



KANSAS CITY, MO. POLICE DEPARTMENT

DATE OF ISSUE

EFFECTIVE DATE

NO.

**PROCEDURAL INSTRUCTION**

10-27-06

10-26-06

06-10

SUBJECT

Licensed Private Officers

AMENDS

REFERENCE

State Statute Arrests; Juvenile Apprehension Procedures; General Ordinance Summons and Municipal Warrant Booking Record; Legal Bulletin – Powers of Licensed Private Security, 84.720, RSMo, Title 17, Code of State Regulations, Division 10, Chapter 2

RESCINDS

Procedural Instruction 01-9

**I. PURPOSE**

\*A. Under the provisions of Section 84.720 of the Revised Statutes of Missouri, the Board of Police Commissioners of Kansas City, Missouri has the authority to regulate and license all private security personnel serving or acting as such within Kansas City, Missouri. The Board of Police Commissioners has established the Private Officers Licensing Section (P.O.L.S.) in order to carry out statutory duties.

“Those licensed to perform private security services have police powers limited to the property which they have been lawfully assigned to protect. With the exception of those licensed as airport police, those licensed under these provisions have no authority to enforce ordinances, statutes or rules on the public streets of city or at any location other than on the property they have been assigned to protect.” (Title 17, Code of State Regulations, 10-2.010(3))

B. This provides guidelines to assist officers when licensed private security/private investigator personnel effect an arrest and request police assistance.

C. This provides a reference source for officers concerning the regulation of private security/private investigator personnel.

**\*II. DEFINITIONS**

A. A Class A License holder has the authority to detain and is classified as one of the following:

1. Loss Prevention Agent - This position is unarmed and non-uniformed.
2. Patrol Agent - This position is armed or unarmed and in uniform.
3. Private Investigator – This position is armed or unarmed, non-uniformed.
4. Airport Police Officer - This is an armed, uniformed position, responsible for patrolling areas in and around the boundaries of the Kansas City International Airport and the Wheeler Downtown Airport.

5. Airport Traffic Control Officer - This is an unarmed, uniformed position, with authority only upon the streets within the boundaries of the Kansas City International Airport and the Wheeler Downtown Airport.
- B. A Class B License holder does not have the authority to detain and is classified as one of the following:
1. Guard - This position is unarmed and in uniform.
  2. Armed Courier - This position is armed and in uniform.
  3. Private Investigator - This position is armed or unarmed, non-uniformed.

### III. GUIDELINES

- \*A. Any individual wanting to obtain a Class A or B license must apply at the Private Officers Licensing Section. When approved, a license card will be issued bearing his/her name, date of birth, title, name of employer and the expiration date.
- \*1. The license card must be renewed every twelve months and is valid only through the expiration date shown on the card.
  2. The license card indicates the name of the company for which the license is held.
  3. If an individual is employed by more than one company in a private security/private investigator position, a separate license card for each employer is required.
- B. Firearms for Private Security/Private Investigator Personnel (relative to employment).
- \*1. No private security/private investigator personnel will carry a firearm if his/her license card is stamped "Not Qualified for Firearms," unless authorized by Missouri Law.
  - \*2. If the license card reads "Firearms Qualified," the type of weapon authorized will be shown on the card. The holder is authorized to carry a firearm only while **on-duty**. Firearms qualified private security/private investigator personnel will only carry a firearm when off-duty in accordance with the Missouri Law.

- \*3. While on-duty, private security/private investigator personnel will carry only the firearm last used to qualify and recorded with the Private Officers Licensing Section. Any firearm used while on-duty, either company owned or owned by the individual, must be registered with the Private Officers Licensing Section.

#### IV. PROCEDURE

- \*A. Private Security/Private Investigator personnel information is available from the A.L.E.R.T. computer system on all individuals who hold private security/private investigator personnel licenses.
  - \*1. When a party is checked for a license through the A.L.E.R.T. computer system and it indicates that the license is denied or revoked, the individual is to be treated as if no license exists.
  2. The A.L.E.R.T. computer system can be used to verify a private security/private investigator license if an individual claims that he/she has a license, but is unable to produce a valid license card.
- \*B. Reporting and Arresting Improperly Licensed Private Security/Private Investigator Personnel
  1. An individual can be reported for "Violation of Licensing Process" and arrested for violation of City Ordinance 50-43, False Impersonation, under the following conditions:
    - \*a. When an individual has been terminated by his/her employer or has been the subject of a revocation or suspension order issued by the Board of Police Commissioners, and is found to be in possession of license credentials.
    - b. When an individual is acting as private security/private investigator, and does not have the proper license.
  2. A Police Officer reporting and/or arresting an individual that has violated the regulations for private security/private investigator will:
    - a. Complete a Report Form, Form 100 P.D., entitled, "Violation of Licensing Process." The narrative of the report should include the name of the company employing the individual as private security/private investigator, an account of the circumstances surrounding the contact, and the description of the uniform being worn; and
    - b. Recover the individual's license card; and

- c. Forward a copy of the Report Form, Form 100 P.D., entitled, "Violation of Licensing Process," the recovered license card, and the A.L.E.R.T. entry printout to the Private Officers Licensing Section; and
  - d. If arrested, issue a General Ordinance Summons (G.O.S.) for violation of City Ordinance 50-43, False Impersonation.
3. If private security/private investigator personnel are arrested for any offense, a copy of each pertinent report will be forwarded to the Private Officers Licensing Section.

C. Arrests by Private Security/Private Investigator Personnel

1. A police officer may issue a G.O.S. to an arrested person upon complaint of private security/private investigator personnel. If a G.O.S. is issued, the police officer will:
  - a. Issue a subpoena for the court appearance to the private security officer/private investigator; and
  - b. Issue a subpoena to a witness, when deemed necessary, in accordance with current procedure; and
  - c. Complete any necessary reports and forward a copy to the Private Officers Licensing Section.
2. A Police Officer will not appear in court as a witness unless he/she deems the testimony is necessary to the case. A police officer appearing in Municipal Court on arrests affected by private security/private investigator personnel must be prepared to justify the court appearance.
3. When the conditions or charges require posting a bond, the police officer will be responsible for transporting the person arrested to the nearest patrol division or, if circumstances warrant, the Detention Unit. Fingerprinting and photographing procedures currently in effect will be followed.
4. When state charges have been filed on the person arrested, the police officer who processed the arrest will appear in state court at the prosecutor's discretion.
5. When the police officer believes there is not sufficient probable cause to justify an arrest for a city ordinance violation, the police officer will **not** issue a G.O.S. In this situation, the police officer will:

- a. Advise the private security officer/private investigator of the reason the G.O.S. was not issued. This advisory and any discussion, must occur outside of the observation and hearing of the detained person; and
  - b. Advise the private security officer/private investigator that he/she may pursue the matter with the city prosecutor if they still wish to file charges; and
  - c. Complete all necessary or appropriate reports on the incident or alleged offense and forward a copy to the Private Officers Licensing Section; and
  - d. Identify on the Daily Activity Log, Form 112 P.D., person(s) detained, but subsequently released, by name, numerical identifiers, and current address, if such is not provided in completed reports.
6. State statute arrests and juvenile apprehensions will be processed in accordance with current written directives.

James D. Corwin  
Chief of Police

Adopted by the Board of Police Commissioners this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

James B. Wilson  
President

**DISTRIBUTION:** Law Enforcement Personnel  
Civilian Supervisory Positions  
Department Element Manuals  
Post on all bulletin boards for two weeks.