

2000

THE OTHER POLICE

PRIVATE SECURITY SERVICES IN GREATER CLEVELAND

By Dennis T. Brennan

Published by the Administration of Justice Committee
An affiliate of Governmental Research Institute

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ORGANIZATION

Since its creation by The Cleveland Foundation in 1968, the AJC has served as a catalyst for criminal justice reform in Greater Cleveland. A professionally-staffed affiliate of the Governmental Research Institute, the AJC implements action projects in crime prevention, criminal justice system improvement and citizen involvement. Policy direction is provided by a 15-person committee of civic leaders. Financial support is provided by The Cleveland and George Gund Foundations, LEAA grants and corporate contributions.

PROGRAMS

Crime Prevention

- "Lock It or Lose It" Auto Theft Prevention Project
- Analysis (now underway) of gun abuse and its control
- Study of private security services in Greater Cleveland

Criminal Justice System Improvement

- Justice Center Planning
- Cuyahoga County Corrections Program
- Profiles of the functions and costs of the local justice system
- Development of suburban police communications and information systems
- Consultation to the Ohio Department of Rehabilitation and Correction and Criminal Justice Supervisory Commission
- Cycle of problem identification and goal development conferences for local justice officials

Community Involvement

- Staffing of the Cleveland BASICS (Bar Association Support to Improve Correctional Services) project in cooperation with the Bar Association of Greater Cleveland and the American Bar Association
- Creation of the Citizens Impact Project which developed Project Awareness
- Program development services for the Citizens Alliance for a Safer Community, Junior League and League of Women Voters

STAFF

John J. Sweeney, *Director*
Jerry W. Payne, *Assistant Director*
Sandra K. Truderung, *Administrative Assistant*

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ACQUISITIONS

THE OTHER POLICE

PRIVATE SECURITY SERVICES IN GREATER CLEVELAND

By Dennis T. Brennan

June, 1975

Administration of Justice Committee
an affiliate of
Governmental Research Institute

Suite 511, Ten-Ten Euclid Building
Cleveland, Ohio 44115

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INTRODUCTION

The rise in crime has focused attention on the rising numbers and costs of public police agencies--municipal police departments, state police and F.B.I.

However, little notice has been given to the almost "mirror image" growth of the private security industry--guards, watchmen, private investigators and central station alarm and armored carrier personnel.

Since 1973, the Administration of Justice Committee (AJC) in cooperation with the Governmental Research Institute (GRI) and Cleveland State University's Institute of Urban Studies (IUS) has analyzed this overlooked safety force--the "Other Police."

Our descriptive goal was to portray the numbers, types, benefits, risks and regulation of Cuyahoga County's private security forces. This is the first such study in any metropolitan area in the nation. Our policy-analytic goal was to reduce the overall costs to society of current private security arrangements by evaluating alternative guidelines for improving the quality of such services.

This staff report, primarily the product of Dennis Brennan's diligent and perceptive analyses, finds that private security both complements and supplements municipal police in ways which reduce crime and fear of crime. The study concludes that, unfortunately, private security in Greater Cleveland too often involves abuse of firearms and arrest authority as well as dishonest business practices. The study also concludes that Ohio and Greater Cleveland regulation of private security is largely ineffective. To improve the effectiveness of Greater Cleveland's private protection, this report recommends a series of specific policy changes which could be made by state and local officials as well as by Greater Cleveland consumers of security services.

We believe these conclusions and recommendations deserve consideration and action by governmental officials, businessmen and other concerned citizens of Greater Cleveland.

JOHN J. SWEENEY
DIRECTOR

ACKNOWLEDGEMENTS

In 1973, Professor Thomas F. Campbell, Director of the Institute of Urban Studies at Cleveland State University (IUS), suggested to John J. Sweeney, Director of the Administration of Justice Committee (AJC) a shortage of information on a subject of great significance to public safety in Greater Cleveland: private security services. As an initial research effort in the summer of 1973, IUS undertook a preliminary investigation of private security's growth in the area. The results of this phase, conducted by Dennis Brennan as a research consultant to IUS, were summarized in A Preliminary Study of Private Security Services in Greater Cleveland (see bibliography). To make the community aware of the nature, extent and problems of private security, IUS, AJC and AJC's parent organization, the Governmental Research Institute (GRI) agreed to implement a full-scale research project, the results of which are set forth in this report.

Grants in support of this project were generously made by: the A.H.S. Foundation, the Nationwide Foundation, the Oglebay Norton Foundation, and the General Electric Lamp Division. The perception, by the trustees and officers of these institutions, of the public stake in private security made this final report possible. Their financial support does not necessarily indicate concurrence in the conclusions or recommendations in this report. The AJC also wishes to express its appreciation to the Cleveland Foundation and the George Gund Foundation for their general support, to the Financial Support Review Committee of the Greater Cleveland Growth Association, as well as to the trustees of the Louis B. Beaumont Foundation for their counsel. We appreciate the assistance of the Addressograph Multigraph Corporation in the preparation of this report.

Principal author of this Final Report is Dennis T. Brennan, Project Director, who served as Assistant Professor of Political Science, State University of New York-Oswego, before joining IUS/AJC. In addition to many and varied contributions by the AJC staff (especially Jack Sweeney and Sandra Truderung), this study benefited substantially from the assistance of Harold Peelle and Robert Mayer (GRI); Thomas F. Campbell, Edric A. Weld, Jr., Larry Mackie and Anthony Keefer (IUS); and of AJC interns Mary Ann Corrigan, David C. Fulton, Jr., Daniel Einstein and James Mortimer.

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--D.T.B.

