

District of Columbia Municipal Regulations

17 – Business, Occupations & Professions

Chapter 21: Security Officers (Exam Study Guide)



TABLE OF CONTENTS

CHAPTER 21 – SECURITY OFFICERS AND SECURITY AGENCIES	1
2100 GENERAL PROVISIONS	1
2101 DUTY OF SECURITY AGENCY OR EMPLOYER.....	2
2102 ELIGIBILITY REQUIREMENTS - GENERAL.....	3
2103 ELIGIBILITY REQUIREMENTS - HEALTH	3
2104 ELIGIBILITY REQUIREMENTS - CRIMINAL CONVICTIONS.....	5
2105 ELIGIBILITY REQUIREMENTS - CRIMINAL HISTORY	6
2106 PHOTOGRAPHS AND FINGERPRINTS	7
2107 INVESTIGATION OF APPLICANTS	8
2108 EXAMINATION AND TRAINING.....	8
2109 TEMPORARY CERTIFICATION	9
2110 ADVERTISEMENTS AND DISPLAYS.....	10
2111 IDENTIFICATION CARDS AND EMPLOYEE LISTS	10
2112 UNIFORMS.....	12
2113 BADGES, PATCHES, AND EMBLEMS	12
2114 CERTIFICATION RENEWAL	14
2115 [RESERVED].....	14
2116 [RESERVED].....	14
2117 [RESERVED].....	14
2118 [RESERVED].....	14
2119 [RESERVED].....	14
2120 DENIAL, SUSPENSION, AND REVOCATION OF CERTIFICATION	14
2121 SERVICE OF NOTICE.....	16
2122 HEARINGS	16
2123 APPEALS	17
2199 DEFINITIONS	17

CHAPTER 21 – SECURITY OFFICERS AND SECURITY AGENCIES

Unless otherwise noted, the authority for this chapter is An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes, approved March 3, 1899 (30 Stat. 1057, ch. 422, D.C. Code § 4-114 (1981)).

2100 GENERAL PROVISIONS

2100.1 For purposes of this chapter, the term "security officer" means any person privately employed to do any of the following:

- (a) Prevent the theft, misappropriation, or concealment of goods, wares, merchandise, money, bonds, stock certificates, or other valuable documents, papers, and articles;
- (b) Prevent damage to real or personal property;
- (c) Prevent assaults, gate-crashing, or other disorders at meetings, events, or performances; or
- (d) Prevent similar illegal occurrences.

2100.2 The term "security officer" includes the following:

- (a) Uniformed individuals employed by a security agency or other employer for any of the purposes set forth in § 2100.1; and
- (b) Uniformed individuals privately employed as guards, watchpersons, patrol service personnel for specified property, security technicians, security officers, and other similar positions.

2100.3 The term "security officer" does not include any of the following:

- (a) Persons commissioned as special police officers under the second paragraph of the section "FOR METROPOLITAN POLICE" of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes, approved March 3, 1899 (30 Stat. 1057; D.C. Official Code § 5-129.02);
- (b) Persons working in their official capacity as employees of the federal government;
- (c) Members of the Metropolitan Police Department or the public police force of any other jurisdiction;

- (d) Persons working as armored car guards; or
 - (e) Persons commissioned as campus police officers under the second paragraph of the section "FOR METROPOLITAN POLICE" of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes, approved March 3, 1899 (30 Stat. 1057; D.C. Official Code § 5-129.02), as regulated by Chapter 12 of Title 6A of the District of Columbia Municipal Regulations.
- 2100.4 Each certification for a security officer issued under this chapter, except temporary certification cards issued under § 2109 and certifications whose expiration dates have been extended under § 2100.5, shall be effective for 2 years. The expiration date shall be shown on the certification.
- 2100.5 If a security officer has been retained by a new security agency or employer for the 90-day transition employment period required by section 3 of the Displaced Workers Protection Act of 1994, effective April 26, 1994 (D.C. Law 10-105; D.C. Official Code § 32-102), training requirements for certification imposed by this chapter shall be tolled for the duration of the 90 days. If a security officer's certification is scheduled to expire during the 90-day period, the expiration date for the certification shall be extended until 14 days after the expiration of the 90-day period.
- 2100.6 Except as provided in D.C. Official Code § 47-2839a, violation of any provision of this chapter shall be punishable by a fine of up to three hundred dollars (\$ 300) or by imprisonment for up to ninety (90) days, in addition to the possible denial, suspension, or revocation of certification under the provisions of this chapter.
- 2100.7 The provisions of this chapter shall supersede any other District of Columbia regulations to the extent of any conflict with those regulations.

