLICT

prepared by the
PRIVATE SECURITY ADVISORY COUNCIL
to the

U.S. DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

August 1976

Points of view or opinions expressed in this document are those of the Private Security Advisory Council, and do not necessarily represent the official position or policies of the Department of Justice.

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ACQUISITIONS

**PRIVATE
SECURITY ADVISORY COUNCIL of the**

**United States Department of Justice
Law Enforcement Assistance Administration**

September 7, 1976

Mr. Richard W. Velde
Administrator
Law Enforcement Assistance Administration
U.S. Department of Justice
633 Indiana Avenue, N.W.
Washington, D.C. 20531

Dear Mr. Velde:

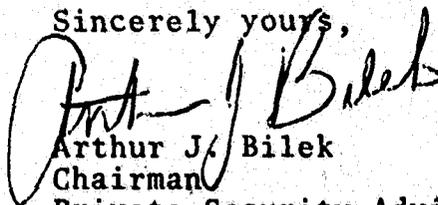
As Chairman of the Private Security Advisory Council, it gives me pleasure to forward the attached document, Law Enforcement and Private Security Sources and Areas of Conflict, developed by the Council for the Law Enforcement Assistance Administration. This document is the culmination of many hours of volunteer effort by members of the Council and, particularly, the members of the Law Enforcement and Private Security Relationships Committee.

As you will note, this document contains a candid discussion of the role conflict and other specific areas of dissention between law enforcement and private security. Clearly, these conflictive areas must be eliminated or minimized in order to improve and increase cooperation between these vitally important groups in their attempts to prevent and reduce crime.

This Committee is continuing its work by developing suggested strategies and programs for the resolution of the areas of conflict identified and discussed in this document. When that report is completed, it will be forwarded to you.

With best personal regards,

Sincerely yours,


Arthur J. Bilek
Chairman

Private Security Advisory Council

AJB:smb
Enclosure



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Since its inception, the Private Security Advisory Council has achieved a balanced perspective by the representative nature of its membership. All members of the Council and its six Committees are appointed by the Administrator of LEAA and serve without compensation. Members of the Council and its Committees include leaders and executives from both proprietary and contractual private security; public law enforcement; federal, state and local governments; as well as attorneys, insurance and business executives.

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PREFACE

The Private Security Advisory Council (PSAC) to the Law Enforcement Assistance Administration (LEAA) was formed to assist LEAA in its national strategy to reduce crime. LEAA recognized the major role played by private security in crime prevention activities and the need to coordinate efforts of the public and private sectors in crime prevention and reduction. The Council develops advisory positions and focuses attention on those crime-related issues which impact or are impacted by private security.

With the approval and encouragement of LEAA, the Council formed the Law Enforcement and Private Security Relationships Committee with the objective of improving and increasing cooperation and understanding between private security and law enforcement. This document is a working paper identifying and discussing sources and areas of conflict, from the perspective of both private security and law enforcement, which are impediments to effective working relationships.

The major effort in developing this document was performed by the Law Enforcement and Private Security Relationships Committee, and special acknowledgement and appreciation is due the Chairman and members of that Committee: Garis F. Distelhorst (Chairman), Robert L. Arko, Dale G. Carson, George A. DeBon, Joseph M. Jordan, Joseph F. McCorry, Herbert C. Yost, and the three Council liaison members: Richard Clement, Howard C. Shook, and John L. Swartz.

The Law Enforcement and Private Security Relationships Committee was assisted in preparing this document by members of the Council's staff support contractors: PRC Public Management Services, Inc., and William C. Cunningham and Todd H. Taylor of Hallcrest Systems, Incorporated.

The Advisory Council owes a special debt of gratitude to Irving Slott, Federal Program Monitor to the Council, for his encouragement in the development of this document.

Arthur J. Bilek
Chairman
Private Security Advisory Council

THE PRIVATE SECURITY ADVISORY COUNCIL

The Private Security Advisory Council was chartered by the Law Enforcement Assistance Administration (LEAA) in 1972 to improve the crime prevention capabilities of private security and to 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 public interest.

The Council was an outgrowth of a meeting of private security representatives, called by LEAA in December 1971, to discuss the research and development efforts of LEAA that related to the private sector and the role of private security in the national effort to reduce crime. During the initial meeting, the representatives from private security overwhelmingly recommended that LEAA establish a national advisory committee, made up of persons with expertise in private security, to provide LEAA with continuing advice on matters of appropriate concern. LEAA followed that recommendation, and the Private Security Advisory Council was created shortly thereafter.

In September of 1974, the membership of the Council was broadened to include representation from the public law enforcement agencies and from consumers of private security services. Since its beginning, the Council has worked on a number of tasks related to security services provided by the private sector. Since its inception, the goals and objectives of the Council have been:

- To act as an advisory to LEAA on issues of national importance which impact, or are impacted by, the private security industry;
- To raise the standards and increase the efficiency of the private security industry;
- To increase cooperation and understanding between the private security industry and public law enforcement; and
- To provide a viable national forum and point of leadership for matters relating to private security.

To achieve those goals, six committees of the Council have been established: Alarm Committee, Armored Car Committee,

Environmental Security Committee, Guards and Investigators Committee, Law Enforcement/Private Security Relationships Committee, and the Prevention of Terroristic Crimes Committee. Each committee has been assigned specific objectives related to accomplishment of Council goals..

The responsibilities and duties of the Private Security Advisory Council are advisory in nature. It cannot prescribe or promulgate rules or regulations. Its findings or recommendations are not official; they can be accepted or rejected by LEAA.

The Council operates pursuant to the provisions of the Federal Advisory Committee Standards Act, Public Law 92-463, LEAA Notice NI300.2, OMB Circular No. A-63, and any additional orders and directives issued in implementation of the Act. The Council was established under the authority of Section 517 of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90-351) as amended by Public Law 91-644 and the scope of its functions is limited to the duties specified in its charter.

