

Private Protective Services

Title:	The Security Officer in North Carolina
Lesson Purpose:	To provide the security guard with a working knowledge of the requirements to become a security guard as set forth in Chapter 74C of the North Carolina General Statutes.
Training Objectives:	<p>At the end of this block of instruction, the student will be able to achieve the following objectives in accordance with the information received during the instructional period.</p> <ol style="list-style-type: none">1. List four functions of the security guard.2. List four items that must be provided to the Private Protective Services Board within 30 days of employment.3. List three minimum standards for registration as a security guard.
Hours:	1 (One)
Instructional Method:	Lecture
Training Aids:	Chalkboard/Dry Erase Board
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Date Prepared:	November 1999
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Date Revised:	May 2002
Revised by:	Tim A. Pressley Training Officer/Investigator North Carolina Department of Justice Private Protective Services
Date Revised:	August 2006

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Date Revised: August 2007

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Date Revised: August 2019

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I. Introduction

A. Opening Statement

In order to become a security guard in North Carolina, each applicant must meet minimum standards as set forth in Chapter 74C, the Private Protective Services Act, Title 14B, North Carolina Administrative Code. This section of the Administrative Code details the procedure for an applicant who seeks to become a security guard.

B. Training Objectives

C. Reasons

As with any profession, there are standards that must be met in order to be employed in that particular profession. Security guards are no exception. Standards are incorporated into the North Carolina Administrative Code which governs those minimum requirements for employment as well as defining requirements of the job.

II. Body

A. Private Security in North Carolina

The governing statute for private security in North Carolina is Chapter 74C, known as the Private Protective Services Act, Title 14B, North Carolina Administrative Code, Chapter 16. According to this section, “no private person, firm, association, or corporation shall engage in, perform any services as, or in any way represent or hold itself out as engaging in a private protective services profession or activity in this State without having first complied with the provisions of this Chapter.”ⁱ

B. Functions of the Security Guard and Patrol Profession in North Carolina

In North Carolina, “Security Guard and Patrol” refers to a “person, firm, association, or corporation that provides a security guard on a contractual basis for another person, firm, association, or corporation for a fee or other valuable consideration and performing one or more of the following functions:

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1. Prevention or detection of intrusion, entry, larceny, vandalism, abuse, fire, or trespass on private property;
2. Prevention, observation, or detection of any unauthorized activity on private property;
3. Protection of patrons and persons lawfully authorized to be on the premises of the person, firm, association, or corporation that entered into the contract for security services; or
4. Control, regulation, or direction of the flow or movement of the public, whether by vehicle or otherwise, only to the extent and for the time directly and specifically required to assure the protection of properties.”

C. Registration of security guards

A company is required to register employees within 30 days of employment according to regulations as set forth 74C-11. The employer must provide to the Private Protective Services Board the following:ⁱⁱ

1. “Set(s) of fingerprints on standard F.B.I. applicant cards; recent photograph(s) of acceptable quality for identification; and
2. Upload online a statement of the results of a statewide criminal history records search by the reporting service designated by the Board for each state where the applicant has resided within the preceding 48 months;
3. Each employer or his designee shall submit an online application for the registration of each employee to the Board. The applicant's copy of the application and completed affidavit form shall serve as a temporary registration card that shall be carried by the applicant when he or she is working within the scope of his or her employment and shall be exhibited upon the request of any law enforcement officer or authorized representative of the Board. The PPS Board will determine if the applicant meets the qualifications and criteria as set forth by the Board and then have the registration card sent to the applicant. The card is valid for one year and then must renewed.

If an individual is properly registered or licensed in another state as a security guard, that individual can be employed as an unarmed security guard in North Carolina for a period of up to ten days in any given month, provided the company notifies the PPS Board, and the Director approves it. The employer, however,

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must be a licensee in the State of North Carolina and that licensee cannot employ an individual as an unarmed security guard for a period exceeding 30 days in any calendar year without registering that employee, provided the Director is given quarterly reports.

The PPS Board must be notified of the termination or resignation of any employee registered as a security guard. This must take place within ten (10) days of departure.

Individuals who are sworn court officials or hold a company police commission under Chapter 74E of the General Statutes may not be issued a *license*. Law enforcement officers of the United States or of this state or any other state may not be issued a Private Investigator or Security Guard and Patrol license.

D. Minimum Standards for Registration as a security guard

The following are the minimum standards an individual must meet to be registered in North Carolina as a security guard.

