

manual

PROFESSIONAL LICENSING

**rules
and
procedures**

ST. LOUIS COUNTY POLICE DEPARTMENT

BOARD OF POLICE COMMISSIONERS
ST. LOUIS COUNTY POLICE DEPARTMENT

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Commissioner Lawrence M. Wooten.....Vice-Chairman
Commissioner Laurie L. Westfall.....Secretary
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STATEMENT OF POLICY

By virtue of the Charter of St. Louis County, Article IV, section 4.270, subsection 7, provisions applicable to the Department of Police, authorizes that the Board of Police Commissioners shall have the power to:

...regulate and license all private watchmen, private detectives and private police serving or acting in the County and no person shall act as such without first having obtained such license as authorized by law or by ordinance. From and after January 1, 1979, no municipality shall enact or enforce any regulation or license of private watchmen, private detectives or private police.

The expense of regulation and licensing under this subsection shall be defrayed by fees from the licenses prescribed under this subsection and the extent that said license fees are not sufficient to fund the regulation and licensing, such difference shall be financed by County general revenue funds.

The Chief of Police, upon approval of the Board of Police Commissioners, has caused to be published these rules and regulations adopted and to become effective immediately. The rules and regulations as stated in this manual shall only apply to those persons performing duties within the boundaries of St. Louis County.

The Chief of Police, upon approval of the Board of Police Commissioners, shall establish administrative policy, standards, conditions and training requirements.

Any person who performs one or more of the duties must secure an annual license.

Adopted by Command Staff

By order of:

COLONEL JON M. BELMAR
Chief of Police

JB:km

Professional Licensing Manual

Approved at the regular meeting of the Board of Police Commissioners dated August 16, 2017.

MR. ROLAND J. CORVINGTON
COMMISSIONER
Chairman

MS. LAURIE L. WESTFALL
COMMISSIONER
Secretary

DEFINITIONS

The following terms used in this manual are defined below and may be used in conjunction with any section of this manual.

Applicant – an individual applying for a license as a watchman, courier, security officer, **or** polygraph examiner.

Armored Vehicle – vehicle designed specifically by the manufacturer to transport items of value and to repel, by means of a metallic, protective covering, projectiles fired by explosive charges.

Arrest – to apprehend and/or detain individuals observed committing a law violation.

Committee – the Private Security Advisory Committee consisting of five members appointed by the St. Louis County Executive for a term of three years.

Contract Security Agency – a private security company that employs its licensed officers in assignments to other organizations.

Courier – uniformed person, employed to carry out the task of protecting and transporting property from one designated area to another, who may carry an exposed firearm or protective device under certain circumstances.

Designated Area – the established property within the boundaries owned and/or leased by the contracted employer (the scope of the licensee's powers is limited to this area).

In-house Security – a security force where a company or organization employs licensed officers directly rather than through another agency.

Issued Identification Card/License – identification card issued by the Private Security Section, which designates the holder as a polygraph examiner.

Jurisdiction - All couriers, security officers and watchmen are bound by the rules of the St. Louis County Private Security Section while working in St. Louis County. While working within the City of St. Louis, the rules of the St. Louis Metropolitan Private Security Section must be followed.

Licensee – any watchman, courier, security officer **or** polygraph examiner who holds a license issued by the St. Louis Metropolitan Police or St. Louis County Police Department.

Metropolitan License – a license issued to a person who is to work as a watchman, courier or security officer in St. Louis City or St. Louis County under the guidelines and rules of both law enforcement agencies. Either St. Louis Metropolitan Police or St. Louis County Police can issue the Metropolitan license.

Polygraph Examiner – a person who conducts interviews in conjunction with the use of a polygraph for the purpose of determining the truth or falsity of statements or responses made by the person being interviewed.

Private Security Coordinator – a commissioned employee of the St. Louis County Police Department designated by the Chief of Police to administer the licensing program.

Private Security Supervisor – an employee of the St. Louis Metropolitan Police Department designated by the Police Commissioner to administer the licensing program.

Protective Devices – **objects or instruments approved after certification and training has been documented by the Private Security Section which may only include firearms, baton, TASER[®] and pepper spray, to be used for the defense of a licensed security or courier officer or to facilitate the effecting of an arrest when active aggression is**

encountered.

1. Firearm – a firearm is a weapon that propels a projectile by means of an explosive charge.
2. Baton – must be wooden or plastic, between 22-26 inches in length, not more than two inches in diameter. **Baton** may not be filled with lead or other material and may not have any metal bands or tips. **Or a collapsible metal baton commonly referred to as an ASP™ baton. Users must be certified in the use of the baton by attending an approved baton training course.**
3. Pepper spray – Private Security officers and couriers may carry aerosol pepper spray while on duty, if certified by attending **an approved** pepper spray training course.
4. TASER® - a Conducted Electrical Weapon (CEW) that when exposed causes Neuro Muscular Incapacitation (NMI) that stimulates motor nerves causing uncontrollable muscle contractions that inhibit the subject from being able to perform coordinated movement. Training and certification must be verified and approved by the Private Security Section prior to its use on duty.

Secondary License – a license issued to a watchman, courier or security officer in addition to his original license. There is no limit to the number of secondary licenses issued. All licenses expire on the expiration date of the original license.

Security Officer – a person employed with certain powers to protect life and property on/in a designated area (who may be uniformed and may carry an exposed firearm **and/or** protective device under certain circumstances).

St. Louis County Police Security Officer – a person employed by the St. Louis County Police Department with certain powers to protect life and property on/in a designated area in uniform with an exposed firearm and protective devices.

Termination – a licensee is inactivated for any of the following:

1. Voluntary surrender of the license by the licensee; or
2. Notification by the employer that an employee has been inactivated by the company; or
3. Expiration of a license; or
4. Suspension or revocation of a license.

Training - formal instruction provided for the qualification of watchmen, couriers or security officers either in the classroom or the firearms range and includes necessary registration procedures.

Watchman – a person employed to perform the tasks of observation and reporting on/in a designated area without any police powers or any firearm or protective device.

CHAPTER I

WATCHMAN, COURIER AND SECURITY OFFICER LICENSE

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I. WATCHMAN

A. Licensing Requirements

1. Any person seeking to act as a watchman in the County of St. Louis or in the City of St. Louis is required by law to obtain a Metropolitan license **from the Private Security Section.**
2. Any person who wears a badge or uniform with a private security designation or carries a Metropolitan license that states or implies a private security designation shall be required to **obtain** a Metropolitan license pursuant to the provisions stated in this manual.
3. **A Metropolitan license may not be valid if the issuance of the license will be in conflict with any other permit, license or Missouri State law.**

B. Qualifications and Training

1. Minimum qualifications for applicants applying for a Metropolitan Watchman's License are as follows:
 - a. Eighteen (18) years of age; and
 - b. a United States citizen or legal resident alien with two forms of identification, including one with photo; and
 - c. **any statutorily defined illegal possession or use of drugs by a watchman, whether at or outside their employment, will not be tolerated; and**
 - d. **any watchman reporting for duty taking prescription medication which may impair their ability to perform the essential functions of their position shall notify, in writing, the Security Coordinator within 24 hours; and**
 - e. **the licensing status may be restricted due to the medication prescribed until the employee is cleared by an approved Medical Review Officer; and**
 - f. **a mandatory drug test may be required, which yields negative results; and**
 - g. **any watchman reporting for duty who has stopped taking prescription medication which may then impair their ability to perform the essential functions of their position shall notify, in writing, the Security Coordinator; and**
 - h. able to read and write the English language; and
 - i. no felony conviction; and
 - j. **has not pled guilty to or entered a plea of nolo contendere to any felony offense under the laws of any state or the United States within the last thirty six months, immediately preceding application for licensing; and**
 - k. **has not pled guilty to or entered a plea of nolo contendere to any misdemeanor offense or city ordinance which have as an essential**

element fraud, dishonesty, an act of violence, bribery, illegal drug use, sexual misconduct, and other similar acts constituting moral turpitude as defined by the common law of Missouri, within the last thirty six months immediately preceding application for licensing; and

- l. is not a fugitive from justice or currently on active Probation; and**
- m. has not been discharged under dishonorable conditions from the United States Armed Forces; and**
- n. has not engaged in a pattern of behavior, documented in public or closed records, that causes the Private Security Coordinator to have a reasonable belief that the applicant presents a danger to himself or others; and**
- o. is not adjudged mentally incompetent or has not been committed to a mental health facility.**

2. The training for a licensed watchman shall consist of four (4) hours of classroom training.

C. Authority, Duties, Uniform and Equipment

1. Authority

Watchmen shall not have the authority to make arrests, physically detain persons or conduct searches and seizures.

