



Standardized Level One Security Guard Training

Approved by New Mexico Regulations and Licensing Department
and the Private Investigations Advisory Board

DRAFT



Standardized Level One Security Guard Training

Objectives

To understand the basic legal responsibilities, qualifications, restrictions, and liabilities of a Level One Security Guard, with inclusion of the following training: (1) use of force continuum, appropriate use of force, and de-escalation techniques; (2) power of detention and New Mexico laws relevant to citizen arrest such as appropriate search and seizure techniques, legal restrictions, and civil liability, including laws relevant to and concerning New Mexico trespass; (3) authoritative image and manner of communication with citizens and local law enforcement, with respect to jurisdiction and limits of authority, radio dispatch protocol, and other oral communication tools; (4) experience with the identification of evidence, securing the immediate area of security responsibility, and identifying participants and witnesses; and (5) employing a practical knowledge of professional communication, note-taking, and report writing.

Teaching methods

In-person instruction only: includes lectures with student notetaking, or other audio or video compilations, handouts, and tests.

Class Participation Overview

Interactive group discussion, demonstration of actions and procedures, student role playing, and simulation of events.

Curriculum of Level One Security Training Guard Evaluation and Training

All curriculum hours are based on the supposition of only one (1) security guard. All training sessions are designed to immerse candidates in the training process. The Level One Security Training Curriculum consists of the following three blocks:

- **Block 1 - Legal Evaluation and Training for Security Guards**
(Two classroom hours, two practical demo hours, and a one-hour in-class written test)
 - Instructor's class requirements and materials
 - Qualifications of the security guard in New Mexico
 - Background check of the security guard
 - Code of Ethics for the private security guard
 - Legal responsibilities of the security guard
 - Criminal law related to the security guard
 - Restrictions of a level one security guard
 - Liabilities of a level one security guard
 - Mental preparedness of a level one security guard
 - Appropriate use of force and de-escalation techniques (Practical – 1 hour)
 - Appropriate search and seizure techniques (Practical – 1 hour)
 - Review of legal restrictions and civil liability
 - New Mexico laws on trespass pursuant to Section 30-14-1 NMSA 1978



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- **Block 2 - Authority and Responsibility of the Security Guard**
(One classroom hour, one practical hour, and one written test)
 - Duties of a security guard
 - Professional Communication with Local Law Enforcement
 - Radio Dispatch Protocol and other Communication Tools
 - Uniforms, Image, and Appearance
 - Professional Communication and Chain of Command (view illustration.)
 - Note-Taking and Report Writing (Practical – 1 hour)
- **Block 3 - Incident Scene Management and Preservation**
(Two classroom hours and one written test)
 - Primary Concerns
 - Deposition and Courtroom Testimony
 - Definitions

BLOCK 1 - LEGAL EVALUATION AND TRAINING FOR SECURITY GUARDS

- **Instructor's Class Requirements and Materials**
Grading of Security Guard Candidates:
 - All written exams require a minimum grade of 80% to pass.
 - All practical exams are graded go/no-go (Pass/Fail) and comprise 10% of the total grade.
 - Cumulative grades for all end-of-course (EOC) and practical exams must be equal to or greater than 90%.
 - Should the student receive a no-go during the first attempt, the student will be allowed a second attempt.
- **Instructor's Note on Physical Fitness and "Release of Liability"**
 - Students are expected to have a sufficient level of physical fitness (i.e., flexibility, cardiovascular/pulmonary, and muscular endurance) to minimize the possibility of physical injury during the course.
 - Prior to any activity, students must complete a release of liability for all physical activities involved in the course.
 - Suggested Supporting Instructional Materials for Instructors
 - New Mexico Regulation and Licensing Department level one registration application
 - Student guide and notebook
 - Classroom furnishings and materials: tables, chairs, projector, laptop/desktop
 - Presentations, other audio/video compilations, and handouts
 - New Mexico private investigations rules:
Title 16 Chapter 48 Part 1- Part 8, and the Private Investigations Act, Sections 61-27B-1 through 61-27B-36 NMSA 1978.
 - Other New Mexico Statutes section 30-14-1 NMSA 1978, Criminal Trespass, etc.



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Legal Evaluation and Training for Security Guards (4 hours)

New Mexico Security Guard Qualifications:

Individuals seeking employment or employed as a level one security guard shall file an application for registration with the New Mexico Regulation and Licensing Department (RLD).

Applicants for registration as a level one security guard shall submit the following items:

Completed application with two (2) passport-type photos taken within previous six months, and

- Non-refundable registration fee, as defined in 16.48.5 NMAC.
- Achievement of a minimum passing score of 90 percent on the board-approved examination covering the Private Investigations Act and 16.48.1 through 16.48.8 NMAC.
- RLD release of information form.
- Proof of completion of RLD-approved training program, prior to first-time placement on a guard post as a level one security guard; such in-person training may be provided by:
 - A public educational institution in New Mexico or an educational institution licensed by an education department pursuant to the Post-Secondary Educational Institution Act (Section 21-23-1 NMSA 1978).
 - An in-house training program provided by a licensed private patrol company using a curriculum provided by RLD and taught by an instructor who has been reviewed and recommended by the Private Investigations Advisory Board and approved by the RLD.
 - Any other RLD approved educational institution using a curriculum approved by the RLD and taught by an instructor on the list of approved instructors provided by the RLD.

Background Check for a Security Guard

Pursuant to Section 61-27B-34 of the Private Investigations Act, all applicants for initial issuance of a level one security guard registration in New Mexico shall be required to be fingerprinted for federal criminal history background check.

- Renewal applicants must apply for and complete a New Mexico Department of Public Safety (DPS) background security check.
- All initial applicants for licensure or registration shall be fingerprinted electronically, as required by the Federal Bureau of Investigation (FBI), and submitted to the FBI for the purpose of conducting a criminal history investigation.
- Initial applicants will register online with the agent for DPS, at which time they will be assigned a registration number.
- Applicants will provide the assigned registration number to the fingerprinting technician upon arrival at the fingerprinting location.
- A designated fee determined by the DPS shall be paid by credit card at the time of registration or by cashier's check or money order at the fingerprinting location.
- Fingerprint results will be sent electronically to the RLD for initial applicants and via U. S. mail for a renewal applicant completing the DPS background check.



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Pledge for Private Security Guards

In recognition of the significant contribution of private security to crime prevention and reduction, as a private security guard, I pledge:

- To accept the responsibilities and fulfill the obligations of my role: protecting life and property; preventing and reducing crimes against my employer's business or other organizations and institutions to which I am assigned; upholding the law and respecting the constitutional rights of all persons.
- To conduct myself with honesty and integrity and to adhere to the highest moral principles in the performance of my security duties.
- To be faithful, diligent, and dependable in discharging my duties and to uphold at all times the laws, policies, and procedures that protect the rights of others.
- To observe the precepts of truth, accuracy, and prudence, without allowing personal feelings, prejudices, animosities, or friendships to influence my judgments.
- To report to my superiors, without hesitation, any violation of the law or of my employer's or client's regulations.
- To respect and protect the confidential and privileged information of my employer or client beyond the term of my employment, except where their interests are contrary to law or to this code of ethics.
- To cooperate with all recognized and responsible law enforcement and government agencies in matters within their jurisdiction. To accept no compensation, commission, gratuity, or other advantage without the knowledge and consent of my employer.
- To conduct myself at all times in a professional manner, and to perform my duties in a way that reflects well upon myself, my employer, and on private security.
- To strive continually to improve my performance by seeking training and educational opportunities that may better prepare me for my private security duties.

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**See 16.48.1.8 NMAC for the Code of Ethics and Creed of Conduct for Private Security Guards.**

### Legal Responsibilities of the Security Guard

All security guards must be familiar with the Federal Laws and Regulations (United States Code (USC) Title 18 – Crimes and Criminal Procedure):

- Title 18 covers Federal crimes punishment. Find an online version here:  
<https://www.gpo.gov/fdsys/pkg/USCODE-2011-title18/pdf/USCODE-2011->
- All security guards must follow the Code of Federal Regulations. The CFR is a codification of the general and permanent rules and regulations published by the executive agencies of the Federal Government of the United States. Find an online version here:  
<https://www.ecfr.gov/cgi-bin/ECFR?page=browse>



### **Criminal Law Important to the Security Guard**

Crime – an action or omission (failure to act), that constitutes an offense that may be prosecuted by the state and is punishable by law. A single crime can qualify as both a state crime and a federal crime.