The Council has published a number of other advisories to LEAA on a variety of issues. These include:

- A Report on a Model Hold-Up and Burglar Alarm Business Licensing and Regulatory Statute;
- A Report on the Regulation of Private Security Guard Services, including a Model Private Security Licensing and Regulatory Statute;
- Terroristic Crimes: An Annotated Bibliography;
- Potential Secondary Impacts of the Crime Prevention Through Environmental Design Concept;
- Scope of Legal Authority of Private Security Personnel;
- Private Security Codes of Ethics for Security Management and Security Employees;
- Prevention of Terroristic Crimes: Security Guidelines for Business, Industry, and Other Organizations;
- The Private Security Advisory Council: Its History, Organization, Goals, and Accomplishments;
- Reports on the Private Security Advisory Council Meetings of June, 1974; September, 1974; December, 1974; February, 1975; July, 1975; October, 1975; November, 1975; and April, 1976.

Copies of these Council reports are available without cost from LEAA.

In addition to the above reports, the Private Security Advisory Council and its Committees are preparing other advisory reports to LEAA on the need for, and requirements of, a national study of the false alarm problem; the requirements of a comprehensive manual on countermeasures against terroristic crimes; training curricula for private security guards; standards for private investigators; and crime impact and residential security statements as environmental security techniques.

I. INTRODUCTION

The prevention and control of crime has traditionally been viewed by many citizens as a function of government provided by public law enforcement agencies. The private sector, however, has played a major role in crime prevention efforts in the United States since the mid-nineteenth century when the earliest police departments were established. The private sector provides a broad range of products and services to protect persons and property from injury, hazards, damage, loss and criminal acts. The delivery system for private security products and services is commonly referred to as private security. Private security employs more people than public law enforcement and has become one of the largest growth industries in the country.

In recognition of this major role of private security in crime prevention, the Law Enforcement Assistance Administration, U.S. Department of Justice, established the Private Security Advisory Council (PSAC) to advise LEAA on how the resources of private security can be most effectively utilized in the development of a national strategy and programs to prevent and reduce crime in the United States. The PSAC has been concerned with the development of advisory positions for LEAA on issues of national importance which impact or are impacted by the private security industry, and on ways in which the private security industry can enhance and improve its effectiveness as a crime prevention tool. The Law Enforcement and Private Security Relationships Committee of the Council was formed to increase understanding of the respective roles of private security and public law enforcement and to foster improved and increased cooperative efforts in their crime prevention missions.

In general, available literature and survey research indicate that a positive relationship exists between law enforcement and private security personnel and that they respect their complementary roles. One survey of public law enforcement agencies indicated that 88 percent of the respondents felt that the presence of private security adds to the effectiveness of public law enforcement by increasing the level of protection for private property.¹ In another smaller survey, all of the public law enforcement respondents considered private security personnel resources in the fight against crime.² The Private Security Task Force to the National Committee on Criminal Justice Standards and Goals surveyed the membership of the American Society for Industrial Security and found that 87 percent of these security managers expressed a highly acceptable relationship with public police; however, only 66 percent of the responding membership perceived a positive attitude of law enforcement toward private security.³

The Committee, however, was concerned whether these assessments of relationships imply merely a healthy respect between private and public sector protection activities or rather an effective working relationship. Other available data indicated that in some cases only the former is the correct interpretation. In the same survey in which all of the law enforcement respondents valued private security as a resource, approximately 55 percent viewed the performance of private security personnel in general as incompetent.⁴ A limited survey of law enforcement agencies in 41 states conducted by the Private Security Task Force disclosed that only 25 percent of the law enforcement agencies had some policies or procedures for defining working roles with private security, and fewer than 20 percent had some procedures for cooperative actions with private security.⁵

In order to fulfill the Committee's objective of improving and increasing cooperation between private security and law enforcement, the Committee sought to identify and examine any major barriers suggested by such data which would preclude the establishment of effective working relationships. The availability of only limited survey data for contractual private security and law enforcement imposed constraints on the Committee's analysis, but in these instances discussions were guided by staff field research and the extensive experience of the Committee membership.

The major barrier identified by the Committee is a role conflict which manifests itself in the lack of clear role definitions, perceptual distortions, and mutual negative stereotyping between private security and law enforcement. Role conflict problems appeared to be the basis for several barriers to cooperation and understanding identified by the Committee. The areas of conflict identified in a ranked order of pervasiveness and intensity are:

- lack of mutual respect
- lack of communication
- lack of cooperation
- lack of law enforcement knowledge of private security
- perceived competition
- lack of standards
- perceived corruption

This document has been prepared to examine from the perspective of both private security and law enforcement these sources and areas of conflict. It is not intended to be an end product of the Law Enforcement and Private Security Relationships Committee. Rather, this document is a working paper identifying and discussing sources and areas of conflict which are impediments to effective working relationships. Having defined the problem and provided a framework for conflict resolution, the Committee will use this document as a basis for future work to firmly establish a climate of trust and cooperation and a shared sense of mission and participation among private security and law enforcement agencies, organizations and personnel. Only in this manner can a foundation be laid for the design of strategies and programs for the most effective use of public and private sector resources in the nation's efforts to control crime and provide a safe environment for its citizens.

II. LAW ENFORCEMENT AND PRIVATE SECURITY ROLE CONFLICT

The concept of role is generally used to define a person's position within an organization or society and his relationship with others. It prescribes certain standards or norms of behavior and serves as a set of expectations to govern both what a person does in his job and how he is to carry out the responsibilities of his job. A person interprets his role and also places expectations on the roles of others, especially upon those with whom he interacts and who perform similar roles. Status or the value and esteem placed on the role by the person and others is closely identified with the concept of role.