2. Duties

a. General

- 1) It shall be the duty of every licensee to assist all police officers in preserving the peace or in taking such other action as may be necessary to effect an arrest during the times and area where he/she is employed and when requested to do so by a police officer.
- 2) Should a serious accident or crime, including all felonies, occur on the premises of the licensee, it shall be the responsibility of the licensee to notify the appropriate police department immediately. Failure to do so is a violation of the provisions of this manual.
- 3) The licensee will be responsible to protect the crime scene until relieved of that responsibility by the police department in charge.

b. The duties performed by the licensed watchman may include:

- 1) Observe, record/report incidents and activities about or upon the licensed locations.
- 2) Observe and report fires.
- 3) Perform clock rounds, checking doors, windows, etc.
- 4) Monitor cameras and alarms.
- 5) Control lights, security systems, environmental and process controls.
- 6) Must perform his/her function in a designated area.

3. Uniform and Equipment

- a. Must be in **an approved** uniform at all times when on duty, **unless a uniform exempt license has been approved by the Private Security Section.**
- b. Whenever on duty, must wear the Metropolitan license on the outermost garment.
- c. May not possess any firearm, protective device or retention device.
- d. **The approved security badge may only be worn on the approved uniform and not on corporate or civilian attire. This includes uniform exempt licenses.**

II. COURIER

A. Licensing Requirements

1. Any person acting as a courier in the County of St. Louis or the City of St. Louis is required by law to have a Metropolitan license **issued by the Private Security Section.**
2. Any person who wears a badge or uniform with a private security/courier designation or carries a Metropolitan license that states or implies that a private security/courier designation shall be required to obtain a Metropolitan license pursuant to the provisions stated in this manual.
3. **A Metropolitan license may not be valid if the issuance of the license will be in conflict with any other permit, license or Missouri State law.**

B. Qualifications and Training

1. Minimum qualifications for applicants applying for a Courier's Metropolitan license are as follows:
 - a. Twenty-one (21) years of age; and
 - b. a U.S. citizen, or legal resident alien with two forms of identification, including one with a photo; and
 - c. **any statutorily defined illegal possession or use of drugs by a courier, whether at or outside their employment, will not be tolerated; and**
 - d. **any courier reporting for duty taking prescription medication which may impair their ability to perform the essential functions of their position shall notify, in writing, the Security Coordinator within 24 hours; and**
 - e. **the licensing status may be restricted due to the medication prescribed until the employee is cleared by an approved Medical Review Officer; and**
 - f. **a mandatory drug test may be required, which yields negative results; and**
 - g. **any courier reporting for duty who has stopped taking prescription medication which may then impair their ability to perform the essential functions of their position shall notify, in writing, the Security Coordinator; and**
 - h. able to read and write the English language; and
 - i. no felony conviction; and
 - j. **has not pled guilty to or entered a plea of nolo contendere to any felony offense under the laws of any state or the United States within the last thirty six months, immediately preceding application for licensing; and**
 - k. **has not pled guilty to or entered a plea of nolo contendere to any misdemeanor offense or city ordinance which have as an essential element fraud, dishonesty, an act of violence, bribery, illegal drug use, sexual misconduct, and other similar acts constituting moral turpitude**

as defined by the common law of Missouri, within the last thirty six months immediately preceding application for licensing; and

- l. is not a fugitive from justice or currently on active Probation; and**
 - m. has not been discharged under dishonorable conditions from the United States Armed Forces; and**
 - n. has not engaged in a pattern of behavior, documented in public or closed records, that causes the Private Security Coordinator to have a reasonable belief that the applicant presents a danger to himself or others; and**
 - o. is not adjudged mentally incompetent or has not been committed to a mental health facility.**
2. Training for licensed couriers shall consist of:
- a. a minimum of four (4) classroom hours; and
 - b. eight (8) hours of firearms qualifications for revolvers and **sixteen (16)** hours for semiautomatic pistols. **The qualifying score will be established by the St. Louis County and Municipal Police Academy; and**
 - c. **additional training as required for protective devices.**

C. Authority, Duties, Uniform and Equipment

1. Authority

A courier shall not have the authority to make arrests, physically detain persons or conduct searches and seizures.

2. Duties

a. General

- 1) The duties performed by a licensed courier may include delivering currency, documents, articles, etc., from one location to another or to aid in the driving and protection of the vehicle and the team who so performs, and are limited to the defense and protection of the system and articles for which he is performing the courier function.
- 2) It shall be the duty of every licensee to assist all police officers in preserving the peace or in taking such other action as may be necessary to effect an arrest during the times and area where he/she is employed and when requested to do so by a police officer.
- 3) Should a serious accident or crime, including all felonies, occur on the premises of the licensee, it shall be the responsibility of the licensee to notify the appropriate police department immediately. Failure to do so is a violation of the provisions of this manual.
- 4) The licensee will be responsible to protect the crime scene until relieved of the responsibility by the police department in charge.

3. Uniform and Equipment

- a. Must be in uniform at all times when on duty and when carrying an exposed firearm to his/her place of work or home.
- b. Must wear and exhibit the issued Metropolitan license on the outermost garment whenever on duty.
- c. **When approved to carry a firearm and in uniform, the officer will be required to carry at least one approved protective device.**

III. SECURITY OFFICER

A. Licensing Requirements

1. Any person seeking to **perform security functions** in the County of St. Louis or the City of St. Louis is required by law to obtain a Metropolitan license from **the Private Security Section**.
2. Any person who wears a badge or uniform with a private security designation or carries a Metropolitan license that states or implies a private security designation shall be required to obtain a Metropolitan license pursuant to the provisions as stated in this manual.
3. **A Metropolitan license may not be valid if the issuance of the license will be in conflict with any other permit, license or Missouri State law.**

B. Qualifications and Training

1. Minimum qualifications for applicants applying for a security officer's Metropolitan license are as follows:
 - a. Twenty-one (21) years of age; and
 - b. a U.S. citizen, or legal resident alien with two forms of identification, including one with a photo; and
 - c. **any statutorily defined illegal possession or use of drugs by a security officer, whether at or outside their employment, will not be tolerated; and**
 - d. **any security officer reporting for duty taking prescription medication which may impair their ability to perform the essential functions of their position shall notify, in writing, the Security Coordinator within 24 hours; and**
 - e. **the licensing status may be restricted due to the medication prescribed until the employee is cleared by an approved Medical Review Officer; and**
 - f. **a mandatory drug test may be required, which yields negative results; and**
 - g. **any security officer reporting for duty who has stopped taking prescription medication which may then impair their ability to perform the essential functions of their position shall notify, in writing, the Security Coordinator; and**
 - h. able to read and write the English language; and
 - i. no felony conviction; and
 - j. **has not pled guilty to or entered a plea of nolo contendere to any felony offense under the laws of any state or the United States within the last thirty six months, immediately preceding application for licensing; and**

- k. **has not pled guilty to or entered a plea of nolo contendere to any misdemeanor offense or city ordinance which have as an essential element fraud, dishonesty, an act of violence, bribery, illegal drug use, sexual misconduct, and other similar acts constituting moral turpitude as defined by the common law of Missouri, within the last thirty six months immediately preceding application for licensing; and**
 - l. **is not a fugitive from justice or currently on active Probation; and**
 - m. **has not been discharged under dishonorable conditions from the United States Armed Forces; and**
 - n. **has not engaged in a pattern of behavior, documented in public or closed records, that causes the Private Security Coordinator to have a reasonable belief that the applicant presents a danger to himself or others; and**
 - o. **is not adjudged mentally incompetent or has not been committed to a mental health facility.**
2. Training for licensed security officers shall consist of:
- a. a minimum of sixteen (16) classroom hours; and
 - b. eight (8) hours of firearms qualifications for revolvers and **sixteen (16) hours for semiautomatic pistols. The qualifying score will be established by the St. Louis County and Municipal Police Academy; and**
 - c. **additional training as required for protective devices.**

The Board of Police Commissioners may exempt certain corporate employers from security officer training requirements in lieu of approved, independent training comparable to that outlined in this manual.