SUMMARY

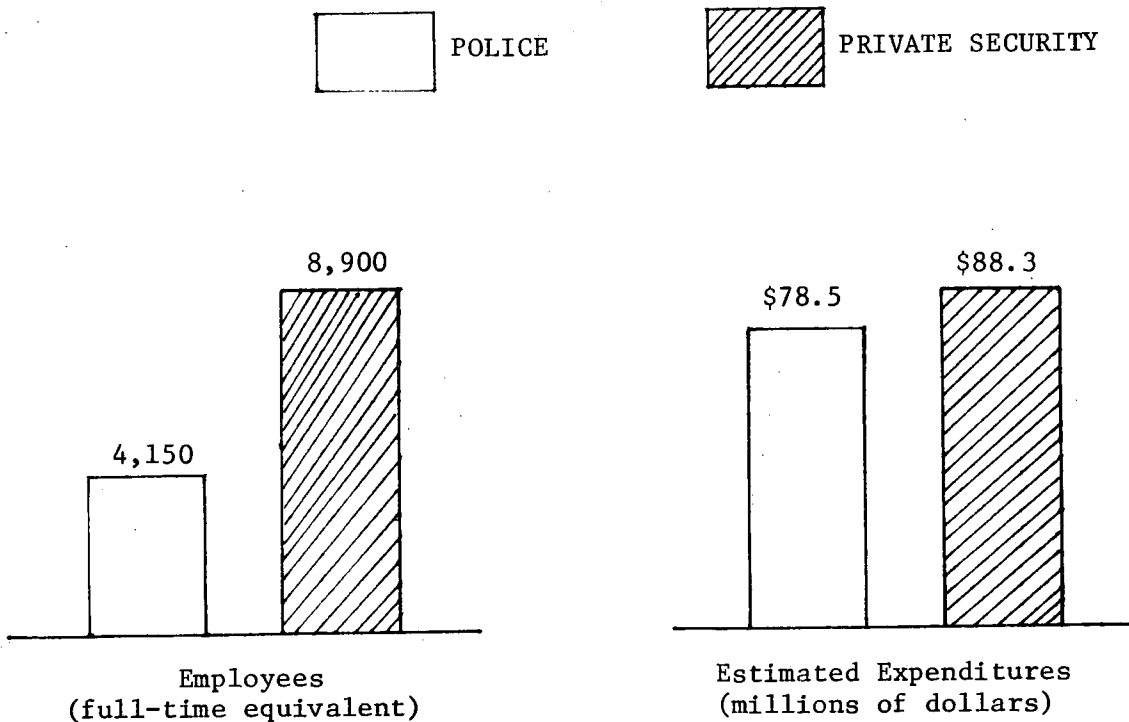
CRIME AND THE OTHER POLICE

- The rise in crime has focused attention on the rising numbers and costs of public police agencies--municipal police departments, state police and F.B.I. However, little notice has been given to the almost "mirror image" growth of the private security industry--guards, detectives, armored car personnel and central-station alarm runners.
- This report analyzes the services provided to residents of a major metropolitan area by an estimated 10,000 privately-employed security personnel. Their services complement those of a "mere" 4,150 sworn peace officers in Cuyahoga County.
- To add this second line of protection against crime, the citizens of Greater Cleveland will spend an estimated 11% more money (\$88.3 million) on private security services than on public police agencies (\$78.5 million).
- This investment is part of a \$4 billion annual crime-prevention effort by all sectors of American business, an effort focused on security personnel and supported by alarms, guard dogs and surveillance systems.

TABLE 1

THE POLICE AND THE OTHER POLICE

(Estimated 1975 Cuyahoga County employment and expenditures of sworn public police officers compared to private security personnel employed by private industry and governments.)



- Local private-sector detective and protective services are expected to grow at a 6% annual rate through 1980, while the growth of tax-supported police forces is slowed by inflation and salary costs.
- The security forces of just 16 large local private employers annually initiate more than 3,400 arrests for such crimes as theft, vehicle crime, trespassing, drunkenness, assault, forgery, burglary, holdups and drug violations.

Already, private crime-preventers probably have more contact with the average citizen than do the public police.

PRIVATE PROTECTORS--WHO ARE THEY?

- This study focuses on 4 varieties of guards and detectives: contract (such agencies as Pinkerton's and Burns), proprietary (in-house operations favored by some businesses and institutions), non-sworn personnel employed by governments, and public peace officers "moonlighting" in private security.
- One of every 5 private security personnel has been commissioned by a safety official to enforce all laws within specified territorial limits; but (despite official-looking uniforms and equipment) 4 out of every 5 private security personnel have no more arrest authority than any other citizens.
- The largest sector of local private security consists of 6,000 agency guards and detectives. Such agencies are increasing at an 11% annual rate.
Such agency forces typically provide perimeter guard, car patrol, retail store, divorce evidence or insurance investigation service to manufacturers, retailers, governmental agencies or citizens.
- Cuyahoga County employs an estimated 3,900 in-house guards and detectives organized in such diverse forces as the University Circle Police Department, the apartment, store, and manufacturing guards and detectives on the payrolls of small and medium-sized businesses as well as of most major corporations and private institutions.
- Local governmental units pay at least 680 guards and detectives in excess of \$5 million annually to guard city, county or federal office buildings and welfare centers, grade and high school halls and street crossings, and the streets surrounding public housing.
- Many students, pensioners, and individuals temporarily in debt "moonlight" in private security.
The most sought-after class of moonlighters are the estimated 1,000 municipal policemen and deputy sheriffs employed by manufacturers, retailers, rock concert promoters and even family homes with expensive collections of wedding gifts.
- Most private security services appear expensive to many potential consumers. Thus, despite heavy crime losses, only 5% of sole retail proprietorships without employees can afford any security personnel service.

UNTRAINED...

- Unfortunately, local corporate and institutional managers accept untrained and low-wage or low-status security service without calculating its indirect business and direct social costs. Local neglect at the top has produced a very few innovative, well-led security forces and many more grossly negligent or overly-martial forces.
- Both governmental and private employers tend to use proprietary security forces as "dumping grounds" for employees no longer useful in other departments. No governmental employers have implemented coherent hiring, training or operations policies for their security employees.
- Such serious problems are common to governmentally and privately-employed private security, both proprietary and in-house. Nevertheless, it is contract security--where lowest bid wins--which employs the minimum-wage guard who causes the most serious problems.
- Each month, hundreds of local agency guards quit some agency and move on to another, without ever having seen a training manual, graded testing, regular supervision, pistol range practice or any refresher training.

...BUT ARMED

- Surveys of law directors, police chiefs, prosecutors, regulators, security chiefs, and agency heads suggest that the private security sector has serious misbehavior problems which are not improving.
- Local newspaper accounts and AJC research show that local private security personnel have committed a considerable number of assaults, thefts, rapes, frauds, false arrests and even killings--a number which could be sharply reduced by thorough screening and training.
- Despite local agency professions to the contrary, the average contract security employee is over 50 years old, with a 9th-10th grade education, no previous security experience and little ability to absorb training.
- Lacking an authoritative, crime-detering appearance, this "janitor with a badge" is often armed to improve his appearance or to satisfy his fantasies of being a lawman.
- An estimated 5,125 privately-employed security personnel sometimes or always carry firearms on duty, in addition to an estimated 1,000 public police moonlighters and 175 non-sworn personnel employed by governments.
- While a small minority of these armed personnel actually need a firearm for their assignment, most firearms issuance is frightenly casual, with no one asking whether self-protection or law-enforcement in this assignment requires a handgun (or rifle) as distinguished from a baton, a guard dog, a chemical spray or perhaps no weapon at all.

- In a vain attempt to serve two masters, armed police moonlighters occasionally use their official status for illegal gains or use excessive force when threatened on unfamiliar, solitary posts. Police moonlighters' regular use of their public uniforms and other equipment misleads the public and angers private security competitors.