- Intent, Motive, and an Act (Action) or Failure to Act are necessary elements of a crime:
  - Intent – the deliberate and willful resolve to execute an act.
  - Motive – the reason for the execution of an act.
  - Act – the deliberate execution of an action.
  - Failure to Act – the intentional omission or failure to perform a legally required action.
- Statutes – written laws passed by state or federal legislative bodies:
  - No act can be a federal crime unless it is prohibited by, and punished by, a federal statute (contained in the United States Code).
  - Federal court can assimilate the state criminal code as part of the federal code.
  - Assimilative Crimes Act (18 USC Section 13) – Violation of state law in an area of federal exclusive or concurrent jurisdiction can also be prosecutable in federal courts.
- Common law – also known as case law or precedent, laws develop through court decision in individual cases.
- Crimes are classified according to their seriousness:
  - Treason – Act of waging war on the United States, adhering to its enemies or giving them aid or comfort.
  - Felony – A violent or white-collar crime that is punishable by a sentence of one or more years in prison (e.g., murder, rape, or burglary).
  - Misdemeanor – A crime, less serious than a felony, that is punishable by a fine or six months to one year, typically in a city or county jail.
  - Petty Misdemeanor – A lesser crime, generally punishable by a fine or less than six months in prison.
- Arrestable Offenses are classified by category:

New Mexico State Statutes, Section 30-1-6, classifies and defines crimes into three categories.

- A. A crime is a felony** if it is so designated by law or if upon conviction thereof a sentence of death or of imprisonment for a term of one year or more is authorized.
- B. A crime is a misdemeanor** if it is so designated by law or if upon conviction thereof a sentence of imprisonment in excess of six months, but less than one year, is authorized.
- C. A crime is a petty misdemeanor** if it is so designated by law or if upon conviction thereof a sentence of imprisonment for six months or less is authorized.



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- Common Offenses:
  - Unauthorized use of drugs and alcohol are the most frequently occurring offenses:
    - Regulations regarding drugs and alcohol are often posted at facility entrances.
    - If discovered, follow your post orders for handling such situations.
  - Property Crimes – crimes that involve the theft, damage, or destruction of property.
  - Arson – willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, or the personal property of another.
  - Burglary – unlawful entry of a structure to commit a felony or theft. According to the FBI, forcible entry is not a requirement for a burglary, but may be a requirement per local laws.
    - Burglars range in age and experience.
    - Amateurs and juveniles may look for opportunistic targets or steal on the spur of the moment.
    - Professionals may plan and conduct surveillance.
  - Larceny – the unlawful taking, carrying, leading, or riding away of property from the possession of another.
  - Vandalism – the act of willful damage to property without the owner's permission.
  - Violent crimes: **The guard must always use EXTREME caution when responding, as serious offenses often involve weapons or threat of force.**
    - Assault – an unlawful attack by one person upon another.
      - ✓ Verbal threats constitute an assault.
      - ✓ Simple assault involves an act of verbal threatening or impugning one's character.
      - ✓ The victim must feel in danger of receiving an immediate battery.
    - Aggravated Assault – an unlawful attack for the purpose of inflicting bodily injury.
      - ✓ Must include the use of a deadly weapon, or by means likely to produce death or great bodily harm, or the use of any means to disguise one's identity, such as a mask or hood.
      - ✓ The most commonly reported crime.
    - Robbery – the act of taking, or attempting to take, anything of value from the care, custody, or control of a person by force, or the threat of force or violence, and/or by putting the victim in a state of fear.
      - ✓ Armed robbery occurs when a weapon is involved.
      - ✓ Primary responsibility of the guard is to: operate within post orders.
        - Protect persons and prevent damage or destruction of entrusted property.
        - Use minimum force – level of force allowed for level one is use of voice.
        - Observe and report to local law enforcement if incident is not preventable.
  - Call 911 immediately in the case of a serious offense, such as robbery, burglary, or assault with a deadly weapon.
  - Take appropriate action, per post orders, in situations involving **imminent danger** of injury or death, or destruction of property within the protected area of responsibility; then call 911.
  - Contact dispatch/supervisor once local law enforcement has been notified.





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- Remember that security guards are **not** sworn law enforcement officers.

### **Restrictions of a Level One Security Guard:**

A level one security guard:

- Is not armed.
- Is **not** a police officer, and acting as such is a felony.
- Should immediately clarify his/her status as a security guard, should members of the public mistake him/her as a law enforcement officer.
- Must carry/display the guard card issued by the RLD in the guard's name, with a definite expiration date at all times while performing duties as a security guard.
- May not perform any duties as a security guard with an expired license or registration until the license or registration has been renewed or reinstated.
- May not interfere with police officers on the scene, even on the private property of the employer or client.
  - The guard must cooperate with police officers.
  - Any interference may make the guard subject to arrest.
- A level one security guard is not authorized to carry any weapons or restraint devices; a level one security guard **cannot carry any of the following:**
  - Chemical agents;
  - Impact tools;
  - Electronic non-lethal devices (e.g., Tasers);
  - Restraint and control devices (e.g., handcuffs); or
  - Firearms: A concealed carry permit **does not** allow a level one security guard to carry on the job.

### **Liabilities of a Level One Security Guard**

Actions based on poor judgment can lead to legal problems for the guard and his/her employer.

- Criminal liability is the potential for punishment as a result of having violated criminal law.
- Crimes are generally defined in statutes of a state, or in ordinances of local cities or counties.
- All persons are expected to obey these laws.
- Anyone who violates a criminal law is subject to a fine and/or a term in jail or prison, depending on the type of crime.
- Some acts by security guards for which criminal liability is possible include:
  - Intimidation
  - Excessive use of force
  - Use of unauthorized deadly weapons.
  - Level one security guards are not authorized to carry any weapons or restraint devices.
- Civil liability is the responsibility for any personal actions or omissions that may result in the possibility of being sued.
  - Any negligence or wrongful act or omission committed by a guard may also result in a lawsuit against the employer.





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- An employer can be held responsible for the actions of a security guard because the guard is considered a representative of his/her employer.
  - See also Section 61-27B-23 NMSA 1978, Subsection D stating that a “private investigation company is liable for the conduct of the company’s employees, including the conduct of its private investigations manager.”
  - See also Section 61-27B-23 NMSA 1978, Subsection E stating that a “private patrol company is liable for the conduct of the company’s employees, including the conduct of its private patrol operations manager.”
  - Mental Preparedness
- Tactical Levels of Awareness:
- White: “Tuned Out,” unaware of surroundings.
  - Blue/Yellow: “Awareness,” paying attention to surroundings.
  - Orange: “Focused Awareness,” carefully observing a potential danger.
  - Red: “High Alert,” confirmed threat; action required.
  - Black: “Immobilized,” in shock; unable to function.
    - Maintaining Awareness:
    - It is extremely important for a security guard to train him/herself to maintain an elevated level of awareness while in uniform.
- Mental Conditioning and Preparation:
  - Playing the “what if” game includes
  - Imagining a hypothetical scenario based on surrounding environment.
  - Deciding how the guard would react in that scenario, while considering all options (e.g., comply, call for help, intervene).
  - Strengthening appropriate responses by imagining multiple similar scenarios.
  - Remembering that, in a confrontation, any individual will experience sensory due to the presence of adrenaline, and/or be agitated or afraid.
  - Deciding appropriate responses ahead of time will give the guard an advantage.
- “Visualization” of realistic possible life-threatening scenarios and appropriate responses, to include the following:
  - Identifying the threat
  - Attempting to avoid the threat
  - Controlling the encounter
  - Dealing with the threat, if necessary
  - Reacting to the subject’s response
  - Imagining the subject complies with your commands
  - Imagining the subject will challenge you
  - Imagining the subject will run away
  - Assuming a mindset of greeting the police
  - Assuming a mindset of reporting the events
  - Keeping a mindset: “I will maintain control and prevail in a life-threatening encounter.”
- “Key Points in Preparedness” for facing life-threatening scenarios and appropriate responses, to include the following:
  - Practice visualization.
  - Remember that the ultimate goal is de-escalation.
  - Avoid a physical confrontation.