C. Authority, Duties, Uniform and Equipment

- 1. Authority
 - a. **A licensed security officer may make a custodial arrest or prevent the escape of a person who has committed a criminal offense, and when the arrest or detention is immediately necessary to arrest the offender or prevent his or her escape from custody.**
 - b. **In making an arrest, no more force may be used than is necessary for overcoming any resistance that may be offered and for ensuring the safe delivery of the subject into custody.**
 - c. **When a licensed security officer has made a custodial arrest, it shall be his/her duty to immediately notify the police department in the jurisdiction where the arrest has been made.**
 - d. **Security vehicles are not defined as emergency vehicles as listed in RSMO 304.022. This provision does not prohibit a stationary security vehicle from utilizing white or yellow lights for traffic control or warning.**

2. Duties

a. General

- 1) It shall be the duty of every licensee to assist all police officers in preserving the peace or in taking such other action as may be necessary to effect an arrest during the times and area where he/she is employed and when requested to do so by a police officer.
- 2) Should a serious accident or crime, including all felonies, occur on the premises of the licensee, it shall be the responsibility of the licensee to notify the appropriate police department immediately. Failure to do so is a violation of the provisions of this manual.
- 3) The licensee will be responsible to protect the crime scene until relieved of the responsibility by the police department in charge.

b. The duties performed by the licensed security officer may include:

- 1) Control of personnel and vehicles in the designated area, the privately owned or leased property of the contracted employer. Licensed security officers may direct traffic on a roadway or street that abuts the designated area with the permission of the local policing authority and the Private Security coordinator, **when within St. Louis County. If within St. Louis City, the licensee will be required to attend a traffic direction and control training program conducted by the St. Louis Metropolitan Police Department.**
- 2) **Performing** his/her functions in a designated area.

3. Uniform and Equipment

- a. Must be in uniform at all times when on duty **unless uniform exempt (This will be noted on the license).**
- b. When in uniform, must wear and exhibit the issued Metropolitan license on the outermost garment.
- c. Must carry the Metropolitan license whenever on duty and display same when requested to do so if working in civilian clothes. **May carry protective devices if qualified to do so.**
- d. **When approved to carry a firearm and in uniform, the officer will be required to carry at least one approved protective device.**
- e. After receiving written permission from the St. Louis County Police Chief **or the St. Louis Metropolitan Police Commissioner**, a licensed, armed security officer may dress in **corporate attire that conceals the firearm**. Permission will only be granted where the employing security agency or company can show a specific and appropriate need for the security officer to be dressed in civilian attire. The applicant must also have a **concealed carry permit that is valid in the State of Missouri or any other State or Federal laws that allow individuals to carry concealed.**
- f. **The approved security badge may only be worn on the approved uniform. Officers approved to be uniform exempt and armed shall not be precluded from wearing a badge.**

IV. ST. LOUIS COUNTY POLICE SECURITY OFFICERS

A. Employment

- 1. St. Louis County Police Security Officers are employees of the St. Louis County Police Department.**

B. Authority

- 1. St. Louis County Police Security Officers have the same authority of a security officer possessing a Metropolitan Security License.**

C. Duties, Training, Uniform and Equipment

- 1. All procedures pertaining to St. Louis County Police Security Officers are contained in the St. Louis County Police Department General Orders.**

V. POLICE OFFICER PROVISIONS

- A. Paid, full-time commissioned police officers who are certified as full-time police officers by the Missouri POST Commission and who work in the State of Missouri as police officers may be licensed to perform the duties and carry out the responsibilities of watchmen, couriers or security officers (does not include reserve or certified reserve officers).**
 1. Commissioned police officers are authorized to carry only the weapon that the officer has qualified **with annually at** an approved municipal or county department qualification course.
 2. The commissioned police officer may be requested to provide proof of **an annual** firearm qualification **with their current law enforcement agency** and/or academy training certification.
 3. Commissioned police officers licensed to work as armed security officers outside their department jurisdiction and working as a security officer for other than a security agency, must be in their department uniform if they are carrying a firearm.
 4. Commissioned police officers licensed to work as armed security officers outside their department jurisdiction and working for a security agency must wear the agency's uniform with the agency's badge and security officer's license exposed.
 5. **Commissioned police officers licensed to work as armed security officers outside of their department jurisdiction and unable to comply with numbers (3) and (4) of this section shall wear a navy blue or white long or short sleeve polo shirt, with generic police badge sewn to the left breast and the word "Police" in one (1) inch letters embroidered or silk screened under the badge in the color white or silver. Additionally, the word "Police" in four (4) inch, block style bold letters, in the color white or silver, shall be silk screened on the back of the shirt. The pants are to be navy blue BDU style. The Metropolitan Security License shall be exposed.**
- B. Municipal officers working in their jurisdictions are exempt from the licensing procedures as set forth in this manual.**
- C. The initial security officer application (copy attached) must be returned in person to the Private Security Section, 7900 Forsyth Boulevard, Clayton, Missouri 63105. All additional secondary employment applications made within one year of the initial application date**

may be mailed or faxed. Each officer will be issued a Metropolitan license with his/her department name inserted into the space provided for the company name, but it is not necessary to display the Metropolitan license while working in the department uniform. Only one card is necessary for use in any and all secondary employment in St. Louis County.

- D. A letter from the off-duty officer's security agency must be submitted with the application if the officer is working outside his/her jurisdiction.
- E. The officer's chief of police or sheriff must sign the security officer application.
- F. A mandatory annual drug test is necessary by the applicant. However, if the officer's department has a random drug test program in effect, the officer will not have to be tested. Charges for the drug test will be the responsibility of the officer. **The officer may have to provide a copy of their department's policy.**
- G. During the one-year term of the license, all licenses granted under this provision are terminated simultaneously with termination of the officer's full-time commissioned status.
- H. No further training is required during employment as long as a police officer is qualified to work in the State of Missouri.
- I. Responsibilities and obligations when performing in licensed status shall be those applicable to the licensed function being performed, except that nothing in this manual shall diminish or enlarge upon the duties and responsibilities of the officer as provided for by statute and his/her department regulations.
- J. All police officers licensed by St. Louis County Private Security Section working within the City of St. Louis will have additional requirements. Officers must contact St. Louis Metropolitan Private Security Section for additional conditions.
- K. All applicants will be issued a copy of this manual upon application for a license.

NOTE: Police officers, when working secondary employment in their own jurisdiction, are allowed to direct traffic for their employer on a roadway, highway or street that abuts the property of the employer when working in full police uniform and when approved by their police chief. Traffic control will be performed in a safe manner and in accordance with prescribed law enforcement traffic control procedures.

VI. RETIRED POLICE OFFICER PROVISIONS

- A. Former paid, full-time commissioned police officers who were certified as full-time police officers by the Missouri POST Commission and who worked in the State of Missouri as police officers may be licensed to perform the duties and carry out the responsibilities of watchmen, couriers or security officers (does not include reserve or certified reserve officers).
- B. Proof of retirement will be required and subject to the review and approval of the Private Security coordinator.
- C. Retired police officers working as security officers or couriers may carry weapons that were authorized to be carried on duty prior to retirement. An original letter from their department will show make, caliber, model and date of last firearms qualification will be required. Retirees will qualify twice per year. **LEOSA (Law Enforcement Officer Safety Act) qualification may be used as one of the mandatory qualifications.** A mandatory annual drug test is necessary by the applicant.
- D. Retired police officers licensed to work as armed security officers must be in their security agency's uniform with the agency's badge and security officer's license exposed.

- E. The original training for a watchman's license will be waived. There is no renewal training for the license. The original and renewal classroom training required for a courier and/or security officer license will be waived during the first five (5) years **immediately** following the former police officer's retirement date.
- F. Responsibilities and obligations when performing in licensed status shall be those applicable to the licensed function being performed (watchman, courier, private security officer).
- G. All applicants will be issued a copy of this manual upon application for a license.