TOOTHLESS REGULATION

- Governmental efforts to control private security behavior have been toothless at best and apathetic and deceptive at worst. The law and its enforcers tend to favor the right of the private property-protector to use force, detention and interrogation over the right of the visiting public to conduct its business free from dangerously careless or unstable guards.
- Although the badge, uniform, handcuffs, gun, baton and patrol vehicles of private security all spell law-enforcement authority to the general public--and to many guards themselves--strict constitutional and administrative controls apply only to those 20% who are commissioned.
- Far less than half of the county's private security personnel are actually registered by the Commerce Department's Licensing Division. No action has been taken against armored carrier and central station alarm runner companies, against moonlighting public policeman, or against the estimated 25% of contract security companies which have unilaterally decided that Ohio Revised Code, chapter 4749 does not apply to them.
- Beneath the Licensing Division's crippling political, legal and administrative problems lies a fatal lack of the will to discover actual, day-to-day private security behavior.
- Although widely regarded, Ohio's arrest-oriented private peace officer course reaches too few suitable persons and far too many "cowboys". Too often taught in schools designed more to make money than to instruct, it is supervised statewide by an underfunded staff not focused on private security's training dilemmas.
- In Greater Cleveland, most safety officials have avoided broad-coverage ordinances or enforcement of statutory requirements. Rather than fill the state-created vacuum, several major safety departments have merely sought to dominate a minority of armed private security personnel by misusing the deputization process.

RECOMMENDATIONS

- The practical starting-point for reform should be the National Private Security Advisory Council's (NPSAC) "Model Private Security Licensing and Regulatory Statute."

It includes among its 14 principal provisions exclusive state-level licensing and regulation of all private security officers as well as strict insurance, reporting, training and trainer-certification requirements for all employers of armed private security officers.

- To assist in moving from this starting point to comprehensive reform, this report addresses a total of 31 recommendations to 4 responsible groups: the U.S. Justice Department, Ohio's officials, Greater Cleveland's officials and private sector.
- The U.S. Justice Department should undertake a public information effort to promote serious consideration of NPSAC's model private security statute.
- As its first order of private security business, Ohio's legislature should increase the field investigative staff resources available to the State Commerce Department Division of Licensing and to the Ohio Peace Officer Training Council (OPOTC).
- To implement its principal responsibility for regulating private security services, Ohio should adopt a new, comprehensive private security services statute which should pre-empt most local ordinances.
- Among the 17 specific provisions suggested for such a comprehensive statute are:
 - expansion of NPSAC's proposal to cover private investigators and all private security officers;
 - mandate Commerce Department licensing for contract agencies only, but require all in-house as well as contract private security officers to receive 40 hours of standard training;
 - mandate a strengthened State Private Investigator and Security Advisory Commission to develop standard curricula for armed and unarmed private security officers; and
 - revise the OPOTC's 120-hour private peace officer curriculum and mandate cloth badges and other identification requirements for non-deputized personnel.
- If competent, comprehensive state-level regulation proves unachievable, the above statutory outline should be adapted to reciprocal local ordinances, possibly including a private security advisory board within each safety director's office.
- Eventually, public police moonlighting in private security should be abolished. For the immediate future, local safety directors must be held accountable for the public duty efficiency and private-job propriety of moonlighting policemen.
- In the absence of comprehensive gun registration laws, an ordinance should require private security personnel to secure a permit before carrying in public an unconcealed but loaded firearm.

At the same time, only those private security personnel who could fill specific arrest needs should be commissioned or deputized on an annual basis.
- Consumers of security services should follow 6 suggested guidelines in establishing rigorous security employee selection procedures and insisting upon 40-80 hours of training of their proprietary or purchased guard/detective forces.
- In sum: to get much more reliable private protection against crime, consumers must begin to pay for professionals--trained private security officers.

PROLOGUE

"A WALK UP EUCLID AVENUE"

Riding downtown on the rapid, you were standing beside a private railway policeman, one of the many kinds of security forces employed by the rapid transit systems. Moving up into the Terminal Tower concourse, you passed through lobbies and shops protected by men and women wearing blue uniforms, silver badges and yellow shoulder patches and carrying nightsticks, handcuffs and holstered handguns.

As you turned right onto Public Square, you passed the Higbee Company, where trained, customer-oriented security personnel--some of them "moonlighting" Cleveland policemen--protect shoppers and initiate hundreds of arrests a year. You crossed Ontario Street to the May Company, where even more arrests are made by a private police force of guards trained in firearms and karate and supported by deliberately-visible TV monitors.

As you kept walking up Euclid you mingled with armed private foot patrolmen hired by various merchants and passed display windows bearing decals advertising the store's protection by armed guards from the Downtown Detective Agency. Other display windows warned that the premises were protected by electronic security systems.

Inside the banks that line Euclid you saw dozens of guards; outside you spotted four Brinks men moving toward their armed trucks with guns drawn and pointed at the pavement.

An alarm bell was ringing at a shoe store near Sixth Street; ADT men were on their way to respond. At Ninth Street, the aisles of the Revco drug store were patrolled by armed, commissioned guards, part of a recently-created in-house security force.

It is possible that if you had taken such an imaginary walk on any given day in 1975 you would not have seen "the" police. That is, you might not have seen a sworn, on-duty police officer paid by a governmental unit from your tax dollars. It is hardly likely, however, that you could have missed seeing the "other" police. But we also pay for the private security people through the added costs of goods and services. In fact, in Cuyahoga County in 1975 (at a time when Cleveland public safety costs exceeded the total Cleveland general fund budget) we spent more for private security services than we did for public police services. Until now, much had been written--good and bad--about the public police, but little about private security. This report begins to fill that important informational void.



CHAPTER I WHO ARE THEY?

THE DIVERSITY OF PRIVATE PROTECTORS

METROPOLITAN SECURITY DIVISION
A NATIONAL AGENCY WITH OFFICES COAST TO COAST

SECURITY OFFICERS
Call Day or Night
1-212-262-2020

Private Police Fight Crime on Prospect

By JIM MARINO

Each other with walks talks radio. They're on a 12-hour shift ending at 8 a.m.

"Saturday night I came down and had no sooner got out of my car when four hoods, drunk and rowdy, came up," Sheriff said. The policemen sent them on their way swiftly.

The policemen walk in and out of the 22 stores on and around the Prospect street, where they are making sure that there are no problems.

"One storeowner who didn't want to take part of

Armed Hell's Angels guard gasoline delivery trucks here

side of the room starting at squads of off-duty Cleveland and suburban policemen who, at least for today, were competitors of the Angels.

"The Angels are good street people," said Spisak. "They can handle themselves better than some policemen."

But at least one Refiners Transport driver was having some of it.

Richard Futchko of North Olmsted has been refusing to be guarded by five guards in

Security Officers Police barred as truck guards

Whiting late yesterday said off-duty policemen can do armed escort work, but at their own risk as private citizens. The city would not be responsible for claims if they are injured, he said.

Carney said there were other legal questions the law department must answer besides liability for injuries before the order would be made.

Confusion over off-duty police

In a letter to the editor of The Chronicle-Telegram, a complaint was registered about the arrest of a youth at Midway all. The writer thought undue force was used by the policeman making the arrest.

Mayor Leonard P. Reichlin wrote us in response.

"People often complain about policemen chasing and harassing motorists on the streets," he said. "I don't blame the Cleveland police because they can't be everywhere. But be sure you have a job."

