



KANSAS CITY MISSOURI POLICE DEPARTMENT

**PROCEDURAL INSTRUCTION**

DATE OF ISSUE

03-23-2016

EFFECTIVE DATE

03-23-2016

NO.

16-01

SUBJECT

Licensed Private Officers

AMENDS

REFERENCE

RSMo 84.720; Title 17 CSR Division 10 Chapter 2  
LB 99-3

RESCINDS

PI 10-11

## 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 Unit (POLU) 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 the 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. Provide guidelines to assist officers when licensed private security/proprietary private investigator personnel effect an arrest and request police assistance.
- C. Provide a reference source for officers concerning the regulation of private security/proprietary private investigator personnel.

## II. TERMINOLOGY

- A. A **Class A License** holder has the authority to apprehend or 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. Proprietary Private Investigator - This position is armed or unarmed and non-uniformed. These persons are employed exclusively and regularly by one employer in connection with the affairs of that employer and where there exists an employer-employee relationship.

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 apprehend or 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. Proprietary Private Investigator - This position is armed or unarmed and non-uniformed. These persons are employed exclusively and regularly by one employer in connection with the affairs of that employer and where there is an employer-employee relationship.

### III. GUIDELINES

- A. Any individual wanting to obtain a Class A or B license must apply at the POLU. 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/proprietary private investigator position, a separate license card for each employer is required.
- B. Firearms for Private Security/Proprietary Private Investigator Personnel (relative to employment).
1. No private security/proprietary private investigator personnel will carry a firearm if his/her license card is stamped "Not Qualified for Firearms," unless authorized by Missouri law and not while working in private security capacity.
  - \*2. If the license card reads "Firearms Qualified," the type of weapon authorized will be shown on the card.

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

#### **IV. PROCEDURE**

- A. Private security/proprietary private investigator personnel information is available from the Records Management System (RMS) on all individuals who hold private security/proprietary private investigator personnel licenses.
  1. When a party is checked for a license through the RMS and it indicates that the license is denied or revoked, the individual is to be treated as if no license exists.
  2. The RMS can be used to verify a private security license if an individual claims that he/she has a license, but is unable to produce a valid license card.
- B. Officers who encounter security personnel during a call for service will check the security personnel's license.
  1. Include the security license number in the narrative of any report generated.
  2. When a report is not generated but an arrest is made, the security license number will be included on the summons and subpoena.
  3. Forward copies of any report(s), summons and subpoena(s) to POLU.
- C. Reporting and arresting improperly licensed private security/proprietary 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/proprietary 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/proprietary private investigator will:

- a. Complete the appropriate report. The narrative of the report should include the name of the company employing the individual as private security, an account of the circumstances surrounding the contact, and the description of the uniform being worn.
  - b. Recover the individual's license card.
  - c. Forward a copy of the report, the recovered license card, and the RMS entry printout to the POLU.
  - d. If arrested, issue a summons for violation of City Ordinance 50-43, False Impersonation.
3. If private security/proprietary private investigator personnel are arrested for any offense, a copy of each pertinent report will be forwarded to the POLU.
  4. The POLU Manager will be notified via email on any serious offense involving a private security officer/ proprietary private investigator.
- D. Arrests by private security/proprietary private investigator personnel
1. A police officer may issue a summons to an arrested person upon complaint of private security personnel. If a summons is issued, the police officer will:
    - a. Ensure the private officer/proprietary private investigator signs the summons.
    - b. Issue a subpoena for the court appearance to the private security officer/ proprietary private investigator.
    - c. Issue a subpoena to a witness, when deemed necessary, in accordance with current procedure.
    - d. Complete any necessary reports and forward a copy to the POLU.
  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 effected by private security/ proprietary 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 appropriate detention facility. 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 summons. In this situation, the police officer will:
  - a. Advise the private security officer/proprietary private investigator of the reason the summons was not issued. This advisory and any discussion, must occur outside of the observation and hearing of the detained person.
  - b. Advise the private security officer/proprietary private investigator that he/she may pursue the matter with the city prosecutor if they still wish to file charges.
  - c. Complete all necessary or appropriate reports on the incident or alleged offense.
  - d. Identify on the Daily Activity Log 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 the current written directive entitled, "Arrest Guidelines/Procedures" and "Juvenile Procedures."

Darryl Forté  
Chief of Police

Adopted by the Board of Police Commissioners this \_\_\_\_ day of \_\_\_\_\_ 2016.

Michael Rader  
Board President

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