VII. STATE OF EMERGENCY PROVISIONS FOR SECURITY OFFICERS

- A. **In the event of a State of Emergency declared by either the St. Louis County Executive, Governor of the State of Missouri or the President of the United States of America, security officer licensing exceptions will be made on a case by case basis by the St. Louis County Chief of Police or St. Louis Metropolitan Police Commissioner.**

VIII. APPROVAL OF ORGANIZATIONS EMPLOYING SECURITY OFFICERS

- A. Approval of Organizations to Employ Security Officers

The Professional Licensing Manual limits new organization ownership or management to persons who have served two years in the security field, either as a licensed private security officer or police officer, or other related government or professional field.

Persons seeking to own or operate a security agency or in-house security force are required to provide picture identification that includes the applicant's name, social security number, date of birth and a set of fingerprints so that a complete criminal and background investigation can be conducted.

- B. All organizations must submit the following:
 - 1. Articles of Incorporation with State of Missouri or a copy of the organization's Fictitious Name (DBA) registry with the Missouri Secretary of State; and
 - 2. a letter on the organization's letterhead, indicating their intent to have uniformed or uniform exempt officers and armed or unarmed officers; and
 - 3. if a contract agency (not in-house), letters of intent from three separate businesses on the businesses' letterhead, reflecting their intent to hire the organization to provide security services on their premises.
 - 4. If a uniform is to be worn by the officers, the organization must also submit the following items to the Private Security coordinator for review:
 - a. Two color photographs of the uniform showing the front and one profile view (NOTE: The uniform may not resemble the St. Louis County **or St. Louis Metropolitan Police uniforms**. A blazer ensemble is not considered a uniform); and
 - b. a sample of the organization's shoulder patch (NOTE: The organization name and the words "Security" or "Security Officer" must appear on the patch. They may be two separate patches); and
 - c. one color photograph of the organization's badge. The word "Police" may not be used on the badge, and it may not indicate any affiliation with any police agency

or prosecuting attorney's office. The organization's name must appear on the badge **and "Security"**.

5. **Vehicles used for security purposes must conform to Missouri State and local laws and not be equipped with red and blue lights and or sirens. An organization's vehicle cannot resemble a public safety/law enforcement emergency vehicle. Color photographs of the organization's vehicle must be submitted to the Private Security coordinator for approval.**

IX. LICENSING PROCEDURES

A. General

1. All applicants must appear in person at the Private Security Section office and apply for the appropriate license.
2. The applicant must present a letter, dated within the past ten (10) days, from his/her prospective employer that states the employer's intent to hire or retain the applicant after the successful completion of the licensing process.

B. Character Investigation

The St. Louis County Police Private Security Section will be responsible for a character investigation of each applicant, including a check for a prior criminal history.

C. Temporary License

1. If an applicant appears to meet the standards for licensing and the **background investigation has been completed** the Private Security **Section** may issue a temporary **license until original training has been completed. If failed to attend original training without rescheduling in person, a temporary license will not be re-issued or extended.** All fees shall be paid at the time the temporary license is issued.
2. While working under a temporary license, the license holder does not possess any powers of arrest, search or seizure, and may not have any firearms or protective devices upon or about his person at any time while exercising the privileges granted by this temporary license.
3. The temporary license will become invalid at the time the formal license is issued, or upon receipt of denial of a formal license.
4. Any abuse of the privileges granted by the temporary license or any improper actions as outlined in "Causes for Disciplinary Action," Section XIV.C of this chapter, may be cause for denial of a formal license.
5. All temporary license holders shall carry the license on their person during the times and at the locations that they are assigned to duty.
6. The holder of a temporary license will be required to attend the training class on an assigned scheduled day. The holder will be rescheduled if a reasonable excuse is presented to the Private Security Section **in person** prior to the beginning of the class. If a scheduling problem occurs, it will be the responsibility of the temporary license holder to notify the Private Security Section by telephone prior to the scheduled class.

7. Applicants who fail to give prior notification to the Private Security Section that they will be unable to attend the scheduled class, their temporary **license will not be re-issued or extended**, effective the date of the class and no fees will be refunded.
8. No applicant will be allowed to cancel his/her class appointment on more than two occasions.

The Private Security coordinator may grant a 30-day extension of the temporary license under justifiable conditions. No applicant will receive more than one temporary license extension.

D. Issuance or Denial of a License

1. The Private Security **Section** will have the authority to issue a license after ensuring that the applicant has met the minimum qualifications, completed training and paid the required fees.
2. The Private Security coordinator/**supervisor** shall have the authority to deny the license or permit of an applicant on the basis of:
 - a. failure to meet the minimum qualifications and training specified for each license;
 - b. information on the application is found to be false, misleading or inadequate;
 - c. criminal history, references and/or employment background indicate a poor character or work record;
 - d. failure to pay fees.
3. The applicant will be given written notification as to the basis for denial of his/her license. No information will be given to any party by telephone. The applicant will be allowed a personal conference with the Private Security coordinator **or supervisor** concerning the denial of the application.
 - a. An applicant denied a license **by the St. Louis County Police Department's Private Security Coordinator** may appeal such denial to the committee, in writing, within fifteen (15) days after receipt of his written denial.
 - b. **An applicant denied a license by the St. Louis Metropolitan Police Department's Private Security Supervisor may appeal such denial to the St. Louis Metropolitan Police Commissioner in writing within fifteen (15) days after receipt of his written denial.**
 - c. Any applicant who is denied a license may reapply after one year **unless the applicant no longer meets the minimum qualifications.**
4. **Fees may not be refunded if the license is denied.**

E. Personnel Records

1. The Private Security Section shall maintain the computer personnel record for each applicant or licensee for **at least 5 ½** years.
2. The personnel record shall include information from the original application and materials from previous years when licensed, administrative materials (transfers, etc.), letters of disciplinary actions.
3. The computer personnel record shall be the property of the St. Louis County Police Department **and St. Louis Metropolitan Police Department.** Requests for

verification of a license status will be released to any individual, security company or private citizen **in compliance with the Missouri Sunshine Law Section 610 R.S.Mo.** Other information from the personnel record will be released only to a law enforcement agency conducting an investigation of a licensee. **The** licensee shall have access to his/her computer personnel record.

4. Each licensee shall immediately notify the Private Security Section of any change in name, home address, telephone number or employer.

F. Fees

The St. Louis County Board of Police Commissioners **and/or St. Louis Metropolitan Police Commissioner** shall prescribe all fees charged for licenses, renewals, transfers, secondary licenses, reinstatements or training. An approved fee schedule **is available upon request.**

G. Annual Drug Test

All armed security officers and armed couriers shall be screened for drugs annually. The screening process will detect illegal substances as well as prescription medications. Any licensee who tests positive for an illegal substance or cannot provide proof that he/she was lawfully prescribed the medication can have his/her license revoked.

X. LICENSING RENEWALS

A. General

Licenses will be valid for one year from the date of issuance. The private security management system software program is designed to give security companies web-based access to inquire as to the status of their employee(s)' security license expiration date(s). Each security company will be responsible for monitoring its employees, to facilitate the renewal of the licenses of their licensees prior to expiration. No other notice will be provided.

B. Renewal Procedures

1. Watchman

The Private Security **Section** will require the licensed watchman to:

- a. present a company letter on letterhead stationery, signed by his/her private security employer, requesting renewal of the license;
- b. attend a refresher course prescribed by the Chief of Police **and/or St. Louis Metropolitan Police Commissioner**, every five (5) years.

2. Courier

The Private Security **Section** will require the licensed courier to:

- a. present a original company letter on letterhead stationery, signed by his/her private security employer, requesting renewal of the license;
- b. attend bi-annual scheduled firearms qualification and attain a passing score;
- c. attend a refresher course prescribed by the Chief of Police **and/or St. Louis Metropolitan Police Commissioner**, every five (5) years;

- d. **if armed, complete an approved drug screening, which yields a negative result.**
3. Security Officer

The Private Security **Section** will require the licensed security officer to:

 - a. present a company letter of letterhead stationery, signed by his/her private security employer, requesting renewal of the license;
 - b. attend bi-annual scheduled firearms qualification and attain a passing score (if an armed license is requested);
 - c. attend a refresher course prescribed by the Chief of Police **and/or St. Louis Metropolitan Police Commissioner, annually;**
 - d. **if armed, complete an approved drug screening, which yields a negative result.**
4. Should the licensee fail to renew a license by the date of expiration, the license will be inactivated.
5. If the Private Security Section is notified in writing, prior to the date of expiration of an acceptable reason for not complying with renewal procedures, the coordinator may grant a temporary extension, not to exceed thirty (30) days.
6. Failure to comply with the renewal requirements will cause the license to expire. The coordinator shall have the discretion to extend the renewal period by not more than thirty (30) days.