SOURCE: §§1.1(f), 3.1, 3.3 and 6.1 of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74-31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974), as amended by §2 of the Security Officer Licensing Facilitation of 1977, D.C. Law 2-29, 24 DCR 1451 (August 19, 1977), and §27 of the End of Session Technical Amendments Act of 1984, D.C. Law 5.159, 32 DCR 30 (January 4, 1985); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2101 DUTY OF SECURITY AGENCY OR EMPLOYER

- 2101.1 No investigation or certification under this chapter shall relieve any security agency or other employer of the duty to investigate and make its own determination of an applicant's suitability for employment as a security officer.

- 2101.2 All security agencies and employers have an affirmative duty to supervise security officers in their employ, and any attempt at a contractual limitation of liability shall be null and void.
- 2101.3 In all cases, the liability of the security agency or other employer for the acts of its employees shall be limited to those times when the employee is on duty and to those acts within the scope of the employee's assignment or employment.
- 2101.4 Failure of a private detective agency or security agency to properly supervise the activities of its employees is grounds for denial or suspension of the agency's license.

SOURCE: §3.8 of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74-31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2102 ELIGIBILITY REQUIREMENTS - GENERAL

- 2102.1 Application for certification as a security officer shall be made to the Mayor on a form prescribed by the Mayor.
- 2102.2 Each person applying for certification shall submit to the Mayor, under oath, the information required by this chapter, as well as any other information that the Mayor may require for assistance in determining the applicant's suitability for certification.
- 2102.3 To be eligible to be certified as a security officer, an applicant, in addition to meeting the other requirements of this chapter, shall:
- (a) Be at least eighteen (18) years of age;
 - (b) Either be a United States citizen or have in his or her possession a valid Immigration and Naturalization Service work permit; and
 - (c) Be able to read, write, and speak the English language.

SOURCE: §3.5 of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74-31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2103 ELIGIBILITY REQUIREMENTS - HEALTH

- 2103.1 Each applicant for certification shall be required to submit a physician's certificate stating, to the best of the physician's knowledge after examining the applicant, the following:
- (a) The applicant is not presently addicted to drugs or alcohol;

- (b) The applicant is not suffering from any debilitating mental defect or disorder; and
 - (c) The applicant is not suffering from serious heart disease, severe epilepsy, or other physical defect which might cause substantial loss of control in situations of severe stress.
- 2103.2 When testing for epilepsy or other physical defects which might involve substantial costs to determine, the doctor may rely upon the sworn statement of the applicant, under oath. The doctor must give his or her affirmation to the same effect.
- 2103.3 In cases where certification is requested concurrent with or as a condition of employment with a security agency or an employer, the security agency or employer shall certify the health of the applicant.
- 2103.4 Each applicant shall be required to pass a drug screening administered by the security agency or employer upon initial application and upon application for certification renewal.
- 2103.5
- (a) Security officers shall be subject to reasonable suspicion drug and alcohol testing by the security agency or employer.
 - (b) For the purposes of this section, the term "reasonable suspicion" means the officer is impaired while on duty.
- 2103.6 Security agencies or employers shall immediately notify the Mayor of any unexplained positive tests.
- 2103.7
- (a) The certification of a security officer who fails a reasonable suspicion drug or alcohol test shall be summarily revoked.
 - (b) For the purposes of this section, the term "fails" means:
 - (1) The officer's blood contained more than .03%, by weight, of alcohol, or the officer's urine contained more than .04%, by weight, of alcohol, or that at the time of the test more than .14 micrograms of alcohol were contained in 1 milliliter of his or her breath, consisting of substantially alveolar air; or
 - (2) The drug test detected the presence of a controlled substance in the officer's blood or urine.