Role conflict can occur when there are differing expectations placed on a role or when a person carries out his role with an interpretation of the role that differs from the prescribed norms and behavior of that role. A form of role conflict is intergroup or interorganizational conflict. This frequently occurs when members of different groups or organizations have varying aims and objectives or have different expectations and interpretations of their respective roles.

The resources of private security organizations and law enforcement agencies are both directed toward protective functions in society. Both private security and law enforcement have as their central mission the prevention of crimes and criminal activity and the protection of property and/or persons, but there are clear differences in their organizational structures, their protective roles and the primary beneficiaries of their services. The Committee views these differences as the major underlying reasons for conflicts between private security and law enforcement. The major areas of conflict identified by the Committee stem from role conflicts between the two groups. Private security personnel and law enforcement officers often have differing expectations and interpretations as to their respective roles. This role conflict produces misperceptions, mutual negative stereotyping, distrust, status differentials, lack of cooperation, and competition. The Committee, then, feels that effective cooperation and understanding between law enforcement and private security cannot be established unless both groups have a clear understanding of the nature of their respective roles.

The role of public law enforcement is generally accepted as encompassing the prevention of crime, detection and apprehension

of criminals, protection of life and property, maintenance of public order, and regulation of traffic. Law enforcement agencies provide a general level of protection and security for the public and serve the public interest by regulating behavior considered offensive or contrary to the common good of society. This is accomplished in large part through the enforcement of laws. They have a wide range of responsibilities to protect essentially public concerns and their efforts are closely tied to statutorially mandated duties and the criminal justice system. The U.S. Constitution places limitations on the manner in which they conduct their activities and, also, through Court decisions interpreting the rights of citizens, imposes certain guidelines of the performance of law enforcement. The ability of law enforcement to perform their role and carry out their responsibilities is hampered by the very fact that they are a public agency. They must operate with the resources provided to them within the constraints of public budgeting and finance, and must allocate these resources among their varied responsibilities according to the interests and needs of the community they serve and its elected officials.

A major distinction between private security and law enforcement is that private security consists of private concerns protecting private property and interests. Individuals and privately-funded organizations and businesses undertake measures to provide protection for perceived security needs which involve their private interests, not in the public domain. Private security is an option exercised to provide an additional or increased level of protection than that afforded by public law enforcement which must respond to the larger concerns of the public. This option is exercised by purchasing equipment and hiring employees to perform protective services (proprietary security), or contracting with an external organization (contractual security).

Public law enforcement agencies direct their activities toward violations of state statutes and local ordinances. Private security directs its protective activities not just toward violations of law but also toward a much broader range of hazards, including fire, industrial safety, and natural and man-made disasters. In addition, the security needs of private interests often include regulation of employee conduct and protection of production processes, business operations, trade secrets, events and activities held on private premises, as well as the safety of employees, visitors and patrons.

Law enforcement is a services-oriented delivery system for public protective services to the community, and its most visible components are patrol officers and investigators. But private security is a delivery system for private protective services such as alarm monitoring and response activities; armored car and armed courier delivery services; and guards/watchmen, patrols

and investigators. These services of the private sector are private concerns establishing security measures for protection of private interests and thereby ensuring a level of protection not afforded by public law enforcement. For example, while law enforcement is concerned with the prevention of theft, it would not be feasible to allocate resources to meet the specialized needs and interests of every movement of valuable items desired by business entities in their communities. Thus, armored car and armed courier firms provide these services for companies and organizations requesting an increased level of protection for valuable items. Similarly, it would not be economically feasible for law enforcement to provide intrusion alarm and fire detection devices for all businesses, organizations and private property owners in their community.

Private security, then, embraces for the most part organizations providing protection for private interests and property, or a profit-making business, that provides protection to a restricted clientele who purchase or retain their products or services for a fee. Public law enforcement, on the other hand, provides mandated protection services with public funds to serve the public interests. Some law enforcement officers believe that being a "public servant" is of a higher moral order than serving private interests. This attitude or belief results in situations where some law enforcement officers attach a higher level or degree of status to the role of a police officer in society than that of private security personnel. They then relegate private security to an inferior status and social class position and assign a less important role to private security in their similar missions of prevention of crimes and criminal activity and the protection of property and/or persons.

This perceived status differential by law enforcement personnel manifests itself in lack of respect and communication which precludes effective cooperation. It also results in negative stereotyping of private security personnel by law enforcement. Negative stereotyping is most evident in the patrol officer's contact with the uniformed security guard, particularly when the officer is responding to a criminal complaint or breach of the peace committed in the presence of the security guard. The patrol officer may not see the utility or legitimate function of the security guard since the security guard, in most instances and states, cannot effect an apprehension, and his only mode of response is to call for law enforcement assistance. If the security guard is a retiree, does not present a commanding physical presence, or does not conduct himself in the manner in which the police officer has been trained, then there is a tendency to pass a negative judgment on the competency of the security guard. Once

a negative stereotype is formed, it becomes self-reinforcing unless there are new experiences and contacts, but there is an additional tendency to let past experiences prejudice future encounters. Also, many law enforcement personnel do not have exposure to the broad range of both proprietary and contractual security services and personnel, so that the negative stereotype is then applied to the entire sector of private security.