XI. TRANSFER OF A LICENSE

- A. If a licensee ends employment with the employer for which he/she is currently licensed and wishes to enter the employment of another agency, firm, organization or company, the licensee must complete the following procedures:
 1. Obtain an original letter from the new private security employer on their letterhead, addressed to the Private Security coordinator **or supervisor**, outlining the duties to be performed and request a transfer or reinstatement;
 2. present the letter, in person, to the Private Security **Section**;
 3. pay the required fee established for license transfer or reinstatement.
- B. If approved by the Private Security **Section**, the transfer or reinstatement will be recorded and a license issued.

XII. SECONDARY LICENSE

- A. A licensee may obtain a license in addition to the original license for which he/she is certified, and must complete the following procedures:
 1. Obtain an original letter from the additional private security employer on their letterhead, addressed to the Private Security **Section**, outlining their intent to employ the officer at the specific category of license; and
 2. present the letter, in person, to the Private Security **Section**; and
 3. pay the required fee for the secondary license.

XIII. UNIFORM REGULATIONS AND EQUIPMENT

A. Uniforms

1. The Chief of Police **or St. Louis Metropolitan Police Commissioner** may prohibit the use of all or any part of a uniform to be worn by a licensee.
2. All licensed watchmen, couriers and security officers must wear a uniform; which, at minimum, shall consist of trousers (or skirt) and shirt with uniform jacket and cap optional. **All weapons and protective devices shall only be carried on the approved uniform duty belt.**
3. A company shoulder patch must be worn on either the right or left sleeve, or both, of the outermost garment, approximately one inch below the shoulder seams. The patch must have the company name in the design of the patch.
4. Special use uniforms, such as for bicycle patrol or for protected environments, may be approved for use by the Chief of Police **or St. Louis Metropolitan Police Commissioner**.

B. Issue of Equipment

1. At the conclusion of the training period and upon final issuance of a permanent license, each licensed watchman, courier or private security officer shall receive from the Private Security Section the following:
 - a. One Professional Licensing Manual.
 - b. Metropolitan license(s).
2. The Metropolitan license(s) shall remain **police department** property and must be returned immediately to the Private Security Section by a licensee who resigns, is terminated or has a license revoked or suspended.

C. Metropolitan License

1. The licensee shall not utilize any security license other than that issued by the St. Louis County Police Department or St. Louis Metropolitan Police Department **Private Security Section**.
2. The Metropolitan license is to be worn in plain sight over the left breast pocket of the outermost garment. The license must be displayed at all times.
3. In the event the Metropolitan license of a licensee is lost or stolen, the licensee must notify the Private Security Section, in person, and provide a written explanation immediately upon discovery of theft or loss. The licensee will report the incident to the appropriate police department where the loss or theft occurred. A copy of that report shall be forwarded within 15 days to the Private Security Section.
4. A security officer may wear civilian attire while performing security officer duties, but may not carry a firearm **or taser. The license must be in their possession noting their exempt status and authorization to carry approved protective devices.**
5. A licensee, while in the official discharge of his/her duties, is required to furnish all information on the Metropolitan license to any individual who may so request, including private citizens.

XIV. FIELD INSPECTIONS

- A. All licenses are subject to inspection by personnel from the St. Louis County Police Department, **St. Louis Metropolitan Police Department** and/or from the police department having jurisdiction over the particular area where a licensee is working.
- B. The purpose of this inspection is to ensure that the licensee is in compliance with the limits of his/her license and the provisions of this manual. This inspection will include a check of the following:
 - 1. The licensee has in his/her possession a valid Metropolitan license **issued by the Private Security Section**.
 - 2. The security officer or courier is wearing an approved uniform when carrying an exposed firearm **and protective device(s)**.
- C. Any deviation or disregard for these regulations will be reported by the inspecting police agency to the Private Security Section as soon as possible.
- D. During an inspection, if a licensee is arrested for any **city or state charge**, the agency making the arrest will seize the Metropolitan license from the licensee and forward same to the Private Security Section, with a copy of the report.
- E. Failure by any licensee to cooperate with any police agency in the inspection procedures will be reason for disciplinary action.

XV. USE OF FORCE

- A. General
 - 1. A licensed security officer or courier authorized to carry a firearm is permitted to carry an exposed firearm **and** protective device only when on duty **and when wearing an approved company uniform**. The security officer or courier may also carry an exposed weapon **and protective device** when traveling between the designated areas of his/her primary employer.
 - 2. In addition to their duty hours, while in uniform, a security officer or courier licensed by **the Private Security Section** is permitted to carry upon his/her person an exposed firearm **and protective device** while traveling in either direction between his/her place of residence and place of assignment by the most direct route. The security officer or courier must be in uniform and wearing the issued Metropolitan license.
- B. Authorized Firearms
 - 1. Only one approved double-action .38 special caliber revolver with a barrel length not less than four inches nor more than **five** inches or a semiautomatic pistol in either 9mm or .40 caliber double-action only may be carried on duty. All firearms used by security officers and couriers must be inspected by personnel approved by the Private Security coordinator **or supervisor** to ensure they meet the standards set **forth by this manual**.
 - 2. A security officer or courier must report the make, model, barrel length and serial number of the firearm that he/she will utilize while on duty. Inspection and approval of the firearm must be completed before the weapon can be registered with the Private Security **Section**. The information must be supplied to the Private Security **Section** on the date of the original or renewal firearms training class, to which the security officer or courier is assigned.

3. A security officer or courier may change duty weapons only after the new firearm is inspected. The aforementioned specifications of the firearm will then be supplied to the Private Security **Section**. The security officer or courier will then be required to qualify with the new weapon prior to carrying it on duty.
4. Firearms Qualifications - All security officers and couriers who are licensed to carry firearms will be required to qualify every six months. The Chief of Police **and/or St. Louis Metropolitan Police Commissioner** establishes the qualifications course of fire description.
5. Exception - The Chief of Police **and/or St. Louis Metropolitan Police Commissioner** may authorize armed, licensed couriers to carry 12 gauge shotguns in armored courier vehicles under the conditions approved by the Chief of Police **and/or St. Louis Metropolitan Police Commissioner** and found in this manual. **The Chief of Police or St. Louis Metropolitan Police Commissioner may authorize requests by companies for weapons not previously mentioned when justification of specific circumstances can be documented and approved training is provided.**

C. Protective Devices

1. Couriers and security officers can carry protective devices [**TASER[®] (Conducted Electrical Weapon)**, baton, or pepper spray] if authorized by the Private Security **Section** and **their** employer. **The** St. Louis County and Municipal Police Academy or **another** approved agency must certify security officers or couriers. **The** employer must also submit a letter giving authorization to carry each protective device.
2. **St. Louis County and Municipal Police Academy or an approved TASER instructor shall certify security officers or couriers using TASER[®] (CEW-Conducted Electrical Weapon). Prior to certification, the employer shall provide the Private Security Section with a letter giving authorization for the security officer or courier to carry a CEW. The type of CEW shall be limited to the brand and model currently being instructed by the St. Louis County and Municipal Police Academy.**
3. **Taser instructors must be preapproved by the Private Security Section before any certification is accepted.**
4. All couriers and security officers must be recertified on each protective device **every** five (5) years after initial training. **All couriers and security officers carrying a CEW must be recertified annually.**
5. **All armed couriers and security officers shall be certified in and shall carry at least one protective device other than their firearm.**
6. **No watchman, security officer, or courier engaged in the course of his or her duties shall be authorized to utilize a working dog, patrol or detection canine, without a letter of authorization issued from either the St. Louis County Police Department Chief of Police or the St. Louis Metropolitan Police Commissioner.**

D. Use of Deadly Force

1. A licensee may only use deadly force when:
 - a. He reasonably believes such deadly force is necessary to protect himself or another against death, serious physical injury.