SOURCE: §3.6 of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74.31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2104 ELIGIBILITY REQUIREMENTS - CRIMINAL CONVICTIONS

2104.1

- (a) A person who is in either of the following categories shall not be eligible for certification as a security officer unless he or she meets the burden of proving to the Office of Administrative Hearings that he or she is not a significant safety risk to the community and meets all other requirements for certification:
 - (1) A person who has been released from incarceration for a felony conviction in any jurisdiction in the United States within two (2) years prior to the date of filing an application for certification; or
 - (2) A person who has been released from incarceration for a misdemeanor conviction in any jurisdiction in the United States involving larceny or involving the illegal use, carrying, or concealment of a dangerous weapon within one (1) year prior to the date of filing an application for certification.
- (b) The provisions of this section do not preclude a security company from imposing stricter standards or from requiring a longer period of ineligibility for a felony or misdemeanor.

2104.2 Notwithstanding the provisions of § 2104.1, but subject to the one (1) year limitation in § 2104.3, if the Office of Administrative Hearings does not act upon the application of a person within sixty (60) days after it is filed, the certification shall be made if the applicant meets all other applicable requirements for certification.

2104.3 Under no circumstances shall a person convicted of a felony be certified or serve as a security officer until one (1) year after release from incarceration resulting directly or indirectly from that conviction.

2104.4 The Office of Administrative Hearings shall consider the following in determining whether an applicant is a significant safety risk:

- (a) The nature of the crime for which the applicant was convicted and its relationship to the duties and circumstances of employment as a security officer;

- (b) Information pertaining to the degree of rehabilitation of the applicant since the crime, including formal work experience or participation in vocational training, educational attainment, and family support;
- (c) The time elapsed since the conviction; and
- (d) Other evidence of personal motivation, including community volunteer work and character references.

SOURCE: §3.4 of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74.31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974), as amended by §2 of the Security Officer Licensing Facilitation of 1977, D.C. Law 2.29, 24 DCR 1451 (August 19, 1977); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2105 ELIGIBILITY REQUIREMENTS - CRIMINAL HISTORY

- 2105.1 No person shall be certified or employed as a security officer, nor shall an existing security officer have his or her certification renewed, until the Mayor has conducted a criminal history check of the applicant through the record systems of the Federal Bureau of Investigation and the Metropolitan Police Department.
- 2105.2 In evaluating an application for a security officer certification, the Mayor shall consider:
- (a) An applicant's conviction history;
 - (b) Any court finding of the applicant's mental incompetence that has not been removed or expunged;
 - (c) An applicant's history of criminal traffic offenses;
 - (d) The bearing, if any, the criminal offense for which the person was previously convicted will have on his or her fitness or ability to perform one or more duties or responsibilities of a security officer;
 - (e) The time that has elapsed since the occurrence of the criminal offense or court finding of mental incompetence;
 - (f) The age of the applicant at the time of the occurrence of the criminal offense or court finding of mental incompetence;
 - (g) The frequency and seriousness of the criminal offense; and
 - (h) Any information produced by the applicant, or produced on his or her behalf, in regard to his or her rehabilitation and good conduct since the occurrence of the criminal offense or court finding of mental incompetence.