Workhouse guards cost city a bundle in overtime pay

By BRENT LARKIN

Five security guards at the Warrensville Workhouse accumulated a total of 446 overtime hours during a two-week pay period late last month. This is an average of about 45 hours overtime per man each week.

Overtime payments for the five guards cost Cleveland \$2066 between Dec. 14 and Dec. 21 to the city of Warrensville.

"With nearly 1000 city workers in unemployment lines time payments reflect the city's financial plight," said Richard Boylan, acting director of the Warrensville Workhouse. "The city is in a bind because of the high cost of unemployment benefits."

Security seems sound at Severance

regular shopper at Severance Police Department. Since then, two years ago, he has developed a 24-hour security system unmatched at any shopping center in Ohio.

His men, all certified police officers recruited from the Cleveland Heights force, are carefully selected to handle many of the unusual situations which can come up in the center.

Security officers, the mobile foot patrolmen

Every store has a special security number on its telephone. A call with that number in contact with a matter of seconds.

In addition to control, the officers are on to specific areas to the bank, to the home, to the car, to the children, to the in-while, helping enter his or her keys have been

Lakewood Guard Assists Police in Robbery Arrest

By Donald L. Genu

24-year-old Lakewood security guard, who wanted to be a police officer, helped police officers in the arrest of a man who had stolen a car.

The guard, who was on duty at the time, saw the man get into the car and drive away. He followed the car for a short distance and then called the police.

Two Rent-a-Narcs Aid in Six Arrests

Plaza Dealer Special FREMONT, O. Two rent-a-narcs helped the Sandusky County Sheriff's Department arrest six persons in a motel here yesterday.

The suspects, ranging in age from 50 to a 19-year-old girl, are being held in Sandusky County Jail here, and are to be charged tomorrow with possession for sale of marijuana.

They're good at their work

Electronic Vigil Guards U. Circle

By Raphael Schaefer

Lasers, beams, glass-eyes television cameras and shades of 19th century wizardry have come to give electronic vigil guards a new way to watch for crime.

From now on, everyone walking the streets of the educational and cultural center within three miles of the city's downtown will be watched by a very sensitive electronic eye.

Plaza owners hire security officer

Parking problems in the Chagrin Falls Shopping Plaza have prompted owners to hire a private policeman.

The plaza owners, including the Chagrin Falls Shopping Plaza, Inc., have hired a private policeman to help with parking problems.

Police conflicts hinted

By Thomas J. Brazaitis

Testimony in the case of two suspended patrolmen has raised the possibility of conflict of interest by Cleveland police doubling as security guards.

Turner and Carney, who were suspended last month for allegedly violating departmental rules, were also acting as security guards for a private business.

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Electronic Vigil Guards U. Circle

By Raphael Schaefer

Lasers, beams, glass-eyes television cameras and shades of 19th century wizardry have come to give electronic vigil guards a new way to watch for crime.

From now on, everyone walking the streets of the educational and cultural center within three miles of the city's downtown will be watched by a very sensitive electronic eye.

Groups on Euclid Calling for Private Police Force

Businessmen along two separate police forces in the E. 163th and Euclid Avenue areas.

The Euclid Business Association and the Euclid Business Association are calling for a private police force to protect their interests.

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The plaza owners, including the Chagrin Falls Shopping Plaza, Inc., have hired a private policeman to help with parking problems.

CMHA to try out tenant patrol setup

Pending for a tenant security force was approved by the Cuyahoga Metropolitan Housing Authority (CMHA) yesterday.

The CMHA board set aside \$17,500 to run the tenant security force for a three-month trial. The board will select one of 27 security forces for the trial.

A. OVERVIEW

TODAY'S SECURITY PROBLEM: "We're not winning the battle against crime. If anything, we're losing ground." This assessment by former U.S. Attorney General Saxbe is confirmed by national reported crime statistics for the last six years, which indicate a substantial increase in urban crime rates, especially against property. While political rhetoric about "long hot summers" and "law and order" has softened, the reality remains grim. Between 1968 and 1973, for example, the following rate increases occurred: shoplifting, up 67%; daytime residential burglary, up 56%; robbery of chain stores, up 167%; and robbery of persons on the street, up 35%. Even worse, the FBI's figures for 1973 show that only one of every four or five reported crimes against property was "cleared" by an arrest. And in 1974, the national serious crime rate shot up 17%. According to the U.S. Bureau of Domestic Commerce, the 1974 national cost of ordinary crime to American businessmen was an estimated \$20.6 billion.

GREATER CLEVELAND: The local crime picture is no better. In 1974, Cleveland had 52,022 reported serious crimes, a 23% jump which surpassed the national rate. The recent Miller grand jury report again spotlighted the county's unsolved problems of drug selling, drug-caused criminal acts and juvenile crime. A recent, careful study of crime victims in Cleveland showed that crime is twice as high as these reported figures, because many Americans do not think it worthwhile to report criminal acts to the police. Despite clear statistical evidence that the proliferation of handguns has directly increased the homicide/suicide rate in Cuyahoga County, the 1975 total gun-caused deaths are occurring at an unprecedented, brutal and widely-publicized rate. And all of this comes at a time when severe budgetary problems have forced the furlough of 169 Cleveland policemen and the last-ditch use of federal Housing and Urban Development funds to prevent the layoff of hundreds more policemen.

PUBLIC POLICE: Prior to the current constraints of high inflation and recession, the most visible response to these increasing crime rates was the allocation of greater resources to public police forces, such as the municipal police, county sheriffs, state highway patrols, and the FBI. While such factors as rising population, inflation, urbanization and motor-vehicle registrations do explain much

of the increase in police resources, Cuyahoga County's increases in public police employment and expenditures are impressive. According to a recent, unpublished study by the Administration of Justice Committee, governmental expenditures for police operations in Greater Cleveland for 1975 are estimated at \$78,488,000. The estimate covers a projected 4,150 sworn officers and includes the operating expenditures (excluding capital expenditures) for the law enforcement activities of Cuyahoga County, the City of Cleveland, and the 60 suburban communities within Cuyahoga County.

THE OTHER POLICE: The growth and roles of the public police have been widely debated and occasionally studied. Virtually no public attention, however, has been given to the mirror-image development of the private security industry. While our municipal police are sometimes exhorted to respond more promptly to reports of serious criminal incidents, no one seriously expects them to prevent or deter most crimes, particularly those against property. Today, when Greater Cleveland's citizens in a store or on a downtown sidewalk meet a uniformed man on foot, wearing a badge and a gun, the odds are that they have met a man in private security.

In the face of increasing demands upon municipal police, urban Americans concerned about their businesses, homes and automobiles have developed a second line of protection: private security personnel. "Private security" here refers broadly to all protective services provided by all non-military guards, investigators, patrolmen, alarm, and armored-car personnel who are not charged either with general law enforcement in a city or county or with enforcement of specific federal laws. These services are employed either in-house (i.e., full-time by a single business, institution, or governmental unit) or by a contract security agency (e.g., Pinkerton's, Burns, Wackenhut, etc.). Most uses of private security pursue the objective given in an excellent local contract security manual: "to protect the workforce against injury and to assist in reducing profit loss resulting from theft, fire, accidents, and system failure."