Law enforcement and private security are both concerned with crime prevention and reduction and order maintenance, but the primary role of private security is crime prevention in the protection of their assets and those of their clients. In a membership survey conducted by the American Society for Industrial Security (ASIS) at its 1975 annual conference, 95 percent of the responding security managers stated that crime prevention is the single most important function of private security, not crime investigation and apprehension.⁶ Private security directs their operations toward the protection of corporate or client assets and the reduction of losses which affect profitability as a business enterprise. The first obligation of private security is to their employer or client. Primary security emphasis is placed on extensive preventive measures and then taking corrective measures when patterns or incidents of loss, damage and theft of assets occur. Criminal prosecution is viewed primarily as one of several remedial options available, and the decision to pursue criminal charges must be weighed against the personnel time consumed, demands of other security functions, and its contribution to the primary goal of assets protection. For example, the development of internal security procedures and controls in a receiving area of a warehouse may minimize losses in the long run more effectively than seeking prosecution for a few minor thefts which occurred.

The primary role of crime prevention for private security is often misunderstood and misinterpreted by law enforcement personnel. In its membership survey, the ASIS found that 74 percent of the responding security managers stated that they did not want the same legal authority as public police, and correspondingly, only 9 percent felt that laws, rules and regulations were their most important crime prevention techniques.⁷ But, many law enforcement personnel feel that private security is trying to compete on a profit-making basis in a law enforcement function; question the motives of private security in not pursuing criminal prosecutions of all incidents; and interpret use of private security as a dissatisfaction with the performance of public protection provided by law enforcement agencies. It is difficult for some law enforcement personnel, then, to understand or accept the role of private security as responding to private interests and needs and to perceive private security efforts as complementing and assisting public efforts in crime prevention and reduction.

Due to its limited resources, law enforcement must primarily be in a response mode in dealing with the large volume of criminal activity which confronts them. Although crime prevention is an important concern for law enforcement, it generally receives less emphasis compared to other demands for service by the public. Private security often sees law enforcement in its role of investigation of crimes and apprehension of offenders and thus does not interpret the role of the police as one of crime prevention. In recent years, in large part due to the availability of federal funding through the Law Enforcement Assistance Administration, law enforcement agencies have been increasingly implementing crime prevention programs. Law enforcement agencies have established formal crime prevention planning units and interacted with the private sector to reduce criminal opportunities through vulnerability surveys, target hardening, and public information programs. The LEAA, through the National Crime Prevention Institute of the University of Louisville, provides comprehensive training programs for law enforcement personnel in crime prevention techniques and planning. Private security, then, incorrectly perceives law enforcement as not sharing their interest in crime prevention, and often fails to consider the fact that law enforcement is constrained in its ability to allocate resources by the total demands for service imposed by the public.

The concept of status symbols is an important issue related to role definition, expectation and interpretation. While status symbols are most commonly discussed in the context of upward mobility of social classes, status symbols very often serve a useful purpose in visually communicating the authority and power of a position or role. Status symbols confer a mark or distinction that relates to the status or value of a particular role. In the case of law enforcement, it is particularly appropriate to have status symbols which in a unique manner communicate visually to the public the legal authority vested in the role of sworn law enforcement officers. The public identifies the uniform, insignia, shield and firearm with the power and responsibilities of a police officer's role in society; and, further, they will seek certain forms of assistance and protection and respond to directives commensurate with their expectations placed on the role of the law enforcement officer.

Many private security personnel and most contractual private security guards wear uniforms, insignia and sometimes shields and firearms similar to law enforcement agencies. Law enforcement officials frequently complain that the public mistakes similarly uniformed and attired private security guards for police officers. In a survey of law enforcement agencies in 41 states conducted by the Private Security Task Force, 71 percent of the agencies reported that they had received complaints from the public about

the mistaking of private security personnel for public law enforcement officers.⁸ In the Task Force survey of membership of the American Society for Industrial Security, the respondents indicated that 79 percent of their private security personnel are uniformed. In contrast to law enforcement officials who had received public complaints on mistaken identity, 80 percent of these private security management officials stated that their security personnel are never or infrequently identified mistakenly as public police by citizens.⁹ However, in the ASIS survey of its membership, 75 percent of the responding security managers favored state statutes and local ordinances which would require that private security personnel wear uniforms and shields noticeably distinct from those of law enforcement agencies.¹⁰

Law enforcement officials often feel that the desire of private security to wear uniforms, shields and firearms similar to public law enforcement is substantiation for their belief that private security is trying to compete with them on a profit-making basis in a law enforcement function. Private security points out, however, that the uniforms worn by their personnel may have a deterrent effect on crime similar to the presence of a uniformed patrol officer. Complaints are also voiced by law enforcement that private security personnel tend to associate the similar status symbols with the authority possessed only by public police. Frequently this leads to unwarranted and illegal use of police powers reserved for public law enforcement such as "stop and frisks," detentions and searches. This issue is particularly evident in the carrying of firearms by private security where both their authority to carry firearms and the use of deadly force by them is legally questionable in a number of circumstances under criminal and tort law in many states. The Task Force survey of ASIS security managers revealed that 45 percent of their uniformed private security personnel carry a firearm.¹¹ Firearms training for private security personnel is minimal at best when compared to mandated law enforcement training in most states, and often consists of little more than "weapon familiarization." There have been numerous firearm incidents involving private security personnel which resulted in death or serious bodily harm. Many law enforcement personnel feel that these incidents reflect unfavorably on the public's association of firearms with public law enforcement.

Role conflict, then, is a major source of areas of conflict between private security and law enforcement. It impedes effective working relationships and understanding, and hampers efforts to more effectively collaborate their respective resources, expertise and roles in a comprehensive strategy and programs for crime prevention and reduction. The varying definitions of respective roles in their mutual missions and the different expectations and inter-

pretation placed on each other's role, results in a lack of respect and cooperation, mutual negative stereotyping, failure to communicate, and a sense of competition rather than a shared sense of mission and meaningful collaboration. In the following sections the major areas of conflict resulting from this underlying role conflict between law enforcement and private security are briefly explored. These areas of conflict are presented in the order of their pervasiveness and intensity, and the order of priority assigned to them by the Committee for resolution.