- b. He reasonably believes such to be authorized under the circumstances and he is directed or authorized by a police officer to use deadly force; or
- c. He reasonably believes such use of deadly force is immediately necessary to affect the arrest of a person who at that time and in his presence:
 - 1) The suspect committed or attempted to commit a felony; and
 - 2) The crime involved the use or threatened use of deadly force; and
 - 3) There is a substantial risk that the fleeing suspect will cause death or serious physical injury if apprehension is delayed.
- d. If feasible, a verbal warning shall be given prior to the use of deadly force.

E. Procedures to be Followed when a Firearm is Discharged

Whenever a firearm is discharged, whether intentionally or by accident, the licensee must:

- 1. Immediately notify the police department of the jurisdiction in which the incident occurred to have a police report filed. A copy of the police report will be forwarded to the Private Security coordinator of the police department from which the license was issued; **and**
- 2. Notify the Private Security coordinator **or supervisor** within 24 hours of the incident; and
- 3. Forward an independent, personal written account of the facts and circumstances surrounding the incident to the Private Security coordinator **or supervisor** within twenty-four (24) hours.
- 4. **The licensing status may be restricted and/or suspended until it has been determined that no criminal charges are going to be filed and the licensee has been determined fit to return to duty by a Department approved Clinical Psychologist.**
- 5. **Clinical Psychologist fees and costs will be the responsibility of the officer or employing company.**

F. Safety Rules for Handling Firearms

- 1. All weapons should be handled with care and respect.
- 2. The weapon should be checked for ammunition each time it is handled.
- 3. The barrel and action must be cleared of obstruction before use.
- 4. The weapon must be kept in good working condition.
- 5. The weapon shall not be drawn or pointed at any person unless the situation justifies such action.
- 6. The weapon must be secured against access by children and other curious people when left unattended.
- 7. Ammunition carried on duty shall be new factory service ammunition; no reloads or wad cutter ammunition is permitted.

G. Firearms Restrictions

Security officers and couriers licensed to carry a firearm shall be forbidden to do so based upon an employer's request and/or upon restrictions imposed by the Private Security **Section**. This restriction shall be noted on his/her Metropolitan license.

H. Use of Non-deadly Force

1. Where deadly force is not authorized, licensees should assess the incident in order to determine which non-deadly technique will best de-escalate the incident and bring it under control in a safe manner. Only the appropriate amount of force necessary to bring an incident under control is authorized. In making an arrest, no more force shall be used than is reasonably necessary for the safe custody of the suspect or for overcoming any resistance that may be offered and for ensuring the delivery of the suspect into police custody. Licensees are not authorized to use chokeholds, neck restraints, shoulder pins or similar weaponless control techniques with a potential for serious injury.

2. Parameters for Use of Non-deadly Force

Licensees are authorized to use non-deadly force, including the use of approved less lethal weapons for resolution of incidents, as follows:

- a. **To protect themselves or another from physical harm; or**
- b. **To restrain or subdue a resistant individual; or**
- c. **To bring an unlawful situation safely and effectively under control on their designated area.**

I. Procedures to be Followed when Non-deadly Force is Used

Whenever any licensee uses non-deadly force, he/she must:

1. immediately notify the police department of the jurisdiction in which the incident occurred to have a police report filed. A copy of the police report will be forwarded to the Private Security coordinator **or supervisor**;
2. notify the Private Security coordinator **or supervisor** within 24 hours of the incident; and
3. forward an independent personal written account of the facts and circumstances surrounding the incident to the Private Security coordinator **or supervisor**.

XVI. DISCIPLINE AND DEPORTMENT

A. General

The Private Security coordinator **or supervisor** may reprimand a licensee or suspend or revoke the license as herein provided. In cases of suspension or revocation, the licensee shall immediately surrender his/her Metropolitan license to the Private Security Section.

B. Investigation/Notification

1. The Private Security coordinator **or supervisor** shall investigate all complaints against a licensee for the purpose of determining the most judicious method for handling disciplinary action if any is warranted in the investigation.
2. If a licensee is arrested, he/she must **notify** the Private Security coordinator **or supervisor** within twenty-four (24) hours of his/her arrest or if he/she has been taken into custody within twenty-four (24) hours from release of custody. If charges should arise from the arrest or if charges should otherwise arise against the licensee, the Private Security coordinator **or supervisor** may revoke the license of the licensee until such time as the matter is resolved.

C. Causes for Disciplinary Action

A licensee may be disciplined for the following reasons:

1. Neglect of duty; or
2. Conduct prejudicial to the good order, discipline or reputation of St. Louis **City or** County; or
3. **No longer meets minimum qualification of licensing due to recent criminal offenses;** or
4. Drinking intoxicating beverages or use of a narcotic drug without prescription while on duty or, if prescribed, so soon before going on duty or while on duty as to affect the performance of duty or at any time when in uniform; or
5. The failure or refusal to submit to any mandated drug screen; or
6. Assumption of any **licensed authority** when not on duty or not duly authorized by the regulations for the category of license; or
7. Overbearing, abusive or oppressive conduct in the discharge of duty; or
8. Any conduct constituting a breach of security or confidence; or
9. Interference with any commissioned police officer in the officer's line of duty; or
10. Wrongful or improper use of firearms or nonlethal weapons; or
11. Disobedience of a lawful order of a police officer; or
12. Knowingly making a false or misleading official statement concerning or when performing his/her duties; or
13. Committing **any criminal offense that is not defined under minimum qualifications while on duty may be subject to suspension and or revocation of license;** or
14. For violation of any regulation or rule found in this manual; or
15. Failure to promptly report any use of force as outlined in this manual.

XVII. REPRIMANDS, SUSPENSIONS AND REVOCATIONS (St. Louis County)

A. General

1. The Private Security coordinator shall institute disciplinary action as prescribed below only after a review of the facts of an alleged offense. In the event that any

disciplinary action is instituted, the Private Security coordinator shall notify, in writing, the licensee of the reasons for and the extent of disciplinary action. In all cases, the licensee's employer shall be notified.

2. In all cases where discipline is imposed, a written statement of the charges and action taken will be placed in the licensee's personnel file.

B. Reprimands

In cases of misconduct not sufficiently serious to merit suspension or revocation of a license, the licensee may be reprimanded in writing by the Private Security coordinator. Any violation of the provisions in this manual may be grounds for a written reprimand. Reprimands will be a factor considered upon the licensee's application for renewal of the license and upon consideration of any subsequent disciplinary action. There is no appeal to a reprimand.

C. Suspensions

1. The Private Security coordinator may suspend a license for any violation of provisions in this manual. Such suspension shall not exceed thirty (30) calendar days for any one offense or for any one calendar year. In cases of such suspension, the Private Security coordinator shall notify, in writing, the licensee of the duration and grounds for suspension. If the improper actions of a licensee would result in a suspension for more than thirty (30) days in any one calendar year, the Private Security coordinator may invoke revocation proceedings.
2. At the written request of a licensee, a nonadversary review will be arranged with the Private Security coordinator and the Commander of the Bureau of Central Police Records. The licensee will be given the opportunity to make statements on his own behalf.

D. Revocations

1. The Private Security coordinator may revoke a license for:
 - a. performing the duties of a licensee while under suspension;
 - b. any repetition of misconduct for which a suspension or a reprimand has previously been invoked;
 - c. any misconduct listed in this manual;
 - d. **charges pending against licensee involving any of the criminal offenses listed in the minimum qualifications.** However, if the licensee favorably resolves the charges wherein he/she is not convicted nor pleads guilty, **or entered a plea of nolo contendere**, the Private Security coordinator shall reinstate when licensee provides evidence of the disposition of the matter.
2. In the event of a revocation, the Private Security coordinator shall notify the licensee, in writing, of the reasons for the revocation and its effective date.

XVIII. APPEALS

A. Nonadversary Review

The right to a nonadversary review appeal will be restricted to a licensee who is suspended. In such cases of appeal, a written request from the licensee for review of the action will be made to the Private Security coordinator within ten (10) days of the effective date of the suspension.