As Greater Cleveland's second line of protection, private security operates on and about a property before a potential criminal arrives. It clearly helps hold down crime and fear of crime, insurance costs, and retail prices. Nevertheless, the cost of maintaining private security forces is passed along to the consumer, whether he be a student, a patient, a tenant, a merchant or a department store customer. Indeed, every taxpayer/consumer pays three bills annually for his

TABLE 2

ESTIMATED NUMBERS OF SECURITY PERSONNEL IN CUYAHOGA COUNTY
BY EMPLOYER, PAYROLL AND LEGAL STATUS

Type of Organization and Personnel	Publicly Employed	Privately Employed	All Employed
IN-HOUSE (PROPRIETARY)			
Watchmen			
with citizens' legal powers	150	1,200	1,350
Guards			
with citizens' legal powers	50	600	650
with limited police powers	250	1,000	1,250
Detectives (non-police)			
with citizens' legal powers	0	200	200
with limited arrest powers	25	300	325
Municipal, County Peace Officers	4,150	600*	4,750
CONTRACT (AGENCY)			
Watchmen			
with citizens' legal powers	50*	2,225	2,225
Guards			
with citizens' legal powers	75*	2,000	2,000
with limited police powers	75*	1,000	1,000
Detectives (non-police)			
with citizens' legal powers	0	300	300
with limited police powers	5*	200	200
Municipal, County Peace Officers	0	400*	400
TOTALS	4,830	10,025	14,650

*Figures asterisked represent the estimated 1,205 persons who are both publicly and privately employed in security work. Regarding secondary employment of municipal peace officers, see below, pp. 30-34, 74.

Source: AJC Research

local safety forces: his municipal police, the private security protection of the retail goods he buys, and the security guards employed by the various local governments. Examples of this last bill are startling: in 1974 the Cuyahoga County government employed 150 full-time private security persons at an annual expense of roughly \$1 million; the City of Cleveland then employed 126 private guards and watchmen (even 5 for the Division of Police) at an annual cost of \$1,077,908.

SENIOR IN SIZE: Although public police forces remain the unquestioned senior partner in criminal apprehension within Cuyahoga County, they are distinctly junior in size, whether measured by employment or expenditures. In comparison with an estimated 4,725 publicly-employed full-time security persons in Cuyahoga County, there are an estimated 8,940 privately-employed, full-time-equivalent security persons in the county. And while 1975 public security operating expenditures in Cuyahoga County will total \$78 million, 1975 private security personnel expenditures will total an estimated \$88 million (see Table 1). This disparity between publicly and privately available crime-fighter resources is underscored by Table 2's presentation of the estimated numbers of in-county security personnel, tabulated by employer, payroll and legal status. Whether or not one includes the services of the estimated 1,205 persons who are both publicly and privately employed in security work (e.g., "moonlighting" municipal and county peace officers and publicly-paid agency watchmen, guards and detectives), one finds that an estimated 2 out of every 3 in-county security personnel are privately employed. Applying federal labor statistics for 201 industries to the Cleveland SMSA, the Ohio Bureau of Employment Services has projected that local private sector detective and protective services will grow at a 6% annual rate through 1980. Even though Greater Clevelanders pay the direct and indirect costs of the county's 15,000 total security employees, most people have not grasped the growing disparity in size between their public and private investment.

WHAT PUBLIC SAFETY ROLE?: What safety service does the local consumer/taxpayer get for his private security dollar, and does that service duplicate public police efforts? Private security clearly supplements the public police in areas where municipal police coverage does not suffice. Local examples include the employment by governmental units of armed and unarmed watchmen, guards, and investigators in building protection, crowd control or welfare investigation; in-house security investigations of theft or arson at plants or institutions; a 96-hour/week residential patrol service; central station silent alarm-responding guard systems for

residences and business; community neighborhood patrols; and the recently controversial "rent-a-narc". Further, private security clearly complements public-employed peace officers at the literally thousands of private stores, plants and institutions where those on-duty peace officers may not lawfully go on a routine crime-prevention basis.

Despite the now established character of these role changes, no metropolitan area in the country has formulated a positive policy on private security. As crime and fear of crime presses about the ordinary citizen, no city has found a way by which some public safety responsibilities could be entrusted to the private sector's guardians. Perhaps no city will get the service it desires from its regular police until it requires its "other police" to shoulder some of the burdens of crime prevention.

HISTORICAL CHANGES IN SECURITY: These current roles for private security suggest that history's pendulum is once again swinging away from the all-purpose peace officer and towards separate groups of criminal apprehenders and crime preventers. Throughout recorded history the most constant factor in peacetime security has been the willingness of both community and private groups to hire as watchmen some of the laziest, least competent and least dependable members of society. Because people may always be free to act on the belief that the most unteachable guard is better than no guard at all, the shiftless watchman may remain a fixture into the foreseeable future.

There is, however, a dynamic element in the history of peacetime security. Anglo-American history shows that some untrained watchmen--constables, waits, the watch, bellmen and specials--have periodically been assimilated into what we term policemen and that some policemen have periodically become what we call detectives. This happened in the American cities of the 1840's and 1850's. Much of the next century's gradual fusion of crime prevention and serious-criminal apprehension duties can be seen in the development of such long time private security agencies as Pinkerton's and Burns International. Founder Allan Pinkerton created the first organized Secret Service when he put his private detective force at President Lincoln's service during the Civil War. Later a former Secret Service investigator, William J. Burns, headed the FBI's predecessor organization, the Bureau of Investigation. During most of Burns' career, private agencies such as Pinkerton's and Burns were the only law-enforcement agencies in the United States with nationwide and even international capabilities to apprehend criminals and protect persons

and property. Other special private security forces had developed: by 1914 there were 14,000 railroad police working in the United States. Gradually, however, criminal apprehension functions became a more exclusively governmental responsibility, and the emphasis in agencies like Pinkerton's and Burns shifted from primarily detective work to primarily guard work by personnel without peace officer powers or training.

Despite World War II's creation of auxiliary military police to guard war plants, most private security continues to mean low-pay, low-prestige, long-hours and boring jobs. When a talented, trained person has found himself a private security employee, he has usually moved on rapidly to become an insurance company investigator or a corporate undercover agent, or he has started his own guard or detective agency. Although the decade-old crime wave and the greater volume of property and persons needing security have sharply increased the numbers and diversified the services of private security, neither the general public nor the direct consumers of private security services have agreed upon a wider crime-prevention responsibility for private security. Before turning to that local and national policy dilemma, we must examine which services now comprise private security.