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- Develop a strategy of escalating verbal responses, when necessary.
- Practice his/her contingency plans.
- Gain self-confidence by developing mental training and physical skills.
- Preparing for Confrontation
  - If a security guard is forced to defend him- or herself, he/she must
    - Act decisively.
    - Act confidently.
    - Act with the will to win.
  - The security guard is expected to
    - Be prepared through prior training and visualization.
    - Verbally control the encounter and stay out of arm's reach.
    - Use only that force which is necessary to control the subject and/or the situation.
    - Be aware of his/her surroundings.
- Psychological Reactions:
  - The guard may instinctively respond to an incident any number of ways.
  - There is no way to determine ahead of time what the reaction might be.

Five possible spontaneous responses:

  - ✓ Fight
  - ✓ Using whatever force reasonable to prevent harm.
  - ✓ Flight (retreat)
  - ✓ Brain is overwhelmed by a threatening situation.
  - ✓ Innate urge to flee in order to protect the body;
  - However,
  - ✓ It is not always possible to escape without injury.
  - ✓ Freeze
  - ✓ Guard is overtaken at being threatened or taken by surprise.
  - ✓ Guard becomes incapable of any action.
  - ✓ Inaction may only last a second or may last the entire encounter.
  - ✓ Posture (stance)
  - ✓ Combat without contact (e.g., verbal sparring, body language).
  - ✓ Animal examples: pacing, using hand gestures, puffing up, towering over another person.
  - ✓ Submit (give up)
  - ✓ The FBI's annual Uniform Crime Reports support the contention that submitting to an assailant is more dangerous for the victim than fighting back.
- Physiological Reactions:
  - Adrenaline rush
  - Boost of energy
  - Increased strength
  - Heightened senses
  - Absence of pain
  - Sensory distortion
  - After the confrontation, excess adrenaline may cause uncontrollable shaking.
- Loss of fine motor skills may be lost in a stressful situation.
  - Loss of precise manipulations may occur.



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- Guard must train using gross motor skills (using major muscle groups).
- Tunnel vision
  - Focus remains on immediate threat.
- Guard must continue to assess the area in search of additional threats.
  - Auditory exclusion
    - Guard may not hear sounds from outside, or even inside, his/her visual perception.
    - Guard may find it important to shout commands.
  - Time distortion
    - Time may seem to slow down—move in slow motion due to distorted senses.
    - Things may seem to move in slow motion, due to distorted senses.
  - Training for stress
    - Learning to perform under stress is crucial to prevailing in defensive encounters.
    - Tueller Drill – “21-Foot Rule”:
      - ✓ Primarily used as self-defense exercise to prepare against knife attack when armed with a holstered handgun.
      - ✓ Highlights the fact that an attacker can cover 21-foot distance in 1.5 seconds.
        - <http://www.youtube.com/watch?v=jwHYRBNc9r8>
        - [http://www.theppsc.org/Staff\\_Views/Tueller/How.Close.htm](http://www.theppsc.org/Staff_Views/Tueller/How.Close.htm)
- **Emotional Aftermath**
  - Stages of emotion: A guard may experience any of the following after an encounter:
    - Elation – a feeling of having prevailed.
    - Revulsion – a feeling of nausea and/or loss of consciousness.
    - Remorse – particularly experienced in a violent confrontation that results in a serious injury to another.
    - Self-doubt – questioning one’s own decision-making.
    - Acceptance – an understanding of the necessity of the actions that were taken.
    - Post-traumatic stress – a psychiatric condition triggered by a traumatic event.
      - ✓ Causes symptoms such as flashbacks, nightmares, anxiety and uncontrollable thoughts about the event.
      - ✓ Does not always manifest after a traumatic event.
  - Self-reinforcement – In the event a guard is forced to exercise self-defense, it is important for him/her to remember:
    - The guard is a good and moral person.
    - The subject chose a lifestyle and/or sequence of events that led to the encounter.
    - The guard was morally justified in protecting him/herself and others.
    - The guard may have saved lives of others by stopping the subject from future victims.
  - Should the guard experience any negative reactions to an event, he or she should seek counseling.
- **Legal Aftermath**
  - The guard is always accountable for his/her thoughts, words, and actions.
  - The guard must avoid making boastful hypothetical remarks in day-to-day conversations regarding actions he/she might take when confronted with a criminal.



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- Such comments may surface during a follow-up investigation and may reflect poorly on the security guard, the employer, and the industry.
- The guard may be exposed to civil or criminal action as a result of his/her actions or omissions.
- Shootings are criminally investigated as homicides.
  - ✓ The guard must be able to explain his/her thinking, words, and actions if called on to do so in a court of law.
  - ✓ The guard's speech or action could subject him/her to criminal prosecution.
  - ✓ A guard involved in a self-defense incident is entitled to have an attorney present if being questioned by the police.

### Appropriate Use of Force and De-Escalation Techniques (1-Hour Practical)

**Exercise: Scenario #1** – You are guarding a building to include the parking lot. You see a car with two people in it drinking. Your post orders tell you that there is no alcohol allowed on the grounds. How do you handle the situation? **Instructor:** No matter how your students present themselves, you will become hostile; do not listen to anything they say. Provoke the student into grabbing you.

### Appropriate Use of Force

- A security guard is expected to follow the employer's use of force policies and procedures as well as industry standards:
  - A security guard is required to use the "minimum level of force" necessary.
    - "Good talkers" can handle virtually any kind of situation without putting themselves or others in physical danger.
    - "Paralanguage," describes the messages we send through tone of voice, pitch, and inflection; phrasing can effect (cause) a compliance.
  - A security guard is not to use "excessive force."
    - Excessive force is a force greater than is reasonably necessary to stop or control the action).
      - ✓ Example: using physical force to detain a subject who is leaving the scene of a minor confrontation.
    - A "disparity of force" occurs when the security guard is at a disadvantage by size, gender, a weapon, or number of opponents and his/her safety, so that the safety of others, is at risk. The guard should change tactics in order to return the advantage back in his/her own favor.
      - ✓ Example: calling 911 for backup.
  - Knowledge and skill affect the ability of a security guard to make critical decisions about proper force utilization and control, an important aspect of security guard training.
- Handling a potentially violent episode requires training and practice. The security guard must:
  - Stay calm and be patient.
    - Use a slow and cautious, but respectful and professional approach.
    - Be willing to allow a potentially violent subject the opportunity to calm down.
  - Practice "active listening," giving the individual full attention and focus, while striving to understand the subject's problem.
    - Active listening eases the situation:
      - ✓ Indicates involvement and concern.



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- ✓ Increases communication, trust, and cooperation.
- ✓ Promotes receptivity to the security guard's directions.
- Maintain a professional demeanor and tone, while calmly deflecting personal insults.
  - Allowing nonviolent verbal venting uses up the subject's energy and adrenaline.
- Avoid making threats that he/she is unable to carry out (e.g., threats of arrest).
- Practice being assertive and nonviolent with citizens while on patrol.
  - guards well-versed in "verbal de-escalation" and "conflict resolution" techniques will be more effective in avoiding a potentially violent outcome. (See below.)
- Verbal De-escalation is used to pacify a subject, making discussion possible. A guard must:
  - Appear calm, centered, and self-assured.
  - Maintain relaxed facial muscles. (Apparent anxiety in a guard may make the subject feel anxious and unsafe, which can escalate aggression.)
  - Speak in a controlled voice and low tone regardless of the subject's tone.
  - Explain limits and rules in an authoritative but respectful tone.
  - Respond selectively:
    - Answer all informational questions regardless of how they are asked.
    - Ignore abusive statements.
  - Explain consequences of inappropriate behavior without threats or anger.  
choices where possible, providing all alternatives are safe ones.
    - Provide choices where possible, providing all alternatives are safe one.
    - Empathize with the subject's feelings without condoning their behavior.
  - Avoid becoming defensive, argumentative, or judgmental.
  - Avoid anger, sarcasm, or ridicule.
  - Modulate pace of speech and tone of voice if beginning to feel agitated.
- When verbal De-escalation does not work, other methods may be used. A Guard may:
  - Change the subject of discussion to a more neutral topic – one that is related to the initial topic of discussion but is less emotionally charged.
  - Empower the subject by providing choices.
  - Utilize non-verbal cues and body language appropriate for the situation:
    - With an aggressive subject:
      - Project a firm position.
      - Adopt a commanding stance.
      - Decrease personal space to maintain control.
      - Move slowly and confidently.
      - Make steady, but not challenging, eye contact.
    - With a frightened aggressive subject:
      - Speak in a reassuring tone.
      - Adopt a relaxed stance or sit down.
      - Stand back a few paces.
      - Do not maintain steady eye contact: focus on notetaking.
  - When verbal De-escalation does not work, other methods may be used. A Guard may:
    - Stop and tell the subject to leave.
    - Escort the subject to the door.
    - Dial 911.
    - The guard must not abandon his/her post to call for help.