1. Be at least 18 years of age;
2. Be a citizen of the United States or a Resident Alien, with a valid Resident Alien Identification Card.
3. Be of good moral character and temperate habits. Any of the following within the last five years will be considered evidence that the applicant does not have good moral character or habits:
 - a. Conviction by any local, state, Federal, or military court of any crime involving the illegal use, carrying, or possession of a firearm;
 - b. Conviction of any crime involving the illegal use, possession, sale, manufacture, distribution, or transportation of a controlled substance, drug, narcotic, or alcoholic beverage;
 - c. Conviction of a crime involving felonious (felony) assault or an act of violence;
 - d. Conviction of a crime involving unlawful breaking and /or entering, burglary, larceny, or any offense involving moral

turpitude;

- e. A history of addiction to alcohol or a narcotic drug;
- f. An applicant cannot have been declared incompetent, by any court having jurisdiction, by reason of mental disease or defect; or have been involuntarily committed to an institution for treatment of mental disease or defect by a District Court Judge. When an individual has been treated and found to have been restored by a psychiatrist, the PPS board will consider the evidence and decide whether the applicant meets the requirements for registration as a security guard in North Carolina;
- g. A prior revocation by the Private Protective Services Board.

The term “Conviction” implies either a plea of guilty, a verdict of guilty or a plea of “no contest.”

E. Revocation of a Registration

The North Carolina Private Protective Service Board “may delay, deny, suspend, or revoke a license, registration or permit issued under this Chapter if it is determined that the applicant, licensee, registrant, or permit holder has:

1. Made any false statement or given false information in connection with any application for a license, registration, or permit or for the renewal or reinstatement of a license, registration, or permit;
2. Violated any provision of this Chapter;
3. Violated any rule promulgated by the Board pursuant to the authority contained in this Chapter;
4. Impersonated or permitted or aided and abetted any other person to impersonate a law enforcement officer of the United States, this State, any other state, or any political subdivision of a state;
5. Engaged in or permitted any employee to engage in a private protective services profession when not lawfully in possession of a valid license issued under the provisions of this Chapter;

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6. Willfully failed or refused to render to a client service as agreed between the parties and for which compensation has been paid or tendered in accordance with the agreement of the parties;
7. Knowingly made any false report to the employer or client for whom information is being obtained;
8. Committed an unlawful breaking or entering, assault, battery, or kidnapping;
9. Undertaken to give legal advice or counsel, or to in any way falsely represent that he is representing any attorney, or he is appearing or will appear as an attorney in any legal proceeding;
10. Issued, delivered, or uttered any simulation of process of any nature which might lead a person or persons to believe that such simulation-written, printed, or typed- may be a summons, warrant, writ or court process, or any pleading in any court proceeding;
11. Violated the firearm provisions set forth in this Chapter;
12. Been judged incompetent by a court having jurisdiction under Chapter 35A or former Chapter 35 of the General Statutes or committed to a mental health facility for treatment of mental illness, as defined in G.S. 122C-3, by a court under G.S. 122C-271;
13. Been previously denied a license, registration, or permit under this Chapter or previously had a license, registration, or permit revoked for cause;
14. Fraudulently held himself out as employed by or licensed by the State Bureau of Investigation or any other governmental authority;
15. Divulged to any person, except as required by law, any information acquired by him or her except at the direction of the employer or client for whom the information was obtained. A licensee may divulge to any law enforcement officer or district attorney or his/her representative any information the law enforcement officer may require to investigate a criminal offense with the prior approval and consent of the client.
16. Intemperate habits or lacks good moral character.ⁱⁱⁱ

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F. Uniforms and Equipment

If a “military style” uniform is worn the following restrictions apply:

1. Badges and patches worn must be different from those worn by local law enforcement. They must be worn over the left breast pocket of the uniform and on all caps or hats.
2. Over the right breast pocket will be a tag or patch with the words “Security Guard” or “Security Officer.” Over that tag or patch must be a name tag.
3. These requirements may be satisfied by simply wearing the Private Protective Services Registration Card on the outer most garments, excluding foul weather gear.

If the guard does not wear “military style” uniforms, a tag with the words “Security Guard” or “Security Officer” must be worn unless this requirement is suspended by the Director of the Private Protective Services.

No one while engaged in Private Protective services may wear or display any badge, insignia, device, shield patch or pattern which would indicate that the individual wearing such a device is a sworn law enforcement officer. Nor can one wear anything that includes the word “police” or the equivalent thereof, or is similar in wording to any law enforcement agency in your area. Vehicles shall not display any wording such as “LAW ENFORCEMENT OFFICER, POLICE” or the equivalent thereof, or have any sign, shield, marking, accessory or insignia that may indicate such is a law enforcement agency vehicle.

G. Renewal

Each applicant for renewal of a registration identification card or his or her employer shall complete an online form on the website provided by the Board. This online form shall be submitted not fewer than 90 days prior to the expiration of the applicant's current registration.

III. Conclusion

A. Summary

During this block of instruction, the student has been introduced to the basic

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requirements to become a security guard. This includes minimum standards, items to be submitted for registration, uniform requirements, and revocation issues. Individuals seeking employment as security guards should be familiar with all the requirements as set forth by the Private Protective Services Board and the requirements of 74C

- B. Questions from Class
- C. Closing Statement

The individual seeking employment as a security guard in North Carolina must meet standards that have been decided and placed into law. These standards are an effort to promote professionalism in the industry and to hire individuals who will bring that professionalism into the industry.

NOTES

i. 74C

ii. 74C

iii. 74C