III. AREAS OF CONFLICT BETWEEN LAW ENFORCEMENT AND PRIVATE SECURITY

A. LACK OF MUTUAL RESPECT

The Committee discerned a lack of mutual respect to some extent between law enforcement and private security. Much of this is attributable to the perceived status differential of law enforcement--they attach a higher level or degree of status to the role of law enforcement than private security. In addition, mutual lack of respect is nurtured by the existence of mutual negative stereotyping which reinforces itself and is rooted in misinformation, suspicions, distrust, and prejudice.

Law enforcement officers consider themselves "professionals" because they have undergone rigorous screening for employment in a competitive process; have generally completed a minimum of a hundred hours of required training; have chosen law enforcement as a career; subscribe to a comprehensive code of ethics; must adhere to a strict system of discipline; and continually upgrade and improve their job-related skills through in-service training and higher education. Because many law enforcement personnel incorrectly perceive private security as providing a law enforcement function for profit, they tend to apply these same standards of selection, training and work performance in their judgment of private security personnel. This process inevitably leads law enforcement to the conclusion that private security personnel are "non-professionals," and thus inadequately prepared to be "police-men for hire."

Thus, a status differential is created by law enforcement and they form a negative stereotype of private security personnel. These attitudes are based on incorrect assumptions that private security personnel perform the same job duties as patrol officers and investigators in law enforcement, and that a broad generalization can be made about the nature and personnel of all components of proprietary and contractual security--guards, private patrol services, private investigators, armored car guards and armed couriers, and alarm response runners and installers. While private security guards in general do have lower selection standards and little or no training compared to law enforcement uniformed personnel, selection standards and training vary considerably among contract guard firms and proprietary security operations. Some private security supervisors and managers receive far more in-service training and attend more seminars in loss prevention

and security techniques, than the in-service training provided in many law enforcement agencies. In addition the educational background and skills required of some alarm technical and engineering personnel far exceed the median educational attainment of law enforcement personnel.

Law enforcement personnel, however, sometimes complain that the generally lower standards of selection for private security guards often do not include criminal history record checks which allows convicted felons to "play policeman." Similarly, they see the lower level of wages creating an inducement for private security guards to steal from their employers and clients, and creating an undependable and inexperienced security presence as a result of the high turnover rate of personnel. Within this context, the, the issue of uniformed private security personnel being mistakenly identified by the public as law enforcement personnel can be seen in a different light. Law enforcement administrators are primarily concerned with the issue because of the potential for adverse consequences in an emergency situation or illegal actions on the part of private security, i.e., the police authority and role expectations imparted by uniforms as status symbols. But for many uniformed law enforcement personnel, the uniform is a status symbol in its colloquial meaning, i.e., the law enforcement officer considers himself a professional, and he does not want private security personnel as non-professionals mistakenly identified as meeting his higher standards.

Private security is aware of this status differential imposed by many law enforcement personnel and deeply resent it since they feel that law enforcement neither understands nor emphathizes with their crime prevention role. This in turn leads to a lower level of esteem by private security for law enforcement personnel. Private security views law enforcement conduct as non-professional when they are slow to respond to calls for assistance from security guards and when they reluctantly cooperate with private security investigative personnel.

Law enforcement perceives the increasing trend toward utilization of all components of private security as a dissatisfaction with the performance of public protection provided by law enforcement agencies. In some cases this is an accurate perception. Some private security executives state that high crime and commercial victimization rates notwithstanding, a major reason that their clients have turned to them for their crime prevention technology and expertise is the failure or inability of public law enforcement to provide adequate protection.

While many law enforcement personnel perceive the role of a "public servant" as being of a higher moral order than serving private interests, and denigrate the provision of protective

services for profit, some private security personnel view this as hypocrisy. Complaints have been voiced by private security that law enforcement personnel will often expect or demand some form of a financial reward, discounts or free merchandise for assisting private security. Police union strikes and preoccupation with compensation and fringe benefits rather than working to reduce crime and delinquency, is perceived by private security as an indication that law enforcement is as financially motivated as the private sector. Yet their actions and attitudes show disdain for the profit-making aspect of private security firms and their clients.

B. LACK OF COMMUNICATION

The status differential assigned to respective roles of private security and law enforcement by some law enforcement personnel creates major problems in effective communications. Extensive research studies on the relation between status and communication indicate that communication is generally directed toward those individuals perceived as having equal status or higher status; and where there is uncertainty as to the equality of status, there is a tendency to avoid communication. Since many law enforcement personnel perceive themselves as having a higher degree of status than private security, and do not properly appreciate the role of private security in crime prevention, there will be a tendency to avoid communication with private security personnel. One might expect that private security would communicate freely with law enforcement as a perceived higher status group. But the intensity of feelings expressed by private security and the ambiguity of their relationship with law enforcement discussed in other conflict areas in this document, would seem to indicate an uncertainty as to the equality of status with law enforcement. Private security, then, would generally tend to avoid communication with law enforcement personnel; without effective communication, cooperation cannot be imposed.

Problems of communication have been most evident in the area of criminal history records. Private security expresses a need for such information for clients and employers and to screen their own security personnel. This information has often been obtained by private security through the use of "sub rosa" channels of communication with law enforcement agencies. Some private security personnel have been able to win the influence of certain law enforcement agencies and personnel through outright corruption or "corruption by seduction," i.e., trading upon personal relationships. This occurred, for example, under earlier LEAA guidelines prohibiting the dissemination or confirmation of the existence of criminal history records to non-criminal justice agencies or their use for purposes of licensing. The revised LEAA regulations now permit the release of criminal conviction records and also arrest records

where there is an interpretation of a state statute requiring an arrest record check. However, law enforcement agencies are not otherwise required to provide this information, and "sub rosa" channels of communication will probably continue to exist. The existence of stereotypes also tends to adversely affect patterns and lines of communication, so law enforcement personnel may provide greater access to some private security personnel than others.