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- The goal of any interaction is to increase the flow of communication and gain cooperation.
  - The security guard must remain respectful, despite the situation, and even when firmly setting limits.
  - Verbal de-escalation skills run counter to normal human reaction in stressful interaction, therefore these techniques must be practiced so that they may become “second nature.”
  - Citizens do not have to demand respect in order to be afforded respect.
    - Always help the subject see a different way out of the situation. This will assist the subject to gain “buy-in” for the decision.

### **Additional Memory Tools**

- D.E.F.U.S.E.
- **Depersonalize**
- **Encourage** individual to vent emotions
- **Find out the facts:** who, what, where, when, how
- **Understand** feelings
- **Suggest solutions:** help subject / provide aid
- **End on a positive note**
  - R.A.P.P.
- **Recognize:** know or identify from past experiences
- **Awareness:** assess and anticipate action
- **Position:** maintain advantageous place or location
- **Pacify:** ease the anger or agitation

### ➤ **Keys to Physical Bearing in an Encounter**

The security guard must be aware of Kinesics and Proxemics (defined at bottom of page) and:

- **Never** turn his/her back for any reason on an individual.
- Remain at eye level with the individual.
- Encourage the individual to be seated; however, stand if the individual stands.
- Modulate physical space between the guard and the individual, based on the situation:
  - Less space (two arm’s lengths) with angry/aggressive individuals to establish and maintain control.
  - More space for frustrated/agitated individuals who need room to vent.
- Never stand full front to the individual, but at an angle (interview stance) for room to sidestep away if necessary.
- Never point or shake a finger at the individual.
- Remember that smiling can be misconstrued as mockery or anxiety.
- Never touch the individual, as it could be misinterpreted as hostile or threatening.
  - Keep hands out of pockets: up and available for protection, but also to demonstrate a non-verbal ally with the individual – i.e., suggesting guard has no concealed weapon.
  - Be aware of the message that the guard’s body language communicates, as it can contradict the guard’s verbal language.
- **Kinesics:** the study of postures, gestures, and facial expressions, as a means of communication.
  - Closed body language (e.g., arms crossed) communicates defensiveness and feeling threatened.
  - Open body language (e.g., arms at side or hands open) communicates relaxation and acceptance.
- **Proxemics:** The science of personal and social space.



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- Individuals intuitively adjust space between themselves and others, based on comfort level.
  - Intimate space – physical contact to about 18 inches
  - Personal space – 18 inches to about 4 feet
  - Social space – 4 feet to 12 feet
    - ✓ The range most strangers feel comfortable interacting within.
  - Public space – beyond 12 feet
- Security guards who learn to manipulate interpersonal space will be more effective in dealing with citizens on their post.
- Proxemics is a skill that can be learned and refined with practice.

**Exercise: Scenario #2** – You are guarding a building and its parking lot. You see a car with two people in it drinking. Your post orders tell you that there is no alcohol allowed on the grounds. How do you handle the situation? **Instructor:** No matter how your students present themselves you will become hostile; do not listen to anything they say. Make sure each student uses the assigned de-escalation techniques.





## Standardized Level One Security Guard Training

- **Appropriate Search and Seizure (1-Hour Practical)**
- Fourth Amendment  
4th Amendment: Protection from unreasonable searches and seizures. This is currently the primary standard applied in the review of a law enforcement officer's use of force. *Graham v. Conner* is the United States Supreme Court case that set this standard in 1989. It is viewed from the perspective of the reasonable officer and not with 20/20 hindsight. **Instructor:** Discuss details under case law section.
- Search – seeking carefully and thoroughly for something that may be hidden from view.  
Seizure – taking something forcibly from the owner (including freedom of movement).
  - There can be a search that does not end in seizure, and a seizure without a search.
    - Example – items in plain view outside or inside a building to which a guard has been assigned may be lawfully seized because no search is necessary.
    - Plain View Doctrine—Supreme Court: “It has long been settled that objects falling in plain view of a police officer who has a right to be in the position to have the view are subject to seizure and may be introduced as evidence.”
- A security guard should **never** conduct a search or seize items without being specifically authorized to do so (i.e., via orders from law enforcement or within post orders).
  - No search is necessary when items are:
    - Discovered by accident.
    - Shown voluntarily by the suspect.
    - Found while conducting inventory of a suspect's property after his/her arrest by a police officer or in accordance with post orders.
    - Found while the items are properly impounded in the custody of police.
    - Picked up after being discarded/abandoned by the suspect.
- A security guard **may not** stop any passers-by, even one near the scene of a crime or one with a criminal record (NO police authority to do so).
- Without specific authorization (i.e., post orders), search and seizure will be conducted **only** by sworn law enforcement officers.
- If a security guard has reason to believe that a search or seizure is necessary, the guard must **immediately** contact a supervisor to report the situation before proceeding.
  - Law enforcement officers will be dispatched.
  - The level one security guard's job is to observe and report when police arrive.

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## Standardized Level One Security Guard Training

- **Legal Restrictions and Civil Liability Overview**

- Over the past 20 years, the proliferation of civil rights lawsuits has created a great deal of anxiety and concern among security guards.
- This has created a need for intensive and practical training and education in all areas of security from knowledge of fundamental rights to firearms and less lethal training.
- The best way to understand current civil rights and civil liability issues is through a **practical overview of the history of citizen litigation against law enforcement officers.**
  - After the end of the Civil War, Congress passed several constitutional amendments designed specifically that required states to apply laws uniformly for all citizens, Rights namely the 13<sup>th</sup>, 14<sup>th</sup>, and 15<sup>th</sup> Amendments. Among these, equal protection for freed slaves was the foremost goal.
  - In order to enforce the new constitutional provisions, legislation was enacted to carry the force of law. The result was the Federal Civil Act of 1871 – 42 U.S.C. Section 1983:  
“Every person who, under color of any statute, ordinance, regulation, custom or usage of any State or territory, subjects or causes to be subjected, any citizen of the United States or other persons within the jurisdiction thereof to the deprivation of any rights, privileges or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity or other proper proceeding for redress.”
  - The purpose of Section 1983 was to make civil remedies available to citizens who sustained injuries at the hands of agents of state or local government. The Act does not apply to Federal officials.
  - Originally, the Act was directed at Ku Klux Klan activities that rose to the level of terrorism after the Civil War. Section 1983 enabled the Federal Government to act against oppressive state actions.
  - For nearly a century, Section 1983 was rarely used against law enforcement officers because of an original specific intent requirement.
  - In 1961, the United States Supreme Court decided *Monroe v. Pape* which did away with the specific intent (to deprive someone of his/her civil rights) requirement. The case concerned plaintiff Monroe who was held in custody for questioning for ten hours after Chicago police officers entered his apartment, at night, without a warrant. He was never charged. The Supreme Court held in favor of Monroe who received \$13,000.00 in damages as a result of an unlawful search, a violation of his fourth amendment rights.
  - Monroe opened the door for federal litigation for anyone who alleged the denial of a right of constitutional magnitude by a state or local official including a law enforcement officer. Of course, today the Act may be enforced in state as well as in federal court.



## Standardized Level One Security Guard Training

- Civil Liability

The potential responsibility for payment of damages or other court enforcement in a lawsuit, as distinguished from criminal liability, which means open to punishment for a crime.