- 2105.3 If a security officer is arrested, the security officer shall report the arrest to the Mayor within two (2) business days. The certification of the security officer shall be suspended immediately, and the security agency shall be notified of such suspension immediately, pending further disposition. If a security officer fails to report an arrest as required, the security officer's certification shall be summarily revoked.
- 2105.4 The Mayor shall conduct random criminal history checks of security officers through the record systems of the Metropolitan Police Department. The certification of any security officer whose record indicates an unreported arrest or conviction shall be summarily revoked, and the security agency shall be notified of the revocation immediately. The certification of any security officer whose record indicates an outstanding warrant shall be suspended immediately, and the security agency shall be notified of the suspension immediately, pending further disposition.
- 2105.5 Notwithstanding any other law or regulation, the information obtained from criminal history checks conducted pursuant to this chapter considered by the Mayor shall not be limited by the date of the offense nor shall the information obtained and considered be limited to arrests resulting in conviction.

SOURCE: §§2.1 and 2.4 of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74-31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2106 PHOTOGRAPHS AND FINGERPRINTS

- 2106.1 Each applicant for certification shall submit with his or her application four (4) recent, identical, full-face photographs of the applicant, one inch by one and one-half inches (1" x 1 1/2") in size, taken not more than three (3) months prior to the date of application.
- 2106.2 Each applicant for certification shall furnish the Mayor with three (3) sets of the applicant's fingerprints.
- 2106.3 Fingerprints shall be taken by the Mayor, shall become part of the certification application, and shall be compared and recorded by the Mayor.
- 2106.4 At the time fingerprints are taken by the Mayor, each applicant shall be advised in writing of eligibility requirements pertaining to an applicant's criminal history.

SOURCE: §§2.2 and 2.3 of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74-31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974), as amended by §2 of the Security Officer Licensing Facilitation of 1977, D.C. Law 2-29, 24 DCR 1451 (August 19, 1977); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2107 INVESTIGATION OF APPLICANTS

- 2107.1 As promptly as possible after an application is submitted, the Mayor shall submit fingerprints of the applicant for comparison and record checks to the Federal Bureau of Investigation and to other authorities that the Mayor may deem advisable.
- 2107.2 The Mayor may make any other investigation of the applicant that the Mayor determines to be relevant.
- 2107.3 The Mayor shall report the results of each investigation to the security agency or employer within one (1) week, excluding weekends and holidays, after the results have been received.

SOURCE: §3.4 of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74-31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2108 EXAMINATION AND TRAINING

- 2108.1 When a person applies for certification, the Mayor shall supply the applicant with a brief synopsis of relevant statutes and regulations, and a clear statement of the powers and limitations of a security officer in the District, including a statement of possible penalties, as set forth in § 2100.6, for noncompliance with relevant regulations.
- 2108.2 Upon satisfactory completion of the investigations and determinations required by this chapter, applicants for certification shall be required to pass an examination given by the Mayor to test their security-related knowledge and their understanding of a security officer's powers, limitations, and duties.
- 2108.3 The examination fee for the examination required by § 2108.2 shall be established by the Mayor. The fee is not refundable.
- 2108.4 To qualify for certification as a security officer, an individual shall meet the eligibility and training requirements established in this chapter, and be an employee or an applicant for employment with a security firm.
- 2108.5 On receipt from an applicant for certification as a security officer, a security firm shall forward to the Mayor the applicant's application form, fingerprint cards, and certification that the applicant has completed the training as required in this section. For initial and renewal certifications, the security agency shall also submit a non-refundable application fee established by the Mayor that includes the cost of the fingerprint card and record checks. The application fee, pre-assignment, on-the-job, and in-service training and cost of records check shall be paid in full by the applicant's employer or prospective employer and in no circumstance shall such costs be deducted from the employee's pay.