C. LACK OF COOPERATION

Available data indicates a lack of formal mechanisms to facilitate cooperation, but demonstrates a desire of both law enforcement and private security to increase the level of cooperation between them and establish more formal methods of cooperation. A limited survey of law enforcement agencies in 41 states conducted by the Private Security Task Force on law enforcement relationships with private security, revealed in general a low level of involvement as measured by the following key items:¹²

- less than one-half had conducted a survey to find out how many and what type of private security agencies operated in their areas;
- only one-third of the agencies stated they had an office or officer to provide liaison with private security;
- only 25 percent of the agencies had policies or procedures for defining working roles of law enforcement and private security;
- only 25 percent had policies covering interchange of information with private security;
- less than 20 percent had procedures for cooperative actions with private security.

In another survey which compared role relationships between private security and law enforcement in a single county, both law enforcement and private security agreed that the degree of cooperation could be increased and that "some form of business or professional association might help bring representatives of industrial security and law enforcement together for greater awareness of the other's views."¹³ In contrast to the Task Force survey where only one-third of the law enforcement agencies had established an office or officer for liaison with private security, in the single county survey 60 percent of the agencies had a formally designated person whose primary responsibility was liaison with private security.¹⁴ In addition there was overwhelming

agreement by private security and law enforcement in response to a question as to whether law enforcement agencies should have an investigative specialist designated solely to the crime problems of private industry.¹⁵

The study also highlights the difficulty of police understanding or acceptance of private security's primary orientation toward assets protection and loss prevention, and the use of the criminal justice system as only one of several means of meeting these objectives. Approximately 90 percent of the surveyed law enforcement personnel felt that private security officially reports less than half of the criminal incidents which occur. Private security admitted that they generally report all serious crimes occurring on private property such as burglary, robbery, rape and assaults, but exercise discretion on offenses such as theft, embezzlement, and theft of trade secrets. Some companies have policies that require employees to be terminated rather than prosecuted, and other firms felt that minor or first offenses could be more effectively handled by their security personnel.¹⁶

This data coincides with observations of the Committee that the private sector often feels their assets protection function will be better served and that they can provide more effective sanctions for employee wrongdoing by handling many criminal incidents internally. Private security often feels that the criminal justice system is a "revolving door" for offenders, in not providing adequate sanctions and that judges do not appreciate the serious impact of crime on the viability of business operations. Also, private security is often reluctant to pursue criminal prosecutions for some offenses because of the amount of security personnel time consumed in prosecutions which result in relatively ineffective sanctions imposed on offenders by the courts.

Law enforcement questions the motives and integrity of private security personnel when they comply with corporate and organization preferences and policies for the private adjustments of criminal acts. When law enforcement assistance is requested, then, often they do so reluctantly, with a minimum level of cooperation, and with an underlying feeling that no prosecution will result from their investigation.

Private security frequently cites another area of lack of cooperation as inadequate law enforcement response to burglar and hold-up alarms. Law enforcement, however, complains of the drain on police patrol units responding to numerous false alarms, and cites numerous tragic instances where patrol officers and alarm runners have had serious traffic and other accidents in responding to false alarms under emergency conditions. Private security shares the concern of law enforcement with false alarms, but feels that

law enforcement develops a feeling of complacency which results in a low priority being placed upon responses to alarms. Private security sees a tendency for law enforcement to classify every alarm as a false alarm in which there is no perpetrator caught or no physical evidence of a breaking and entry. In these instances the alarm may have been tripped by a person who did not leave visible traces of entry or who was able to avoid capture at the scene. In general, private security feels that law enforcement does not give sufficient credit to the preventive or deterrent value of alarms nor to the successful apprehensions which have resulted from alarms.

Law enforcement also experiences difficulties in obtaining expedient service from alarm companies who have alarm systems or installations with recurring malfunctions; with alarm system sales companies that do not service their products after installation or that have gone out of business; and with automatic phone dialer alarms which have a tendency to be easily set off and repeatedly call the police telephone number, thus tying up their emergency communications system.

Law enforcement feels that private security needs an industry-wide association encompassing both contractual and proprietary security and all functional components of the private security industry, that can provide a unified professional voice for private security and facilitate cooperation and interaction with law enforcement. Some law enforcement officials feel that the absence of such an association, for example, makes it difficult for the private security industry to take a unified position in expressing private security needs for access to criminal history records to the Law Enforcement Assistance Administration; private security was denied access to this information in the original LEAA proposed guidelines for dissemination of criminal history records.

The existence of one major organization would enable law enforcement administrators through their respective professional associations to develop programs to foster increased cooperation with the private security industry. At the present time there are more than thirty private security trade associations throughout the country organized on a national or international basis with state and regional affiliated chapters. The organization representing the largest cross section of components of the private security industry is the American Society for Industrial Security with a membership of approximately 5,000. The other organizations are either dedicated to a specific functional component of private security or are security committees or operating divisions of the large business and industry associations. This fragmentation makes it difficult for private security to develop unified positions on issues affecting private security and law enforcement where improved cooperation is desired.

Further, private security sees a tendency for public law enforcement to lobby for regulatory control of the private security industry and for regulatory control to generally be delegated to a law enforcement agency at either a state or local level. This control by public law enforcement agencies is considered over-regulation of the industry by private security. Private industry feels that since some law enforcement agencies do not view their industry as performing a worthwhile function, any regulatory control should be vested in a more responsive and understanding board.

D. LACK OF LAW ENFORCEMENT KNOWLEDGE OF PRIVATE SECURITY

The Committee has noted several times throughout this document that law enforcement misinterprets the role of private security; has difficulty in accepting the constraints that apply to private sector assets protection and loss reduction; has limited exposure to the broad range of private security products, services and organizations; and develops negative stereotypes of private security which are reinforced by limited contacts with private security personnel.