- Use of Force

- Brutality or excessive force complaints are the basis for many of the lawsuits filed against security guards. Usually, these allegations follow a detention.
- Additionally, if a security guard demonstrates the specific intent to deprive a person of their civil rights, an excessive force complaint can result in a criminal prosecution.
- The legal ramifications for excessive use of force can be civil and/or criminal assault and battery charges.

- Security guards may be liable for torts involving excessive force when they:

- Continue to use force against a suspect after resistance has ended, either with hands or with an impact weapon.
- Threaten a suspect with bodily harm.
- Use force to cause an unnecessary injury.
- Use torture or terror techniques – either physical or psychological, or both.
- The standard is as follows:
  - Officers are expected to apply only the force reasonable to resolve a given situation; when resistance stops, force should stop.
  - Officers may become liable for intentional torts such as assault, battery, false imprisonment, etc., when they use excessive force. It is important to remember that these torts carry punitive damages.
  - Therefore, not only may an officer be liable for a classic tort; he/she may also end up in federal tort claims court on an allegation of a violation of 4th or 14th amendments.
- When deadly force is used, the estate of the deceased person may sue for either a deprivation of the deceased's right to life, liberty, or property – or for wrongful death.
- Whether the death is caused by an intentional act or a negligent act on the part of the law enforcement officer, it is considered a deadly force issue.

Any use of deadly force in New Mexico must be justified both constitutionally and statutorily. New Mexico follows *Tennessee v. Garner*, which holds that an officer must have probable cause to believe either he/she or another is in imminent danger of death or serious bodily harm. Essentially, then, the use of deadly force is to be viewed as a last resort.

- Intentional use of deadly force may result from self-defense or defense of others.
- The security guard may be subjected to review by the agency, possible prosecution by the District Attorney and potential civil liability.
- All security guards must learn their agency's deadly force policy and comply with it in order to protect themselves.

- Method of "frisk" searching:

- ✓ A frisk is a quick pat down for concealed weapons.
- ✓ A frisk differs from the complete search made subsequent to an arrest.
- ✓ To frisk a subject, the security guard should:
- ✓ Follow company policy for gender searches.
- ✓ Stand behind the suspect.
- ✓ Run his/her hands over the outside of the subject's clothing.
- ✓ Pat areas where a weapon might be concealed.
- ✓ Remove anything that feels like a weapon.
- ✓ CAUTION – The security guard must **not** remove any article that does not feel like a weapon.



## Standardized Level One Security Guard Training

- **IMPORTANT** – A security guard must:
  - ✓ Always use discretion when touching a subject and refer to company policy for gender frisk.
  - ✓ **STAY ALERT!** Do not relax after a frisk or take his/her eyes off the subject, who may still have a hidden weapon.
  - ✓ Perform the frisk quickly; if possible, with another security guard standing by.
- The security guard should practice the frisk on a partner by having him/her conceal a small object.
- During a frisk, the security guard may also discover illegal items or contraband. The most common type of contraband is narcotics. If contraband is discovered while frisking for concealed weapons, the security guard must leave it alone and tell the police when they arrive.
- The security guard must refer to post orders for specific instructions regarding frisking.

- **Inspections**

The employer may enlist a security guard's assistance in conducting inspections of employees. This is not a search. It must be conducted in compliance with post orders.

- The security guard must always make sure the employer has notified employees first.
- Such inspections are often conducted at the end of the workday and involve looking into employees' cars, lunch pails, purses, or tote bags to make sure unauthorized items are not being taken off the premises.
  - An inspection is always conducted with the employee's cooperation.
  - The security guard must:
    - ✓ Ask the employee to open up the car, lunch pail, purse, or bag.
    - ✓ Request the employee move any items that obstruct clear view of the contents.
    - ✓ Politely refuse if the employee attempts to hand you any items.
    - ✓ **Never touch the employee or handle the employee's property.**
    - ✓ Understand company policy regarding inspections.
- If an employee does not cooperate, the security guard must record:
  - ✓ Date, time, and location of inspection
  - ✓ Name of employee
  - ✓ Physical description of employee
  - ✓ Employee badge ID number
  - ✓ License plate number of any vehicles involved in the inspection.
  - ✓ The security guard must then make a full report in writing to the employer.

- **New Mexico Laws on Trespass Pursuant to the Act, Section 30-14-1 NMSA 1978**

- **Criminal Trespass** – knowingly entering or remaining upon posted private property without possessing written permission from the owner or person in control of the land.
- Criminal trespass also consists of knowingly entering or remaining upon the unposted lands of another, knowing that such consent to enter or remain is denied or withdrawn by the owner or occupant thereof. Notice of no consent to enter shall be deemed sufficient notice to the public and evidence to the courts, by the posting of the property at all vehicular access entryways.
- Criminal trespass also consists of knowingly entering or remaining upon lands owned, operated, or controlled by the state or any of its political subdivisions, knowing that consent to enter or remain is denied or withdrawn by the custodian thereof.



## Standardized Level One Security Guard Training

- Any person who enters upon the lands of another without prior permission and injures, damages, or destroys any part of the realty or its improvements, including buildings, structures, trees, shrubs, or other natural features, is guilty of a misdemeanor, and he/she shall be liable to the owner, lessee or person in lawful possession for civil damages in an amount equal to double the value of the damage to the property injured or destroyed.
- Whoever commits criminal trespass is guilty of a misdemeanor. Additionally, any person who violates the provisions of Subsection A, B, or C of this section, when in connection with hunting, fishing or trapping activity, shall have his hunting or fishing license revoked by the state game commission for a period of not less than three years, pursuant to the provisions of Section 17-3-34 NMSA 1978.
- Whoever knowingly removes, tampers, with or destroys any "no trespass" sign is guilty of a petty misdemeanor; except when the damage to the sign amounts to more than one thousand dollars (\$1,000), he or she is guilty of a misdemeanor and shall be subject to imprisonment in the county jail for a definite term less than one year, or a fine not more than one thousand dollars (\$1,000), or to both such imprisonment and fine in the discretion of the judge.
- Section 30-14-6 NMSA 1978, No Trespassing Notice
  - Notices posted shall prohibit all persons from trespassing or entering upon property, without permission of the owner, lessee, person in lawful possession, or his agent.
  - Notices shall (per New Mexico Statute):
    - be printed legibly in English;
    - be at least 144 sq. inches in size;
    - contain the name and address of person under whose authority the property is posted or name and address of person who is authorized to grant permission to enter the property;
    - Be placed at each roadway or apparent way of access onto the property, in addition to the posting of the boundaries; and,
  - Where applicable, state any specific prohibition that the posting is directed against, such as "no trespassing," "no hunting," "no fishing," "no digging" or any other specific prohibition.

**Exercise: Scenario #3** – Utilize tools such as real-life scenario experiences, video of police scenes to analyze, question/answer, time, etc., to encourage group discussion and interaction.

Examples of police scene video analysis:

What did the police officer do correctly?

What did the police officer do incorrectly?

Did the police officer de-escalate the situation?



### ○ **BLOCK 2 – Authority and Responsibility of the Security Guard (2 hours)**

#### **Duties of a Security Guard**

- Detect, deter, observe, and report (same for levels one, two, and three)
- The primary duty of a security guard is prevention and deterrence of crime by:
  - Enforcing company rules;
  - Taking action to protect people, property, and assets:
    - Level one – observes and reports.
    - Level two – can detain with handcuffs, use tools for self-defense.
    - Level three – can detain and has ability to use firearm for self-defense.
    - Maintaining a high visibility presence to deter illegal and inappropriate action.
- Watching for signs of a crime or possible threat through:
  - Patrolling – a large part of a guard's duties;
  - Direct observation,
  - Watching alarm systems,
  - Watching video cameras;
  - Performing access control of a building and vehicle gates through:
    - Identification.
- Assisting with minor emergencies:
  - e.g., Lost persons, lockouts, dead vehicle batteries, etc.
- Ensuring that employees and visitors display proper passes; assisting with emergencies:
  - Guiding emergency responders to scene;
  - Redirecting foot traffic; and
  - Documenting events, as needed.
- Reporting incidents to client and emergency services, as appropriate.
- Testifying in court, when necessary.
- The security guard is trained to:
  - Operate emergency equipment;
  - Take accurate notes;
  - Write detailed reports; and
  - Perform other tasks as required by post orders.
  - Security guards may receive additional training, as mandated by the state in:
    - Batons – level two registration
    - Pepper Spray (OC, Mace) – level two registration
    - Firearms – level three registration
      - ✓ Security personnel are classified by type of employer or business
      - ✓ Employed in-house, or “proprietary”
      - ✓ Employed by the same company they protect (e.g., mall or theme park contract)
      - ✓ Employed by a private security company which protects many locations
      - ✓ Employed as private patrol
      - ✓ Acting as vehicle patrol to protect multiple client premises.