VARIOUS SECURITY SERVICES: This report has defined "private security" as all protective services provided by all non-military guards, investigators, patrolmen, alarm and armored-car personnel who are not charged either with general law enforcement in a city or county or with enforcement of specific federal laws. Included in this definition are such varied groups as: moonlighting peace officers; Federal Protective Service personnel; municipal reserve police; government-employed guards without peace officer powers; neighborhood patrol and blockwatcher groups (often organized as auxiliary police and linked with Police Outreach Centers); contract and proprietary guard and detective forces; campus security forces; public housing, transit and school security forces; insurance, credit, or Better Business Bureau investigators; central station alarm respondents; armored guard and courier personnel; and even the vigilante groups which occasionally spring up in tense neighborhoods in Greater Cleveland. Although some of this report's conclusions and recommendations are probably applicable to all of the above categories except vigilante groups, the report's particular focus is on four varieties of guards and detectives--"in-house", "agency", "government" and "moonlighting peace officer". In addition, there are ancillary enforcement personnel which fall within our private security definition, such as the few private constables appointed by a county judge,

statehouse and public work police, wildlife game protectors, dog wardens, and holders of a Governor's police commission. Only the last category, to be discussed in Chapter III, falls within this study's concerns.

It is difficult to classify private security personnel services. Five years ago a federally-funded research team found over 60 different titles used in state statutes to describe security personnel. Table 2 above uses three categories: security function (i.e., watchmen, guards, detectives, and municipal/county peace officers); relation of security consumer to security supplier (i.e., in-house or contract) and employing sector (i.e., public or private). Two other categories, to be discussed in Chapters II and III respectively, are the authority of force (i.e., whether armed with any deadly weapon) and the force of authority (i.e., whether possessing law-enforcement powers).

ALARM SYSTEMS AND OTHER SECURITY PRODUCTS: In addition to personnel services, a large volume of non-human security services are consumed in Greater Cleveland. As Table 3 shows, these mechanical services together cost more than contract security personnel services and constituted roughly 20% of all security services in 1971.

TABLE 3
1971 VOLUME OF COMMERCIAL SECURITY BUSINESS
(\$ MILLIONS) BY NATIONAL MARKET AND PRODUCT

	INDUSTRIAL	COMMERCIAL	INSTITUTIONAL	RESIDENTIAL	TOTAL
LOCK/HARDWARE	NA	NA	NA	NA	429
GUARD SERVICE*	560	68	72	0	700*
ALARM DETECTION & SURVEIL. EQMT.	36	124	30	10	200
CENTRAL STATION	49	104	16	1	170
FIXED SECURITY	20	139	17	4	180
ARMORED CAR	25	214	11	0	<u>250</u>
TOTAL					1,929

*Excludes proprietary guard service expenditures exceeding \$1,600 million

NA = Market breakdown not available

Source: Local corporate research

Widely-purchased deterrent devices include: locks, chains, window and storefront bars, safes, vaults, screens, fences, high-intensity lighting, wide-angle and one-way mirrors, closed circuit television, sirens, identification badges, dogs, tear gas and mace aerosols, and a whole variety of deadly weapons.

Besides the lock/hardware, surveillance equipment and fixed security expenditures, the largest non-personnel sector of private security expenditures is for the purchase, installation and maintenance of burglar and hold-up alarms. As of June, 1973 there were approximately 78 firms in the Greater Cleveland area specializing in the sale and installation of such devices as fire, space, intrusion, dial, perimeter, burglar, automatic and silent alarm systems. In addition, uncounted discount, department, hardware and electronic equipment stores offer frightened Greater Clevelanders a more limited range of alarms. Alarm industry problems, such as extremely high rates of avoidable false alarms, are being attacked in several ways, including the eventual dissemination of a "Model Burglar and Hold-Up Alarm Business Licensing Statute" now being finalized by LEAA's National Private Security Advisory Council.

Three additional personnel services deserve mention. Some central-station alarm companies not only relay alarms to police or fire departments but also dispatch guards to investigate the security hazard signal. Although usually armed, these dispatch guards are often instructed to leave criminal suspect apprehension to the municipal police. A large portion of Greater Cleveland's commercial firms entrust to armored car companies such as Brink's and Wells Fargo the transport of their cash, negotiable stocks and securities, and other valuable freight. Recently Brink's Inc. moved the \$9 million Ohio treasury into the vault of the new State Office Tower building in Columbus. Further, armed escort services for persons moving valuables are provided locally by some municipal police departments, guard agencies and broadly-licensed private detectives. Finally, many individuals and agencies provide consulting services on the selection, installation or evaluation of security systems for a given location.

Despite the obvious importance of the alarm dispatch, transport, escort and consulting sectors of private security personnel services, this report will address primarily the four guard and detective service areas identified above. And despite the direct and little-studied effect which mechanical security systems have on security personnel services, the AJC concentrated its available resources upon researching the latter industry, which will be the exclusive focus of the balance of this report.

SERIOUS PROBLEMS?: Because of their sudden growth and diversification, we know little about the serious problems which seem to pervade these new safety forces. Recent publicized incidents may suggest some of the current problems and successes of Greater Cleveland private security:

- A young Lakewood contract security guard, with 2 1/2 years' experience with his firm and a desire to be a Cleveland municipal policeman, gives a daring and crucial assist to police making an arrest for armed robbery.
- A 52-year old man is shot four times in the back and seriously wounded by a male juvenile while responding to a silent alarm at a settlement house recreation center.
- Twenty civil rights advocates picket a large downtown store, denouncing the existence of "a growing army of reckless security guards" and charging "unjustifiable homicide" of an 18-year old shoplifter killed by a young in-house guard who did not unleash his dog or fire a warning shot.
- In a mutual challenge of authority between two armed but non-uniformed men, a 35-year old special guard at a Cleveland carry-out food store shot a 25-year old off-duty deputy sheriff in the abdomen.

How should concerned citizens view such incidents? Currently no adequate basis exists for classifying any of these or many similar reported incidents as exceptional or typical of Greater Cleveland private security personnel. No basis exists for comparing private security personnel's successes and failures with public security personnel's successes and failures. No basis exists for authorizing uniform municipal regulation of those individuals whose private security jobs put them in frequent contact with Ohio's most urbanized, diverse public. In sum, Greater Cleveland is woefully ignorant of the types, costs, and personnel of its private security forces.

B. AGENCY GUARDS AND DETECTIVES

FOR HIRE: 6,000 MEN: The most noticeable and problem-ridden sector of private security is that of protective services agencies who hire themselves out to protect others' property. In an era of specialized services, it is quite probable that well-trained security agency employees could soon come to dominate the private guard and detective field of employment. Their recent growth is already impressive. As Table 4 shows, from 1967 to 1972 the number of contract guard, detective and armored car personnel establishments in Ohio rose from 156 to 242, an increase of 55% or 11%

TABLE 4

GROWTH OF OHIO'S CONTRACT
GUARD, DETECTIVE & ARMORED CAR SERVICES
1967-1972

	<u>Number</u>	<u>Receipts (\$1,000)</u>	<u>Payroll (entire yr.) (\$1,000)</u>	<u>Paid employees for week including March 12</u>
1967	156	25,647	18,094	5,372
1972	242	46,393	40,958	10,132

Source: Census of Business, Selected Services, Area Statistics, 1967 and 1972 (adjusted for comparability)

annually. According to a recent New York Times feature, revenues and earnings for Pinkerton's, the nation's largest contract security company, have increased from 6 to 12 percent a year and are forecasted to do nearly that well for the next 5 years. Based on April, 1975 State Commerce Department estimates and census data, the AJC estimates that in Cuyahoga County there are a total of at least 6,125 security personnel for hire in early 1975, in comparison to an estimated public police total of 4,150 officers.