Private security executives attribute many of these problems to the fact that law enforcement personnel receive most of their training in statutory laws, ordinances, criminal and procedural law, criminal investigation, patrol techniques, field interrogation, traffic law, accident investigation, and community relations. Law enforcement personnel have crime prevention cited as part of their role definition, but in practice are given little training in this area so as to have them interpret their role as including crime prevention; they have crime reduction cited as part of their role definition, but the resources discussed are generally within the criminal justice system. Less than 10 percent of the law enforcement agencies in the Private Security Task Force survey included any information on private security in their training programs.¹⁷ The lack of private security content in training curricula and the orientation toward crime response provides law enforcement with a limited view of crime control strategies and techniques. As noted earlier, crime prevention seminars and institutes provide training in crime prevention planning and techniques for law enforcement personnel but diffusion of this knowledge throughout the law enforcement agency is dependent upon the commitment of the agency to crime prevention.

E. PERCEIVED COMPETITION

Earlier it was stated that some law enforcement personnel perceive private security as competing with them in the provision of protective services. Private security similarly perceives law

enforcement as competing with them in the provision of security to private interests and concerns. This competition is more prevalent in the practice of law enforcement personnel moonlighting in private security. Law enforcement personnel take outside employment as security guards, store detectives, couriers, and private detectives. In some cases law enforcement personnel have formed their own private security firms. Private security strongly objects to law enforcement using their uniform and equipment in accepting private security jobs from individual proprietors or merchants, and perceives moonlighting of law enforcement in private security as unfair competition.

The Committee feels that a vast majority of law enforcement agencies permit secondary employment or moonlighting in private security and this raises important issues of conflict of interest and unfair competition with private enterprise using public resources. The use of police uniforms and equipment by law enforcement personnel creates an impression that they are "on duty," although employed by private interests. There are temptations for law enforcement personnel to use their official positions for personal gain, and to disclose or exploit confidential police information. When law enforcement officials are principals or managers of private security operations or business ventures there are similar temptations, but, most importantly, it places them in direct competition with private security firms.

Many law enforcement personnel in the past were able to depend on a substantial amount of overtime duty and off-duty assignments for private businesses, construction sites, private parties, dance halls, weddings, and sporting contests. Now many of them find that with union contract settlements over the years which increased wages and stipulated overtime pay for such off-duty assignments, they are losing these assignments to contract security firms who pay significantly lower wages to their guards. Private security feels that law enforcement strongly resents the loss of these off-duty assignments, and that private security guards as a result are often subjected to harrassment by law enforcement.

Another area of direct competition is the practice in some communities of ownership of burglar alarm systems by local units of government. Although not a widespread practice, some law enforcement agencies have established their own alarm sales, installation and service capabilities in direct competition with existing alarm companies in the private sector. Private security is vehemently opposed to this practice as a violation of the principle of free enterprise in America and feels that in some cases it may constitute restraint of trade with the provision of alarm systems to some businesses at preferential rates and with free installations. An important issue raised by governmental

ownership of alarm systems is the provision of alarm systems and servicing to a small segment of the community--the expense is distributed among the tax burden of all citizens in the community even though they do not accrue direct benefits from the alarm systems. The private alarm industry on the other hand must operate under competitively established prices and must absorb its operating overhead. Further, the private alarm industry must absorb research, product development and testing costs while government-owned alarm systems reap these benefits and then establish uncompetitive prices. Another related issue is the potential for the withholding of or providing inadequate law enforcement services to those firms which continue to maintain or purchase alarm systems from private firms.

F. LACK OF STANDARDS

The single most recurring theme in the discussion of the preceding areas of law enforcement and private security conflict is that law enforcement considers itself a "professional" organization in their approach to protection activities and views many components of private security as being "non-professional." This is reflected in stringent selection standards, rigid and comprehensive screening processes, educational background, and extensive training prior to duty assignment which far exceed that of the private security industry. Law enforcement feels that there will be no substantial upgrading of the quality of private security personnel unless there are minimum standards of professionalism which are adopted and implemented nationwide. In its survey of the membership of ASIS, the Private Security Task Force discovered that 87 percent of these private security managers saw a need for a "set of standards" for private security.¹⁸

In an LEAA funded effort closely related to the work of the Private Security Advisory Council, the Private Security Task Force to the National Committee on Criminal Justice Standards and Goals is developing a comprehensive set of standards and goals for private security. The major areas being addressed are Security Services Personnel--selection, training, conduct and ethics, and working conditions; Crime Prevention Systems--alarm systems and environmental security; Relationship of the Industry with Others--law enforcement agencies, consumers of security services, the insurance industry, higher education and research, and the general public; and Governmental Regulation--licensing, registration, and regulatory agencies.

In an earlier effort of the National Commission on Criminal Justice Standards and Goals, comprehensive standards and goals were developed for law enforcement agencies. Private security executives note that the standards and goals developed for law enforcement identified a number of areas where law enforcement agencies could significantly upgrade the quality and content of

their services to the public. They point out that there have been only fragmented efforts by law enforcement to implement or field test the standards and goals.

The Committee is of the opinion that both private security and law enforcement need to have better defined and articulated standards which will reflect themselves in the day to day operations of their respective roles of crime prevention and reduction. Only then will there develop mutual respect and understanding of the distinctions in their complementary approaches to crime prevention and reduction.