- 2108.6 After receipt of an application, the Mayor shall submit, or cause to have submitted, to the Federal Bureau of Investigation, the fingerprint card submitted by the applicant for the purpose of a criminal background check.
- 2108.7 Security officers shall be required to satisfactorily complete pre-assignment, on-the-job, and in-service training programs which have been prescribed and approved by the Mayor.
- 2108.8 Pre-assignment training shall include at least 24 hours of training generally relating to the security officer's duties and specifically including:
- (a) Terrorism awareness, including building evacuation, unattended packages, and unknown substances;
 - (b) Emergency procedures, including evacuation and first-aid; and
 - (c) Customer service and interaction with tourists.
- 2108.9 Security officers shall satisfactorily complete a 16-hour, on-the-job training course within ninety (90) working days following employment, and an 8-hour annual in-service training course.
- 2108.10 Upon satisfactory completion of a required training course, a security officer shall receive from his or her employer a certificate evidencing satisfactory completion thereof.
- 2108.11 Nothing herein shall be construed to prohibit a security agency from voluntarily providing training programs and courses which exceed the minimum requirements of this chapter.
- 2108.12 The training requirements established by this section shall not apply until July 1, 2007.

SOURCE: §§2.5 and 3.7 of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74-31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2109 TEMPORARY CERTIFICATION

- 2109.1 Persons eighteen (18) years old or older who meet the requirements set forth in §§ 2102, 2103, and 2106 may be issued a temporary certification card which shall contain on its face an expiration date that is not later than six (6) weeks after the date of issuance.
- 2109.2 Each temporary certification card shall have inscribed conspicuously across its face the word "TEMPORARY."

- 2019.3 If certification is neither granted nor denied by the designated expiration date, the applicant shall be entitled to a new temporary certification card.

SOURCE: §2.6 of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74-31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974), as amended by §2 of the Security Officer Licensing Facilitation of 1977, D.C. Law 2-29, 24 DCR 1451 (August 19, 1977); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2110 ADVERTISEMENTS AND DISPLAYS

- 2110.1 Every security agency that advertises its business to the public, and every person, firm, or corporation licensed as a private detective agency under Chapter 20 of this title, that provides private detective services for a fee or other consideration, and that advertises its business to the public, shall include its license number in each advertisement.

- 2110.2 No person shall attach to his or her personal motor vehicle any sign, plate, insignia, or other designation identifying the driver or owner as a security officer. This shall not prevent the placement of this type of identification on any car owned, leased, or otherwise used in the business of any agency or employer.

SOURCE: §§4.5 and 4.6 of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74.31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2111 IDENTIFICATION CARDS AND EMPLOYEE LISTS

- 2111.1 Upon certification by the Mayor and payment of a five dollar (\$5) fee, each security officer shall receive an identification card containing a photograph of the security officer, the name and business address of the officer's employer, and a statement that the bearer is not a police officer and only has the powers of an ordinary citizen.
- 2111.2 The identification card shall be carried on the person of the security officer whenever he or she is engaged in his or her duties and shall be exhibited upon request to any person with whom the security officer may come in contact in the performance of his or her duties.
- 2111.3 Each security officer shall take due care to prevent his or her identification card from falling into the possession of any unauthorized person.
- 2111.4 If the identification card is lost or destroyed, a duplicate card shall be issued by the Mayor upon payment of a three dollar (\$3) fee.
- 2111.5 Upon termination of the security officer's service, he or she shall return the identification card to the Mayor within forty-eight (48) hours, excluding weekends and holidays.

- 2111.6 If a security officer takes employment with another security agency or employer, a new identification card shall be issued upon payment of a one dollar (\$1) fee.
- 2111.7 The Mayor shall collect information and maintain, on a current basis, a registry of all security officers and applicants for security officer employment in the District of Columbia. The registry shall include:
- (a) The name, address, and date of birth of each security officer or applicant;
 - (b) Whether an identification card has been issued, denied, suspended, revoked, or expired;
 - (c) The security guard company or companies by whom the security officer is or has been employed or has applied for employment; and
 - (d) Such other information as the Mayor may require; provided, that if the registry or other security officer database includes criminal history information, that criminal history information shall not be made available to the public.
- 2111.8 Each security agency which employs security officers shall transmit to the Mayor, no later than the 15th day of January following the effective date of the Enhanced Professional Security Amendment Act of 2006 passed on 2nd reading on July 11, 2006 (Enrolled version of Bill 16-102), a list that shall include the information required in § 2111.7, and such other information as the Mayor may require; provided, that in no case shall the registry required under § 2111.7 or other security officer database include criminal history information. Following submission of the initial list, each security agency shall submit to the Mayor the name of each security officer employed or who has retired or been resigned or whose employment as a security officer is terminated for any reason, no later than the 15th calendar day following such employment, retirement, resignation, or termination, and, in the instance of newly appointed security officers, shall include all the information required to be furnished by this section.
- 2111.9 Any person shall have timely access to information contained in the registry, but limited to the following information with respect to security officers or applicants:
- (a) Name;
 - (b) Date of birth;
 - (c) Employment history; and
 - (d) Status of certification.