TABLE 5

REPORTED EMPLOYMENT OF TEN LARGEST
CONTRACT SECURITY FIRMS IN CUYAHOGA COUNTY

<u>FIRM</u>	<u>FULL-TIME</u>	<u>PART-TIME</u>
Pinkerton's, Inc.	NA	NA
Burns International	350	500
Wackenhut Corporation	NA	NA
Allied Security, Inc.	225	35
Downtown Detective Agency	198	75
Industrial Security Service, Inc.	90	40
Security Systems, Inc.*	NA	NA
Seaway Security, Inc.	50	35
Damar Agency	60	20
General Protective Services	47	31

*Total employees: 100

Source: AJC Inventory Questionnaire

DISPARITY OF SIZE: There is a wide size distribution of contract security firms when measured either by a firm's total number of full-time employees or the firm's reported annual dollar volume. In 1973, 69% of the contract detective and protective companies in Cuyahoga County employed less than 50 persons, while two payroll units reported more than 500 employees. In 1974 more than half of the 23 agencies who described to the AJC their level of annual dollar volume reported a total under \$100,000, while the remaining descriptions are scattered at various levels ranging up to "over \$5,000,000". Both sets of data suggest that the contract security industry is one with many smaller agencies, several medium and medium-large agencies, and a few very large agencies. Table 5 above lists the ten largest contract security agencies in order of employment size.

SECURITY AGENCY PROFILE AND INVENTORY: As part of a three-day field research effort at the State Commerce Department's offices in Columbus, a master list was compiled of all licensed security firms doing business in Cuyahoga County. Using this list, the researcher was able to review the Commerce Department file of every contract agency in the county. From personal information supplied by agency heads on the license application form, the AJC was able to compile a profile of Cuyahoga County's licensed security heads. The average licensee is a 47 year-old white male with no criminal convictions who has done some college work, in addition to some specialized security training and over 5 years' experience related to private security work. Using its master list of 94 licensed Cuyahoga County agencies, the AJC undertook its "Greater Cleveland Private Security Services Inventory". This effort sought to identify citizen and business needs for private security by analyzing systematically the aggregate numbers, locations and types of clients, services and employees of Cuyahoga County's private security forces.

INVENTORY RESULTS: Table 6 conveys the reported characteristics discovered in the security services inventory. Since most guard agencies provide some investigative services on problems uncovered in the protected environment, "investigator" was the most frequently reported service followed by "guard", "insurance investigator", "special events guard", "retail store security", "polygraph operator", "foot patrolman", and "car patrolman". Most of these agencies sell their services to at least some of their clients for brief periods of time; the long-term or short-term clients are most likely to be an industrial or manufacturing firm, a retail store, or a lawyer. Yet there was a wide range of other reported clients, including

TABLE 6

SECURITY SERVICES INVENTORY OF 31 LICENSED AGENCIES

<u>Types of Services Provided</u>	<u>Annual Dollar Volume</u>
Alarm Respondent.....5	Under \$100,000.....15
Car Patrolman.....9	Under \$250,000.....2
Foot Patrolman.....10	Under \$500,000.....2
Guard.....20	Under \$1,000,000.....4
Investigator.....28	Under \$2,000,000.....2
Special Events Guard.....13	Under \$3,000,000.....0
Retail Store Security.....12	Under \$4,000,000.....1
Polygraph Operator.....11	Under \$5,000,000.....0
Insurance Investigator.....14	Over \$5,000,000.....1
Repossessor.....3	
Process Server.....3	
Retail Credit Investigator.....3	
Other.....13	

<u>Types of Clients</u>	<u>Employee Data</u>	
	<u>Average Number of Employees</u>	<u>Average Weekly Hours</u>
Industrial or Manufacturing.....19		
Financial or Insurance Co.....12		
Government Agency.....9		
Transportation Organization.....13		
Retail Store.....19	Full-time 79	42
Many types for brief periods.....19		
Individual Citizens.....17	Part-time 36	24
Lawyers.....19		
Other.....6		

<u>Crimes Encountered Last 6 Months</u>	<u>Employee Background</u>
Theft.....22	Average Age.....36 years
Burglary.....16	Average length of previous experience.....4 years
Crimes Against Vehicles.....17	Average education.....12 years
Drunks.....11	Average annual turnover.....84%
Forgery.....6	
Holdups.....9	
Trespassing.....14	
Assault.....9	
Drug Violation.....15	
Vandalism.....15	
Other.....5	
None.....4	
No Response.....2	

individual citizens, transportation organizations, financial or insurance companies and governmental agencies. As a group, these agencies reported a surprisingly moderate number of criminal incidents encountered by their security personnel in the last six months. Twenty-two agencies reported encountering theft; the major other encountered crimes in order of frequency were: crimes against vehicles (17), burglary (16), drug violation (15), vandalism (15), trespassing (14), drunks (11), assault (9), and holdups (9). Chapter II will suggest the likelihood that agency personnel grossly underreport the crime they encounter. Although 63% of the agency heads claimed previous employment by law enforcement agencies, most respondents claimed that no employee had any previous law enforcement background.

Telephone interviews with agency heads suggest that the average "Employee Background" data reported in Table 6 is greatly exaggerated. One head of a medium-sized agency, after going through his roster in the presence of an AJC interviewer, estimated that his average employee is 45-50 years old, with a 9-10th grade education and no previous experience. This agency head estimated that 75% of his employees have no previous experience, while 25% have one year or less experience. Such estimates seem obviously closer to the true situation than the inventory results. Finally, it should be noted that the reported average annual employee turnover of 84% includes the less transient detective workers and thus probably understates the serious turnover problems of local guard agencies. The Cleveland district manager of one of the very largest national security agencies told the AJC that his annual turnover was 200%-300%. As the 84% inventory figure stands, it suggests that the odds are almost even that the guard who today protects a business was not there six months ago and will not be there six months from now.