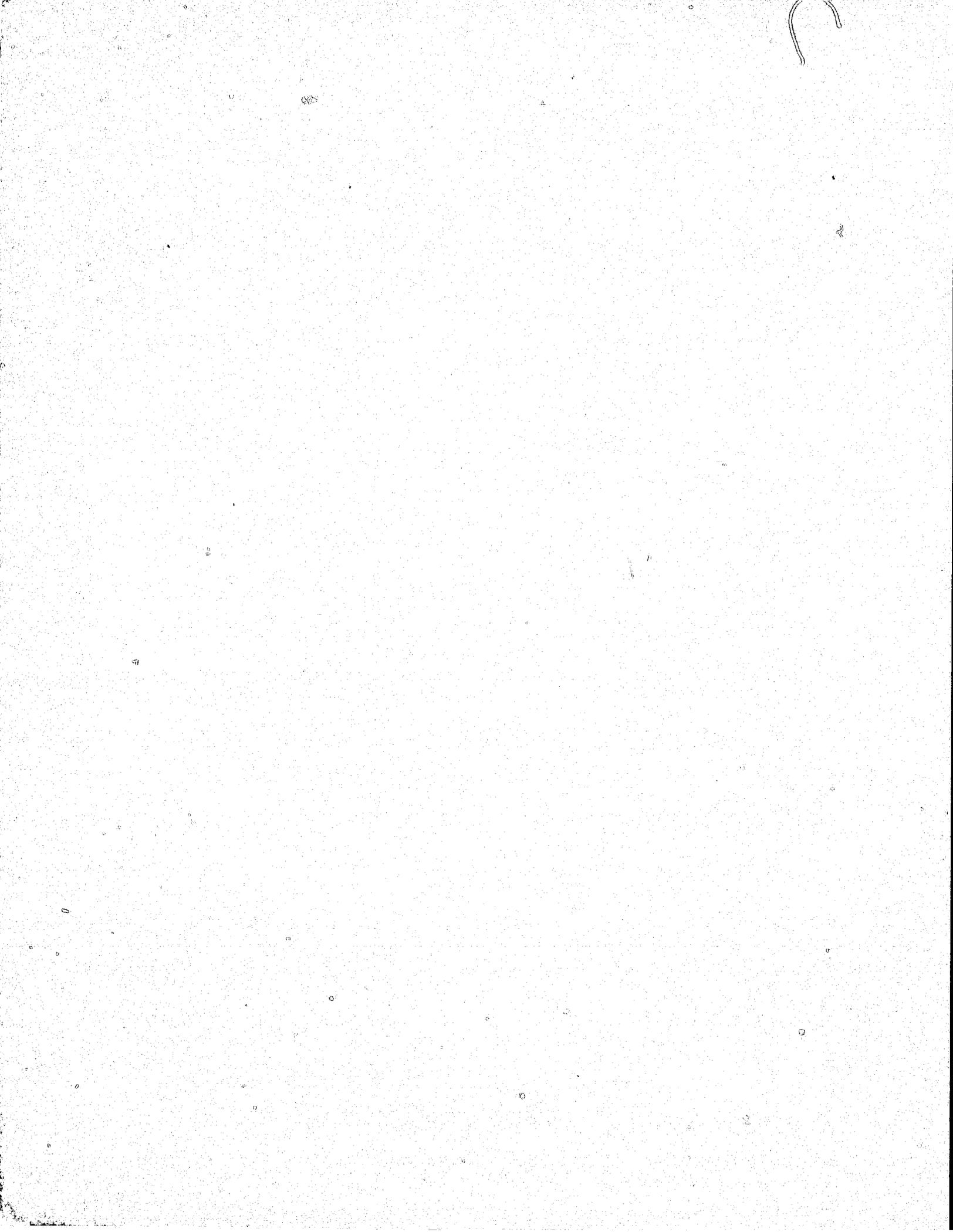
G. PERCEIVED CORRUPTION

Both law enforcement and private security perceive corruption by the other, and this limits cooperation in many cases to personal relationships. The Committee identified two forms of corruption involving both law enforcement and private security but is unable to assess their pervasiveness. The most common form of corruption is the use of payoffs, bribery, kickbacks, and protection and extortion schemes. These devices are inducements to permit criminal activity, foster collusion, ignore testimony or evidence, to withhold recovered property, to ignore criminal violations, to obtain private security licenses, and to influence regulatory activities governing private security.

Another form of corruption was identified by the Committee as "corruption by seduction," where personal relationships are traded upon to cause a diversion of services. For example, a private security firm or employer might hire a retired law enforcement officer who maintains strong personal relationships with personnel in his former agency from whom the firm or employer needs more information or assistance than currently provided. By hiring the retired law enforcement officer, the firm would be in a position to acquire a disproportionate share of the resources which the public law enforcement agency can make available to private security.

IV. FOOTNOTES

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3. "Survey of American Society for Industrial Security (ASIS)," Private Security Task Force to the National Advisory Committee on Criminal Justice Standards and Goals, October 1975.
4. Jahr, op. cit., p. 52.
5. "Survey of Law Enforcement Relationships with the Private Security Industry," Private Security Task Force to the National Advisory Committee on Criminal Justice Standards and Goals, October 1975.
6. American Society for Industrial Security (ASIS) attitude survey at 1975 Annual Conference, Denver, Colorado.
7. Private Security Task Force, ASIS Survey, op. cit.
8. Private Security Task Force, Law Enforcement Survey, op. cit.
9. Private Security Task Force, ASIS Survey, op. cit.
10. ASIS, Membership Survey, op. cit.
11. Private Security Task Force, ASIS Survey, op. cit.
12. Private Security Task Force, Law Enforcement Survey, op. cit.
13. Jahr, op. cit., p. 68, 69, 73.
14. Jahr, op. cit., p. 72.
15. Jahr, op. cit., p. 69, 73.
16. Jahr, op. cit., p. 65-67.
17. Private Security Task Force, Law Enforcement Survey, op. cit.
18. Private Security Task Force, ASIS Survey, op. cit.



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