- 2111.10 The Mayor shall continue to maintain in the registry the information required for each security officer or applicant by this section for a period of no less than 10 years following the security officer's termination, revocation, resignation, retirement, or failure to be hired or renewed, at which time the Mayor shall destroy the information.

SOURCE: §4.1 of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74-31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2112 UNIFORMS

- 2112.1 Each security officer certified under this title, including each person commissioned as a special police officer under the second paragraph of the section entitled "FOR METROPOLITAN POLICE" in An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes, approved March 3, 1899 (30 Stat. 1057; D.C. Official Code § 5-129.02), shall wear a uniform approved by the Mayor which is distinctly different from the uniform of the Metropolitan Police Department.

- 2112.2 Minimum requirements for the uniform are a white uniform cap or a cap covered with a white cap cover and a uniform outer garment, such as a shirt, blouse, jacket, or overcoat. The outer garment shall have the patches and badges required under § 2113 clearly visible at all times.

- 2112.3 White caps or caps covered by white cap covers shall be worn at all times by security officers during performance of duties involving crowd control at special events.

- 2112.4 Each security officer shall take due care to prevent his or her uniform from falling into the possession of any unauthorized person.

SOURCE: §4.2 of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74-31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974); as amended by §2 of the Uniform Officers Regulation Amendment Act of 1984, D.C. Law 5-180, 32 DCR 770 (February 8, 1985); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2113 BADGES, PATCHES, AND EMBLEMS

- 2113.1 No security officer shall wear or carry a metal or metallic-appearing badge.
- 2113.2 A distinctive cloth badge worn on a security officer's left breast is permitted if the prior written permission of the Mayor is obtained.
- 2113.3 Notwithstanding the corporate name of the security agency, the words "police," "United States," and "District of Columbia," or abbreviations of those words, and the

seals or insignias of the United States and the District of Columbia shall not be used on any badge, patch, emblem, or uniform.

- 2113.4 Uniforms bearing emblems and patches that meet the following requirements and restrictions shall be approved by the Mayor and shall be worn by security officers:
- (a) Shoulder shall be red in color, bear the name of the employer or security agency, and shall have white, clearly legible lettering;
 - (b) The name of the security agency or employer shall be spelled out in full on the patches;
 - (c) Initials shall not be allowed, and abbreviations are permissible only with the prior written permission of the Mayor;
 - (d) Patches may bear a security agency or employer design insignia which has been approved in writing by the Mayor;
 - (e) Patches shall be of half-moon design;
 - (f) Patches shall be three inches (3") high by five inches (5") wide;
 - (g) A patch shall be worn on each shoulder of a shirt, blouse, jacket, or overcoat; and
 - (h) A patch bearing the words "Security Officer" shall be worn on the right breast. This patch shall be four and one-half inches (4 1/2") long and one inch (1") high. This patch shall be red with white lettering.
- 2113.5 An employee may wear an appropriate designation of his or her rank (such as sergeant) on either or both sleeves. Chevrons shall be red in color with white piping. If the employee is of officer rank, he or she may wear the appropriate emblem on the collar or shoulders of the uniform shirt, jacket, or blouse.
- 2113.6 The word "INSPECTOR," or an abbreviation of that word, shall not appear on any badge, patch, emblem, or uniform.
- 2113.7 A non-metal cap ornament that does not have a metallic appearance may be worn. It may carry the rank of the employee and shall bear the name of the security agency or employer.
- 2113.8 Any deviation from the requirements of §§ 2113.4, 2113.5, 2113.6, or 2113.7 shall require the prior written approval of the Mayor.
- 2113.9 The provisions of §§ 2113.4, 2113.5, 2113.6, and 2113.7 apply only to security officers. No other uniformed security personnel licensed, commissioned, or certified

by the District shall wear badges, patches, or emblems that are red with white lettering, or that are not readily discernible from those badges, patches, and emblems.