## Standardized Level One Security Guard Training

- Security guards are **not** law enforcement officers.
- Security guards are **not** allowed to represent themselves as law enforcement under the penalty of law.
- Security guards are private citizens and, therefore, bound by the same laws and regulations as the citizenry they are contracted to serve.
- Law enforcement officers are charged with enforcement of laws in a city, county, or state.
- Security guards are responsible for protecting **only** the specific people or property they are hired to protect.
  - In the event of an incident, the security guard must have the following information available for law enforcement:
    - Is the scene secure? No suspects in the immediate area with weapons. No UXO/IEDs (unexploded ordinance/improvised explosive devices) or other items that can harm first responders.
    - Where is the suspect?
    - What does the suspect look like?
      - Description:
      - Height, weight, hair length and color, pants, shirt, hat, tattoos, disfigurement, facial hair, vehicle, license plate, direction of travel.
    - Where are the witnesses and complainant(s)?
    - Are all subjects (witness/complainant/suspect/victim) separated?
    - Where are the victims, if any?
    - What is the status of any victims?
    - Was evidence secured and entry to scene controlled and annotated?
    - What were the specific times statements were made?
    - Are there any photographs or video available?
    - Are there videos from other stores with direction of travel?
    - Was there physical contact between parties?
    - Who told the security guard of incident?
    - What did the security guard see with his/her own eyes?
    - How many security guards are available to control scene?
    - What are relations with local peace officers or law enforcement?
      - The security guard's job is made easier if the guard has a good working relationship with the local police.
      - ✓ It should be stressed that the security guard:
  - Does **not** have legal authority to perform the duties of a law enforcement officer.
    - Behaving as a law enforcement officer may antagonize local law enforcement and impair the security company's working relations with them – remember to be the professional you are in your line of work.
  - Must **never** mislead the public.
  - May be mistaken by members of the public due to uniform, badge, hat, or other gear, but should **never** encourage this misunderstanding.
  - Should clarify that he/she is not a law enforcement officer should he/she be mistaken for one.
  - May not interfere with law enforcement officers on the scene, even if they are on the private property of the employer or client.
  - May be subject to arrest if the guard does not cooperate with law enforcement officers.





## Standardized Level One Security Guard Training

- Security guards are **not** allowed to represent themselves as law enforcement under the penalty of law: impersonating a law enforcement officer is a felony.
- **Radio Dispatch Protocol and other Communication Tools**
- Radio transmissions
  - “A” stands for Accuracy and is necessary to obtain the desired information.
  - “B” stands for Brevity and is to conserve airtime (leave air clear for others) and reduce the volume of information handled by the dispatcher.
  - “C” stands for Courtesy/Clarity and is necessary for efficient, rapid service. Spell out names that are difficult. Think about what you are going to say before you say it.
  - When transmitting
    - Wait until the air is clear. Don’t “walk on” or interrupt other radio traffic unless it is an emergency.
    - Speak clearly, calmly, and be concise. This is important during emergency situations.
- When using the radio, avoid the use of:
  - Profanities, humor, or slang
  - Malicious interference
  - Unnecessary or unidentified transmissions.
  - When observing persons, take note of:
    - Location
    - Gender
    - Color
    - Clothing description
    - Unique identifiers (injuries, amputations, tattoos, etc.)
- Organizations shall ensure that spoken and written communications can be received and understood by all levels and operators and that all levels can respond in a language or means that can be understood by appropriate internal and external participants.
- Security guards shall be able to communicate security-related information to the party they are protecting in a form the protected party understands.

### Uniforms, Image, and Appearance

Uniforms can project a positive image about the organization and encourage professional and responsible behavior by company personnel.

- A security guard is expected to be clean and properly groomed at all times:
  - Citizens will judge security guards by their respectable appearance.
  - Uniforms must be kept clean and unwrinkled to establish a “command presence.”
  - Fingernails must be kept free of dirt and trimmed.
  - Nail polish is permissible only with subdued colors.
  - Hair must be kept clean and neat.
  - Hair cannot be interfering with proper head gear.
  - Faces must be kept clean and/or clean shaven, moustaches/sideburns neatly trimmed: please refer to company policy for guidance.
  - For ties, jewelry, and religious or political symbols, please refer to company policy.
- **16.48.3.12 NMAC – Occupational and Professional Licensing – Private Law**

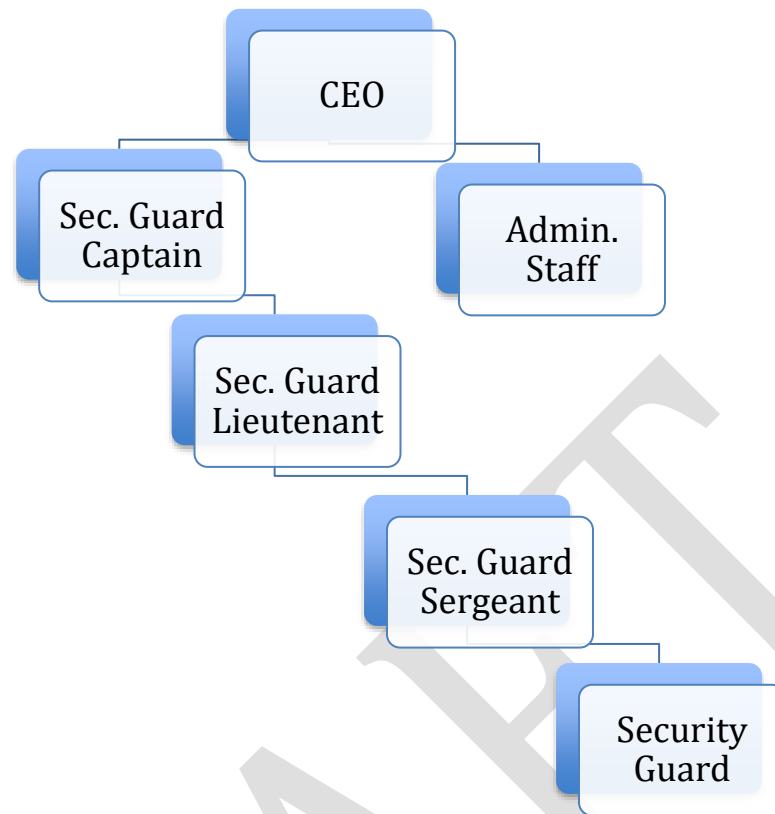
#### Enforcement Practitioners Standards of Practice:

- A. Uniforms worn by a registrant or licensee shall be of such design as not to be confused with uniforms worn by city, local or state police, or by any branch of the United States military. Insignia attached to the uniform of any registrant or licensee shall be of such design and placed in such manner as not to be confused with insignia attached to uniforms worn by



## Standardized Level One Security Guard Training

- city, local or state police, or by any branch of the United States military. A badge may be worn by a registrant or licensee only while such individual is in uniform and on duty.
- B. A patch, at least 2 1/2" x 1/2", titled "SECURITY" will be worn on the left upper sleeve.
  - C. An identifiable plate showing the name of the individual and the company will be worn by all uniformed personnel. Such identification will be placed on the individual's outermost garment and be clearly visible at all times.
  - D. All private patrol operators and company licensees shall furnish the RLD a complete description of their uniform and shall furnish full length color photographs of the front and each side view of the uniform. All photographs must be clear and legible and shall accurately depict the uniform. A printed form, furnished by the RLD, shall be submitted describing those features deemed pertinent.
- **Professional Communication**  
Chain of command process: There are specific steps to be taken in the event of an issue that the security guard needs to address. The security guard must refer to his/her direct supervisor if the issue is with:
    - Scheduling;
    - Payroll;
    - General questions; and
    - Personnel disputes.
      - If a security guard is unable to access his/her direct supervisor, or the complaint is regarding the direct supervisor, the guard may move up to the next level of authority.
      - Employees are encouraged to exhaust all resources at a given level before proceeding to the next level of authority.
      - If there are issues with a contracted client, the security guard must use his/her own chain of command and not the client's.