1. Within fourteen (14) days of receipt of such requests, the Private Security coordinator and the Commander of the Bureau of Central Police Records will hold a review of the suspension, at which time the affected licensee and the Private Security coordinator may give their respective reasons why the disciplinary action should or should not be sustained.
2. As a nonadversary procedure, the licensee will neither be permitted to have legal counsel present during the hearing, nor shall there be the right of confrontation and cross-examination of adverse witnesses. No voice recordings of the proceeding shall be kept.
3. If the Commander of the Bureau of Central Police Records, after listening to the parties, doubts the justice of the disciplinary action, he may make further informal investigation and inquiries as deemed necessary. Immediately after hearing the parties (or if they make a further investigation, immediately upon completion of it), the Commander of the Bureau of Central Police Records shall affirm, disaffirm or modify the suspension and notify the parties in writing of his/her decision. The decision of the Commander, Bureau of Central Police Records, is final.

B. Adversary Hearing

1. A licensee shall have the right to an adversary hearing if his/her license is revoked as provided under Section XVII.D of this chapter.
2. Whenever a licensee is entitled to an adversary hearing, it shall be the duty of the Private Security coordinator to advise the licensee, in writing, via certified mail (return receipt requested), of the charges against him, the proposed discipline and of his right to an adversary appeal. Within fifteen (15) days of his receipt of this written communication, the licensee may request, in writing to the Private Security Advisory Committee, an adversary hearing to appeal the discipline. In the notification of his/her desire for an adversary appeal, the licensee shall state the reason for his appeal.
3. All requests for an adversary hearing of a revocation shall be directed to the Administrative Aide to the Chief of Police, St. Louis County Police Department, 7900 Forsyth Boulevard, St. Louis, Missouri 63105.
4. The procedure for an appeal shall be as follows:
 - a. Immediately upon receipt of a written notification of desire for an adversary appeal, it shall be the duty of the Chairman of the Private Security Advisory Committee to obtain a date for the hearing of the appeal. Before making its decision on an appeal, the committee shall hold a public hearing thereon. Appellant shall be notified immediately of the date and time selected for the appeal. In addition, notice of the hearing shall be published in one newspaper of general circulation in St. Louis County, not less than five (5) days prior to the hearing.
 - b. The adversary hearing shall be held before the committee. At the hearing, the licensee may be represented by counsel, shall have the right of confrontation and cross-examination of adverse witnesses, the right to produce witnesses and the right to present evidence in his/her own behalf. A voice recording of the proceedings shall be kept.
 - 1) A quorum of the Private Security Advisory Committee must be present at the time of the appeal unless the appellant waives this. If the appellant waives this, a written transcript of the hearing must be provided to the members of the Private Security Advisory Committee not present as soon as possible and not more than seven (7) work days after the hearing, not counting the

weekend and/or holidays. If a quorum of the committee is not present and the appellant does not waive his right to the presence of a quorum of the Private Security Advisory Committee, then a new hearing date shall be set for the next scheduled meeting of the Private Security Advisory Committee.

- 2) A majority of the Private Security Advisory Committee must rule under either situation.
- c. The committee may affirm, modify or rescind the action being appealed and shall do so within ten (10) calendar days of the hearing to any extent that in their judgment is equitable. The committee shall render a decision in writing, setting out the grounds for the decision. A copy of the decision shall be transmitted to the appellant or the appellant's counsel. The decision of the committee may be appealed in the manner provided by law.

XIX. REPRIMANDS, SUSPENSIONS AND REVOCATIONS (St. Louis City)

A. General

1. **The Private Security supervisor shall institute disciplinary action as prescribed below only after a review of the facts of an alleged offense. In the event that any disciplinary action is instituted, the Private Security supervisor shall notify, in writing, the licensee of the reasons for and the extent of disciplinary action. In all cases, the licensee's employer shall be notified.**
2. **In all cases where discipline is imposed, a written statement of the charges and action taken will be placed in the licensee's personnel file.**

B. Reprimands

In cases of misconduct not sufficiently serious to merit suspension or revocation of a license, the licensee may be reprimanded in writing by the Private Security supervisor. Any violation of the provisions in this manual may be grounds for a written reprimand. Reprimands will be a factor considered upon the licensee's application for renewal of the license and upon consideration of any subsequent disciplinary action. There is no appeal to a reprimand.

C. Suspensions

1. **The Private Security supervisor may suspend a license for any violation of provisions in this manual. Such suspension shall not exceed thirty (30) calendar days for any one offense or for any one calendar year. In cases of such suspension, the Private Security supervisor shall notify, in writing, the licensee of the duration and grounds for suspension. If the improper actions of a licensee would result in a suspension for more than thirty (30) days in any one calendar year, the Private Security coordinator may invoke revocation proceedings.**

D. Revocations

1. **The Private Security supervisor may revoke a license for:**
 - a. **performing the duties of a licensee while under suspension;**
 - b. **any repetition of misconduct for which a suspension or a reprimand has previously been invoked;**

- c. **any misconduct listed in this manual;**
 - d. **charges pending against licensee involving any of the criminal offenses listed in the minimum qualifications. However, if the licensee favorably resolves the charges wherein he/she is not convicted nor pleads guilty, the Private Security supervisor shall reinstate when licensee provides evidence of the disposition of the matter.**
- 2. In the event of a revocation, the Private Security supervisor shall notify the licensee, in writing, of the reasons for the revocation and its effective date.**

XX. APPEALS

- A. **In the event the license of a watchman, courier or security officer is suspended or revoked, the Private Security Section shall notify the licensee in writing of the action. This notice will be mailed to his/her last address of record. The licensee shall have ten (10) days from the date of mailing notice at his/her last address of record to request a review of the disciplinary action. The request shall be directed in writing to the Private Security Section Supervisor and shall state additional supporting facts in his/her defense.**
- B. **The Private Security Section Supervisor may meet with the licensee and discuss his/her request for review and/or shall conduct a further investigation of the disciplinary case.**
- C. **The Private Security Section Supervisor shall, within thirty (30) days of the appeal, submit the appeal in a report to the St. Louis Metropolitan Police Commissioner for final action.**
- D. **Judgements and decisions of the Police Commissioner concerning appeals in disciplinary matters are final. Upon the St. Louis Metropolitan Police Commissioner's ruling, the matter is permanently closed.**
- E. **The St. Louis Metropolitan Police Commissioner retains final authority in all disciplinary matters; including re-instruction, verbal reprimand, written reprimand, suspension and revocation.**
- F. **Individuals who resign while under investigation will not be considered for a license in the future.**

CHAPTER II

POLYGRAPH

EXAMINER LICENSE

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The Chief of the St. Louis County Police Department is authorized to license and regulate polygraph examiners in St. Louis County under the Charter of St. Louis County, Article IV, section 4.270, subsection 7. The following will constitute the rules and regulations applicable to the licensing or regulating of polygraph examiners and shall be considered a chapter of the Professional Licensing Manual.

I. DEFINITIONS

The following terms are defined below and may be used in conjunction with this chapter.

- A. Polygraph - any mechanical or electronic instrument or device, regardless of name or design, to be used to test or question an individual's truthfulness, that is capable of monitoring and recording at least the following **four** human physiological activities:
 - 1. Cardiovascular activity - to mean an ongoing monitoring and recording of pulse rate and blood pressure changes.
 - 2. Respiratory activity - to mean an ongoing monitoring and recording of rate and volume of breathing.
 - 3. Skin resistance response - to mean a monitoring and recording of the resistance of the skin on ohms to energy impulses.
 - 4. **Motion sensor – recording movement activity.**
- B. Polygraph examiner - any person who conducts interviews in St. Louis County in conjunction with the use of a polygraph, for the purpose of determining the truthfulness or falsity of statements or responses made by the person being interviewed.
- C. Polygraph examination - the questioning or interviewing of a person in conjunction with the use of a polygraph instrument.