- 2113.10 Each security officer shall take due care to prevent his or her badges, patches, and emblems from falling into the possession of any unauthorized person.

SOURCE: §§4.3(a), 4.3(b), 4.3(c), and 4.4 of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74.31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2114 CERTIFICATION RENEWAL

- 2114.1 A security officer shall be required to apply for a renewal certification of his or her license biannually.
- 2114.2 A security officer shall not be required to repeat the examination under § 2108.2 for license renewal.
- 2114.3 For each license renewal, the Mayor shall update all background checks, especially the investigations for criminal convictions.
- 2114.4 A security officer may continue to work while awaiting notification of acceptance or denial of renewal certification.
- 2114.5 When granted, a renewal certification shall be dated as of the expiration date of the previously existing certification.

SOURCE: §3.2 of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74-31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2115 [RESERVED]

2116 [RESERVED]

2117 [RESERVED]

2118 [RESERVED]

2119 [RESERVED]

2120 DENIAL, SUSPENSION, AND REVOCATION OF CERTIFICATION

- 2120.1 Certification of a security officer shall be subject to denial, suspension, or revocation for any of the following reasons:

- (a) Material misstatement in the license application;
 - (b) Violation of requirements pertaining to identifications cards, uniforms, badges, advertising, and displays as set forth in §§ 2110, 2111, 2112, and 2113;
 - (c) Failure or refusal to comply with any statute or regulation governing security officers, or the willful and fraudulent circumvention of any statute or regulation;
 - (d) Conviction of a felony while employed as a security officer; provided, that denial, suspension, or revocation for this reason shall not prevent a person from reapplying for certification;
 - (e) Conviction for a misdemeanor involving theft, fraudulent conduct, assault, or false arrest or imprisonment;
 - (f) Conviction of any offense arising out of or based on employment as a security officer which involved a breach of trust or an invasion of privacy; or
 - (g) Carrying a deadly weapon, handcuffs, or an aerosol chemical dispenser in the course of employment. This does not prohibit the carrying of a night stick constructed solely of wood.
- 2120.2 Whenever the Mayor proposes to deny, suspend, or revoke a certification under this chapter, notice shall be given to the applicant or security officer.
- 2120.3 Each notice issued under § 2120.2 shall be in writing and shall be signed by the Mayor.
- 2120.4 Each notice shall state or contain the following:
- (a) The facts constituting each violation or other basis for the action proposed;
 - (b) Where applicable, each statutory provision or regulation violated or not complied with;
 - (c) The nature of the adverse action proposed in the matter;
 - (d) A statement advising the applicant or security officer that he or she is entitled to a full hearing, if requested, in which the Mayor's action may be reversed; and
 - (e) Information about the time and manner in which an appeal must be filed.

SOURCE: §§5.1, 5.2(a), and 5.2(b) of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74.31, approved

December 1, 1974, 21 DCR 1203 (December 13, 1974); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2121 SERVICE OF NOTICE

- 2121.1 Each notice issued under § 2120 shall be served upon the applicant or security officer in the manner prescribed in this section.
- 2121.2 Notice shall be deemed to have been served upon the person to whom it is directed when a copy of it has been served by one of the following means:
- (a) Personally delivering a copy to the person named in the notice;
 - (b) Leaving a copy at the address stated on the certification or application with a person over sixteen (16) years of age who is employed at or is a resident of that address; or
 - (c) Mailing a copy by certified mail, postage prepaid, to the address stated on the certification or application, which is not returned undelivered by the postal authorities, except as provided in § 2121.3.
- 2121.3 If a notice mailed as authorized by § 2121.2(c) is returned by the postal authorities because the addressee refused to accept delivery, it shall be deemed to have been served on the addressee on the date of that refusal.