### Figure 1 - Typical Chain of Command Structure



### Note-Taking and Report Writing

#### ○ Punctuation

Common deficiencies in security reports include punctuation, grammar, and spelling.

**Punctuation** helps make parts of the sentence clear (grammar), and so does spellcheck.

- Commas separate what would otherwise be two subject-and-verb sentences, when they are connected by a conjunction (and, but, or).
  - Example: The rules of punctuation are not difficult, but they can be tricky.
- Commas separate introductory phrases from the main sentence.
  - Example: Although the rules of punctuation are not difficult, they can be tricky.
- Commas separate items in series, or come before the "and" in a series of three or more items.
  - Example: Commas, semicolons, and periods are the main punctuation marks.
- Commas are used to set off unnecessary clauses and phrases (meaning the sentence would still make sense without them)
  - Example: Sgt. Smith, who teaches report writing, likes his students to learn the basic rules of correct punctuation.
- When NOT to use punctuation
  - Example: Do not put a comma (or any other punctuation) before a conjunction (and, but, or) when the clauses before and after would not stand alone as complete sentences
- The rules of punctuation are not difficult but are often tricky.

Do not set off necessary clauses or phrases with commas or other punctuation

  - Example: The man who teaches technical writing likes his students to learn the basic rules of correct punctuation. (In this case, the clause "who teaches technical writing" is necessary because it tells which specific man is being discussed.)
- Semicolons

Use a semicolon as a "soft period" to join two sentences, but only if there is no conjunction connecting them

  - Example: Commas are important; they are also tricky.
- Use a semicolon to separate what would otherwise be two sentences which are joined by a transitional phrase or conjunctive adverb (however, therefore, then, next)
  - Example: Commas are important; however, they can be tricky.
- Use a semicolon to separate items in a series, but only when the items in the series already have commas within them.
- Example: My favorite academy instructors are Sgt. Smith, who teaches English; Officer Jones, who teaches criminal procedure; and Officer Martinez, who teaches many different subjects.

Do NOT use a semicolon to separate what would otherwise be two complete sentences joined by a conjunction (and, but, or); use a comma instead

  - Example: The rules of punctuation are not difficult, but they can be tricky.

Do NOT use a semicolon to separate an introductory phrase from the main sentence; use a comma instead

  - Example: Although the rules of punctuation are not difficult, they can be tricky.
- Colons
- Use a colon to introduce a list, but only when the sentence is complete without the list
  - Example: I use computers for three important tasks: word-processing, e-mail, and surfing the Internet.
  - I use computers for word-processing, computation, and information retrieval. (In this example, the sentence is not complete without the list.)



## Standardized Level One Security Guard Training

- Colons are also used frequently in documents to follow headings.
  - Example: The security guard should:
    - Apostrophes

When "its" is a possessive pronoun, meaning it is referring to something belonging to something else, do not use an apostrophe. Only use an apostrophe when "it's" is a contraction for "it is."

- Examples: The dog likes its bone. It's a ham bone.  
(The dog likes the bone belonging to the dog. It is a ham bone.)  
Do not use apostrophes with simple plurals (words denoting more than one like books, chairs, pens), with singular verbs (jumps, plays, runs), or with possessive pronouns (his, hers, theirs). Use them where appropriate with possessive nouns, including possessive plural nouns
- Examples: The three dogs' barks are worse than their bites. The bark of one of the dogs is worse than the other dogs' barks. My dog barks louder than hers. My dog's bark is loud.
- The ability to accurately complete forms and reports is important.
- Documents record information that may be used to arrest a criminal, to use at a trial, to record problem areas or incidents, or to establish accountability.

### **Note-taking**

- The purpose of notetaking is to help the security guard prepare a final written report.
- When collecting information, the security guard must:
  - Establish authority to ask questions by identifying him/herself as a security guard.
  - Politely ask for the assistance and cooperation of participants and witnesses.
  - Have the questions written down.
  - Make sure questions are clear and concise.
  - Maintain a focus on the collection of factual information.
  - Be positive and thorough; and also,
  - Always thank those being questioned for their cooperation.
- The notes:
  - Begin with a chain of events.
  - Include the following:
- Who?
  - Include correctly spelled first, middle, and last names of involved individuals; and then
- Identify them by their role, adding a brief physical description of each.
  - What?
- Document all relevant facts as they are related to you by all individuals involved and witnesses.
  - When?
- Start with the date and time of incident or an approximation thereof.
  - Where?
- Include the specific location of the event at the top.
  - How?
- Be sure and establish the sequence of events that you observed or from first to last, as they were reported to you, underlining conflicting details.
  - The more concise the notes are, the easier the report writing becomes.
- The security guard must:



## Standardized Level One Security Guard Training

- Be aware if there are different witnesses, you may also record different versions of the event; separate witnesses, if possible, as it is essential to keep them from contaminating each other's versions of events.
- Remember that it is not the note taker's job to determine which version of events may be the correct one.
- The recorder will write down the information as it is presented to him/her.
- Be aware that the notes must be retained by the note taker. The notes once recorded, as a matter of record are subject to being disclosed should the event result in litigation, and the guard may be asked to answer questions regarding all content.
- The security guard's notes must be comprehensive enough that the guard can refer back to them months or years later and reconstruct the various versions of event details.

### **Report Writing**

- An incident report:
  - Is a clear, concise representation of a crime, accident, or incident.
  - Relays factual information and tells a story.
  - Contains all details, leaving out no important information.
  - Contains details stated as facts and does not include conclusions.
    - Fact – what is known to be true or is verifiable.
    - Conclusion – a judgment or an opinion formed or based on perceived facts.
- The security guard must:
  - Carefully read all instructions, including those in the duty book.
  - Make written and/or mental lists of the required forms and procedures.
  - Ensure that he/she has the required forms or knows where to get them.
  - Practice the gathering of information, note-taking, and reporting techniques.

### **Incident Scene Management and Preservation (2 hours)**

#### **Primary Concerns:**

**When responding to the scene of a possible crime, the first responding security guard should keep 4 (four) primary concerns in mind: guard safety, preservation of life, scene security, and crime scene preservation.**

- Guard safety  
The security guard should:
  - Be aware of the existence of potential threats against the guard his or her self, citizens, or the involved property.
  - Identify potential hazards.
  - Call for help, if necessary.
- Preservation of life
  - The guard should:
    - Identify individuals with potential medical needs.
    - Render emergency medical care if required.
    - If entering a scene to render aid, avoid contact with potential evidence.
    - In all of these cases, **first call 9-1-1.**
    - In the case of a possible fatality, the guard should:
      - Ensure that all emergency medical steps within his/her means are taken\
      - Secure the scene
      - Call 9-1-1.



## Standardized Level One Security Guard Training

- If a victim or suspect is transported to a medical facility, notify a law enforcement officer.
- Law enforcement may ask or direct you to do any of the following:
  - Provide security
  - Record any statements made by the victim
  - Preserve clothing or other related evidence found with the victim
- Scene Security
- The guard should:
  - Identify the scope of the incident;
  - Immediately limit access into and out of the perceived scene;
  - Establish a crime scene log;
  - Document all times relevant to the incident, including the time the guard was notified of the incident and the time he/she arrived on scene; Document the arrival times of any personnel arriving on the scene (e.g., EMS, law enforcement); and
  - Ensure that the scene remains secure.
- Crime scene preservation
  - Identification of potential evidence.
  - Evidence consists of all items directly related to an incident or a crime.
  - All evidence must remain in its original condition and location.
  - Firearms/weapons:
    - Unless a firearm or weapon poses an immediate threat to the public or the guard, all weapons at the scene must be considered evidence and must not be disturbed.
  - Should any item of evidence be altered in any way by any person, the security guard must make note in the crime scene log of the nature of the alteration, time of the alteration and full name of the person making the alteration.
  - Should the guard find him/herself within the boundaries of the scene, he/she should carefully retrace his/her steps and document his/her exact entry point into – and exit point out of – the scene.
  - Under no circumstances is a guard to re-enter a crime scene once he/she has left it.
  - **Note: The scope of crime scene investigation is dictated by law enforcement and a security guard is there for support only.**
  - Theory of transfer – Anyone entering a scene leaves behind evidence of him/herself within the scene and, in turn, removes elements from the scene on his/her person when leaving (e.g., clothing fibers, hair, environmental evidence).