II. LICENSING REQUIREMENTS

- A. The Chief of Police shall maintain a public register which shall include, but not be limited to, the following information for each licensed or intern polygraph examiner:
 - 1. Full name
 - 2. Date of birth
 - 3. Address of business
 - 4. Date of issuance and renewal of license
 - 5. Disclosure of any revocation or suspension of a polygraph license
- B. Each polygraph examiner licensed in accordance with this chapter of the Professional Licensing manual shall pay an initial and renewal charge as established by ordinance. **A two year license is optional upon payment of a supplementary yearly renewal charge.**
- C. The Chief shall not license any person as a polygraph examiner unless such person shall:
 - 1. have attained the age of 21 years;
 - 2. be a U.S. citizen;
 - 3. not be suffering from dependence upon alcoholic beverages, narcotics or dangerous drugs;

4. possess an undergraduate degree from a college or university accredited by the Regional Accreditation Board or have had a minimum of five years full-time investigative experience with a local, state or federal law enforcement agency;
 5. have graduated from or possess a certificate of completion or been trained through a course of study in basic polygraph training techniques and such course of study **which has been accredited by the American Polygraph Association;**
 6. have no felony conviction or misdemeanor conviction involving moral turpitude;
 7. present proof of having conducted a minimum of twenty (20) specific issue polygraph examinations within the twelve (12) months preceding his/her application. An individual who has complied with section II.C.5. but has not conducted a minimum of twenty (20) examinations may be registered as an intern and issued a temporary license for a period of time not to exceed twelve (12) months;
 8. **present proof of having successfully completed advanced training and certification in Post-Conviction Sex Offender Testing consistent with standards prescribed by the American Polygraph Association, if conducting said examinations.**
- D. An intern polygraph examiner who has received training as required in Section II.C.5 shall be permitted to administer examinations in order to complete the requirements in Section II.C.7 only under on-site supervision of a licensed polygraph examiner.
- E. The issuance of a polygraph examiner license shall not be construed as an endorsement by St. Louis County and any public advertisement **of such endorsement is prohibited.**
- F. No person shall perform a polygraph examination within St. Louis County unless in accordance with this manual.
- G. Active local, state, federal or contract government examiners are exempt from licensing whereas conducting polygraph examinations in the capacity of their official duties within St. Louis County.**

III. POLYGRAPH EXAMINATION PRACTICES

A polygraph examiner licensed in accordance with this chapter of the Professional Licensing Manual, to the extent possible is suggested to individually adhere to the standards of practice of the American Polygraph Association found in the By-Laws and Standards of Practice | American Polygraph Association. Nothing within this chapter of the Professional Licensing Manual shall require membership of the association.

A. PRE-TEST

1. The examinee shall be told he/she has the right to terminate the polygraph interview or examination at any time.
2. **The polygraph examiner shall make reasonable efforts to determine that the examinee is mentally and physically fit for testing.**
3. The polygraph examiner shall review with the examinee each test question word-for-word prior to the actual polygraph examination. The examinee shall be afforded the opportunity to qualify any answer to such question prior to the polygraph examination.

B. IN –TEST

1. Each polygraph examination shall be conducted in private.
2. No person other than a licensed polygraph examiner shall be physically present during the examination without written consent of the examinee and the approval of the examiner.
3. **A valid polygraph technique or format for which the examiner has received formal training in shall be used.**
4. All polygraph charts generated shall be appropriately marked with the tested person's name, the date, initials of the examiner, times indicating the starting and stopping of each test, question sequence and number, any movements or adjustments occurring during the recordings and appropriate sensitivity or pressure readings at the outset and conclusion of each test.
5. **An audio and video recording shall be made of all test phases and maintained as part of the examination file.**
6. No polygraph examiner shall ask any questions concerning the religious, political, union or sexual activities of the examinee unless such activities are directly under investigation or in the case of pre-employment examinations, such activity has a direct bearing on actual job performance.
7. No polygraph examiner may administer more than **five** polygraph examinations in any one calendar day.
8. Each polygraph instrument used by a polygraph examiner shall be **given a functionality or calibration test consistent with the manufacture recommendations**. A record showing this process shall be maintained at least **one** year.

C. POST –TEST

1. No polygraph examiner shall render a verbal or written opinion or report based on chart analysis without having administered a **completed examination within the testing technique or format protocols**.
2. No report of results of a polygraph examination shall be made by any examiner to any other person, without the written approval of the person who is the subject of the report.
3. A polygraph examiner shall report only examinee chart responses to the relevant questions used during the actual examination.
4. **Examiners subject to quality control shall utilize a review of their work product periodically.**
5. **All polygraph charts and related paper and documents along with audio and video recording will be retained for a period of two years.**

No polygraph examiner shall render a verbal or written opinion or report based on chart analysis without having administered at least two polygraph charts during which each relevant question is asked on each

chart. An exception is when testing is interrupted or terminated by the action of the person being examined.

IV. COMPLAINTS

Any person who believes that there has been a violation of this manual, which does not include interpretations of polygraph charts, in the conducting of a polygraph examination performed may, within thirty (30) days of the date of said examination, file a written complaint with the Private Security coordinator, setting forth the facts upon which such allegations are based.

The Private Security Coordinator may forward complaints and investigate any complaints in conjunction with any polygraph professional organization(s) a polygraph examiner licensed in accordance with this chapter of the Professional Licensing Manual may be a member of.

Upon final disposition of the complaint, the examiner shall have the right to receive all information related to the Private Security Coordinators investigation.

V. DISCIPLINARY ACTIONS

Licensed polygraph examiners, whether on or off duty, are subject to disciplinary action for violations of these rules by the Private Security coordinator. Offenses meriting disciplinary action shall include, but not be limited to, the following:

1. Conviction of a felony, **or misdemeanor involving moral turpitude.**
2. Intoxication or drinking on duty.
3. Possession or illegal use of narcotic or potent drugs (controlled substance).
4. Assumption of police authority when not on duty.
5. Conduct contrary to the public peace and welfare.
6. Interference with any police officer engaged in the performance of his/her duties.
7. Overbearing or oppressive conduct during the performance of his/her duties.
8. Failure to obey a reasonable order by an officer of the St. Louis County Police Department while the examiner is conducting official business.
9. Any conduct or actions which might jeopardize the reputation or integrity or the St. Louis County Police Department or its members.
10. Failure to carry a valid identification card issued by this Department while on duty.
11. Working as a polygraph examiner while under suspension.
12. Any conduct constituting a breach of security or confidence.
13. Neglect of duty.
14. Failure to notify the Private Security coordinator when and if arrested on any charge.
15. Failure to aid in prosecution.
16. Defacing or altering the identification card.

17. Carrying weapons and/or protective devices while on duty and performing polygraph examinations, **unless as consistent with regulation and law.**
18. Workplace harassment.
19. **Failure to report to the Private Security Coordinator direct knowledge of unlicensed examiners conducting polygraph examination within St. Louis County.**
20. **Failure to adhere to any provision in Chapter II of the Professional Licensing Manual.**

POLYGRAPH EXAMINER LICENSE APPLICATION

LAST NAME _____ FIRST NAME _____ MIDDLE INITIAL _____

DATE OF BIRTH _____ CURRENT LICENSE #, IF RENEWAL _____

DBA _____

BUSINESS ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

ARE YOU APPLING FOR A ONE (1) OR TWO (2) YEAR LICENSE _____

ORIGINAL APPLICATION COMPLETE SECTIONS: **A, B**

INTERN APPLICATION COMPLETE SECTIONS: **A, B, C**

RENEWAL APPLICATION COMPLETE SECTION: **D**

SECTION A

	YES	NO
Are you 21 years or older		
Are you a U.S. Citizen		
Do you have a dependence upon alcohol or illegal drugs		

SECTION B

	YES	NO	(record room use only)
Have you been convicted of a felony			
Have you been convicted of a misdemeanor involving moral turpitude			
Have you earned a undergraduate degree			
Do you have five (5) years of law enforcement experience			
Have you graduated from a APA accredited basic polygraph school			
Are you conducting PCSOT exams			
Have you obtained training and certification for conducting PCSOT			
Have you conducted a minimum of twenty (20) specific issue exams			

SECTION C

	YES	NO	(record room use only)
Are you under the supervision of an on-site polygraph examiner			

SECTION D

	YES	NO	(record room use only)
Has any data from your original application changed			
Have you starting conducting PCSOT exams since last application			
Have you obtained training and certification for conducting PCSOT			

I HEREBY CERTIFY THAT ALL STATEMENTS MADE ON OR IN CONNECTION WITH THIS APPLICATION ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

APPLICANT SIGNATURE

DATE