SOURCE: §5.2(b) of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74-31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2122 HEARINGS

- 2122.1 A person on whom notice has been served pursuant to § 2120 and § 2121 may file a written demand for a hearing with the Office of Administrative Hearings.
- 2122.2 If notice was served personally, the demand for hearing shall be filed within twenty (20) calendar days from the date on which the notice was served.
- 2122.3 If the notice was served other than personally, the demand for hearing shall be filed within twenty-four (24) calendar days from the date on which it was served (including the date it was mailed, if served in accordance with § 2121.2(c)).
- 2122.4 Filing the demand for hearing shall not in itself stay enforcement of the action of the Mayor.
- 2122.5 The Mayor may grant, or the Office of Administrative Hearings may order, a stay upon appropriate terms.

- 2122.6 Each applicant or security officer shall be entitled to a hearing within twenty-one (21) days of demand.
- 2122.7 Each hearing shall provide full procedural safeguards to the officer or applicant, including the right to be represented by his or her own legal counsel and the right to confront and cross-examine witnesses.
- 2122.8 A record shall be kept of the proceedings of each hearing.

SOURCE: §5.3 of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74.31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2123 APPEALS

- 2123.1 If the Office of Administrative Hearings upholds the denial, suspension, or revocation of certification, the applicant or security officer may seek review of the order by filing an appeal with the District of Columbia Court of Appeals.
- 2123.2 The appeal shall be filed with the Court of Appeals within the time limit prescribed by court rules.
- 2123.3 Filing of the appeal shall not in itself stay enforcement of the action of the Mayor or the order of the Office of Administrative Hearings.
- 2123.4 The Mayor may grant, or the Office of Administrative Hearings or the Court of Appeals may order, a stay upon appropriate terms.

SOURCE: §§5.4 and 5.6 of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74.31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).

2199 DEFINITIONS

- 2199.1 The following definitions shall apply to terms used in this chapter:

Campus security department - A division of a university campus that provides security services for the protection of students, faculty, staff, and visitors while they are on campus.

Certification - The permission that must be granted by the Mayor before a person can lawfully be employed as a security officer in the District of Columbia.

Certification card - A card issued by the Mayor to an individual certified as a security officer.

Chief of Police - The Chief of the Metropolitan Police Department of the District of Columbia or his or her designated agent.

Employer - Unless the context implies otherwise, a person, firm, corporation, or other private organization providing security services exclusively in connection with the affairs of the one business organization that employs them.

Firm - A partnership, corporation, or other private entity employing security personnel.

Firm member - A partner of a partnership, or an officer or secretary of a corporation, or a director of a private entity employing security personnel.

License - Unless the context requires otherwise, a license issued by the Mayor to conduct a business to provide security services.

Licensed security agency - A person or entity that is licensed by the Mayor to conduct a business that provides security services.

Mayor - The Mayor of the District of Columbia or the Mayor's agent or designee.

Private detective agency - A person, firm, or corporation which is licensed as a private detective agency under D.C. Official Code § 47-2839 and Chapter 20 of this title to provide private detective services for a fee or other consideration.

Security agency - A person or entity who conducts a business that provides security services.

Security services - Any activity that is performed for compensation by a security officer or special police officer to protect an individual or property, except as otherwise provided in this chapter.

Supervision - Release from incarceration, and the conclusion of any court-ordered parole, probation, or supervision.

SOURCE: §1.1 of the Regulation Establishing Standards for Certification and Employment for Security Officers, Reg. No. 74-31, approved December 1, 1974, 21 DCR 1203 (December 13, 1974); as amended by D.C. ACT 16-465 published at 53 DCR 6726 (August 18, 2006).