### Chain of Custody of Evidence

Basic principle: When a question arises as to the authenticity of an item offered as evidence or its possible alteration or contamination, the location and condition of the article from the time of its discovery must be proved. Proof of this chain of custody demonstrates that: The evidence offered is the same evidence found at the scene. There has been no opportunity to replace or improperly alter the evidence. Any change in the condition of the evidence can be explained (i.e. destruction through laboratory analysis). In establishing the chain of custody, testimony and documents should be presented to prove who had it in his/her possession, when it was received and released and where the evidence has been at each stage from its collection through processing and storage.





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- **Witness/Participant Identification—The security guard should:**
  - Make an effort to identify victims and/or witnesses to an incident;
  - Separate witnesses and victims if necessary and when possible; and
  - Make an effort to obtain names and physical descriptions of all participants.
- **Deposition and Courtroom Testimony**
  - Deposition - Testimony given in a fact-finding pre-trial interview;
  - Typically conducted in an attorney's office or conference room;
  - Attorneys for plaintiff and defendant are present; and
  - If the security guard is a witness in the case, and not a defendant, the guard is entitled to have his/her own attorney present.
- Suggested Appropriate Attire
  - Full uniform is always appropriate; or
  - Suit, coat and tie for men; suit for women; and
  - Never dress casually for a deposition – professionalism at all times.
- Preparation
  - The guard should:
  - Review his/her report and notes, if available, prior to testimony;
  - Remember that, if notes from the incident in question are available, they are subject to discovery and will become part of the evidence presented.
  - When possible, review testimony with his/her attorney prior to attending deposition
  - Take a copy of his/her report to the deposition
- Testimony
  - The guard should:
    - Answer only the question asked, without adding detail;
    - The attorney will ask for clarification, if necessary.
    - Answer questions relating to the incident by reading directly from the report;
    - Not add personal opinions to his/her responses;
    - Not volunteer information that is not specifically requested;
    - Remember that any additional information volunteered by the guard can open a new line of questioning;
    - Remain objective and calm regardless of the questions or approach of the questioner; and
    - Avoid expressing emotions.
- Courtroom etiquette
  - The guard should:
    - Dress in full uniform with tie or in business attire (no weapons allowed);
    - Consider removing all piercings and gauges;
    - Take along a copy of the original report;
    - Arrive 15 minutes prior to scheduled testimony time;
    - Acquaint him/herself with the courtroom;
    - Know on which courtroom side the guard's attorney is sitting; and
    - Let his/her attorney know that the guard is present in the courtroom.
    - When called to the stand, remain standing until asked to be seated by the judge.
    - Thank the judge when asked to be seated.
    - Refer to the judge as "Your Honor."
    - Follow all testimony guidelines set forth above for deposition.



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- It is to be stressed that the guard should respond to questions regarding the incident by reading directly from the report, or to respond immediately after being able to refresh his/her memory from the report.
- At all times, the guard is expected to maintain the highest level of conduct and professionalism.
- When dismissed from the stand, the guard must thank the judge: Thank you, your honor.

### Definitions:

**Action injury** - Any injury to a suspect that results from offensive or non-passive defensive action by a security guard, or some intentional action under his/her immediate control.

**Armored car company** – a company that knowingly and willingly transports money and other negotiables for a fee or other remuneration. See Section 61-27B-2(A) NMSA 1978.

**Bodily harm** – Any physical impairment of the condition of another's body which causes pain or illness.

**Bodyguard** – an individual who physically performs the mission of personal security for another individual. See Section 61-27B-2(B) NMSA 1978.

**Branch office** – an office of a private investigation company or a private patrol company physically located in New Mexico and managed, controlled or directed by a private investigations manager or private patrol operations manager. See Section 61-27B-2(B) NMSA 1978.

**Chemical agents** – tear gas or any other certifiable non-lethal chemical agents used for the intent to restrain and control unruly or combative subjects for the purposes of safety to the security guard and the public.

**Client** – an individual or legal entity having a contract that authorizes services to be provided in return for financial or other consideration.

**Conviction** – any final adjudication of “guilty,” whether pursuant to a plea of guilty or *nolo contendere* – whether the sentence is deferred or not, or suspended.

**Deadly force** – Any use of force likely to cause death or serious physical injury.

**Defensive impact tools** – straight baton, expandable baton, side handle baton, or other defensive impact tools used for the intent to restrain and control unruly or combative subjects for the purposes of safety to the security guard and the public.

**Department** – the regulation and licensing department.

**Electronic non-lethal devices** – Tasers or other certifiable devices used for the intent to restrain and control unruly or combative subjects for the purposes of safety to the security guard and the public.

**Individual** – a single human being.

**Legal business entity** – a sole proprietorship, corporation, partnership, limited liability company, limited liability partnership or other entity formed for business purposes.

**Less lethal force** – Force that is intended to cause or which is likely to cause bodily harm and in certain circumstances may result in death or great bodily injury.

**Licensee** – a person licensed pursuant to the Private Investigations Act.

**Non-Deadly Force** – Any use of force other than that which is considered deadly force.

**Post orders** - written documents that clearly outline duties, responsibilities, and expectations of security guards.

**Private investigation company** – a legal business entity that provides private investigation services, the location of which may be within or outside of the state,



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provided that the private investigation services are performed within New Mexico. See Section 61-27B-2(L) NMSA 1978.

**Private patrol company** – a legal business entity, the location of which may be within or outside of the state, including an independent or proprietary commercial organization that provides private patrol operator services that are performed in New Mexico and the activities of which include employment of licensed private patrol operators or security guards. See Section 61-27B-2(P) NMSA 1978.

**Private patrol operations manager** – an individual who is licensed as a private patrol operator or registered as a level three security guard or is issued a license by as a private patrol operations manager; or directs, controls, or manages a private patrol company for the owner of the company; and is assigned to and operates from the private patrol company that the private patrol operations manager is licensed to manage or from a branch office of that private patrol company. See Section 61-27B-2(R) NMSA 1978.

**Private patrol operator** – an individual who is licensed to conduct uniformed or non-uniformed services as a watchman, security guard, or patrolman to protect property and persons on or in the property; or prevent the theft, unlawful taking, loss, embezzlement, misappropriation or concealment of goods, wares, merchandise, money, bonds, stocks, notes, documents, papers or property of any kind; and perform the services required of a security guard or security dog handler or provide security services for an armored car company. See Section 61-27B-2(S) NMSA 1978.

**Reasonable belief** – The fact or circumstances the security guard knows, or should know, are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

**Registrant** – an individual registered as a private investigation employee, a private patrol operations employee, or a security guard serving at any level.

**Restraint and control devices** – handcuffs or similar certifiable devices used with the intent to restrain and control unruly or combative subjects for the purposes of safety to the security guard and the public.

**Security dog handler** – an individual who patrols with dogs to detect illegal substances or explosives. See Section 61-27B-2(V) NMSA 1978.

**Security guard** – an individual who is registered to engage in uniformed or non-uniformed services under the direct control and supervision of a licensed private patrol operator or a private patrol operations manager in order to perform such security missions as watchman, fixed post guard, dog handler, patrolman, or other person to protect property or prevent thefts. See Section 61-27B-2(W) NMSA 1978.

**Serious physical injury** – A bodily injury that creates a substantial risk of death, causes serious permanent disfigurement, or results in long-term loss or impairment of the functioning of any bodily member or organ.

**- End of Level One Curriculum -**  
**- Administration of Level One Security Guard Exam -**