PRIVATE INVESTIGATORS: The portrait drawn of all 31 respondents provides a reasonably accurate picture of those 22 respondents licensed for all phases of investigation and watch/guard work. A different description, however, applies to the 6 respondents licensed only for private investigatory work. Most private investigators found the AJC questionnaire focused on protective services, and thus most felt neither threatened or directly affected by the AJC research. Since most of the balance of this report will focus on problems and remedies for protective service personnel, it is necessary at this point to describe Greater Cleveland detective work. Most Greater Cleveland private detective work falls within the following definition developed by the National Council on Crime and Delinquency:

Any person who exclusively engages in business or employment for wages or fees to investigate for the purpose of obtaining information in reference to: crime; identity, habits, conduct, character, movements, reputation of others; location and disposition of lost or stolen property; causes and reasons for fires, libels, losses, accidents, damages or injuries to persons or property; or securing evidence to be used in trial.

Judging from the six agency questionnaire responses, investigator services tend to be provided for divorce-evidence or child custody cases, for auto-shadowing, and for retail-credit or insurance investigations. Greater Cleveland private investigators tend to be employed by many types of clients for brief periods of time. A typical client is an individual citizen or a lawyer; an atypical client would be a manufacturing or industrial firm needing undercover work or a large retail store needing some investigation. They encounter relatively few crime-related incidents of any kind. Pure detective work does not seem very lucrative in Greater Cleveland, if one may judge from the fact that none of the 6 respondents reported an annual dollar volume of business exceeding \$100,000 and most reported under \$40,000. Considerable detective business, including polygraph operation and insurance investigation, is, of course, done locally by full-serve license-holders whom the public has come to think of as guard suppliers. As smaller-scale operations, pure detective agencies typically have 0-2 full-time older employees and 0-6 part-time employees with little turnover. Although these employees usually lack public police experience, there is an even chance that the agency head was formerly employed by a law enforcement agency.

Although it appears that the private investigators (and their critics) were among the primary proponents of the 1970 state licensing law, their goal of limiting competition from incompetents who simply advertised in the "Yellow Pages" has not succeeded. Consumers, whether aware of a detective agency through a referral or through its "Yellow Pages" advertisement, frequently lack sufficient time and information to evaluate the quality of detective service to be purchased.

Private investigators have their own problems in establishing good working relations with the public police. Many private detectives fail to obey the statutory requirement that they notify the public police when beginning an investigation in a municipality. This failure was reported to the AJC by various police chiefs. Some detective agency heads retort that even when they report in person to the police department at the beginning of a stake-out, the desk sergeant often

fails to notify the car patrolmen, who then drive upon the scene with their emergency lights flashing and thus ruin the stake-out's effectiveness.

There appear to be more serious obstacles to regular cooperation. One police chief told an AJC researcher that he himself would not give investigative information to a private detective lacking law-enforcement experience, since such persons tended to misuse any information they received. When this same chief undertook a private investigation while moonlighting, he was refused any cooperation by a local police department until he identified himself as a public policeman. There is no doubt that some private investigators have been guilty of unprofessional or incompetent conduct. According to a former state Licensing Division chief, private investigators are often in a position to instigate blackmail, as in the reported case of one licensed investigator who seduced the client's wife in a marital evidence case. Most private security complaints to the Licensing Division have been lodged against private investigators. Although private detectives profess never to install bugs or wiretaps, one local detective who later failed to respond to telephone requests for an AJC agency inventory interview, pleaded guilty two years ago to wiretap charges.

There is another obstacle besides private detectives' performance which prevents closer working relations with public police departments. Two private investigators reported that many local police departments frustrate any private detective surveillance or investigation of any person related by family or other close tie to the police department. One agency head reported that a client had to seek as far as Akron before he could find a private detective willing to conduct his desired investigation of a local policeman's wife. At least a few guard-detective agencies believe that the local private police commissioning process encourages public police departments to "hassle" private security agencies.

Since private investigators are paid to produce evidence on which other people will base their actions or which will stand up in court, they must be relatively precise. They therefore tend to be a little more trained and educated than guard agency heads. Although such sophisticated services as polygraph (lie-detector) and de-bugging are widely advertised and sold in Greater Cleveland, several private security agency heads told the AJC that both the effectiveness and local operator expertise of such services have been oversold. From various interviews it appears that there is a large local market for corporate undercover investigators of such problems as narcotics and work stoppages.

CONTRACT SECURITY: PROSPEROUS BUT TROUBLED: A March 30, 1975 New York Times article entitled "Billions for Protection: Jittery Americans Rent Or Buy Security Plans" outlined how major contract security companies have survived the rising unemployment of recent years to increase their profits from 6% to 12% and can look forward to a 6-10% growth rate annually through the end of the decade. In Greater Cleveland and around the nation, contract security business is good because people are security conscious. Nearly every industrial sector--jewelers, truck lines, city train systems, fast-food shops, supermarkets, clothiers, drug store chains, variety stores, commercial buildings and industries--has become aware of the services offered by contract security.

There are several apparent advantages to contract security as compared to proprietary or in-house security. First, contract security is flexible. An unmotivated or untrainable security guard can be transferred from the institution immediately, unlike an in-house guard who may well have seniority on a particular fixed post and union protection against being fired. No longer does the consumer have to consider any union's demands. But second and most importantly, contract security is less expensive. The cost to the consumer of guard or detective service is ordinarily 20% and sometimes 30% less than that of proprietary security. For premium or higher quality personnel and supervision accounts, the cost advantage drops to roughly 10%. No longer does the consumer have to cope with vacations, sickness, weekend work and other items which breed expensive overtime. If the company supervisor is willing to supervise the agency employees' performance, contract security can be a satisfactory experience for all concerned.

It was this vision which has apparently guided one local agency head interviewed by the AJC. According to this man (who has extensive and varied law enforcement experience) the Greater Cleveland contract security market in 1960 was being serviced by less than 20 companies, 15 headed by individuals without any professional background. To deliver many of the advantages of contract security as well as to upgrade the county-wide approach to private security, this individual formed a security systems corporation with the backing of prominent members of the Cleveland Chamber of Commerce. For the next 15 years he found that most prominent area businessmen paid more attention to the increased costs of a well-trained security force than to the less tangible costs of renting "bodies" from the larger and smaller agencies. In the early 1970's ITT Services tried unsuccessfully to build a high-quality contract service by buying up smaller companies. Again in 1974 the Cleveland business community was presented by Gould Incorporated Security

Systems Division with a guard-training, mechanical systems, and cost-per-hours security service which represented a research investment of 3 man-years and \$35,000. After only a few months' operation, Gould, Inc. shut down this Security Division when potential corporate consumers decided that this contract service would cost as much if not more than existing in-house operations. Between 1960 and 1975 the Greater Cleveland contract security market has seen many small, new agencies enthusiastically guarantee high-wage, high-quality guard service. These have tried to keep their promotional promises until the steady competitive pressures--where one or two pennies per hour difference between bids is decisive--force them to match the low bids and low quality service of competitors.

Thus, despite the evident prosperity of local contract security, this sector is troubled by a frequency of misbehavior and incompetence that should be avoided in any business sector but which cannot be tolerated in a sector so directly touching public safety. Extremely strong indictments by the industry's own members of a broad spectrum of agencies were reported to AJC researchers. Although this report has tried to gather as much objective data as possible on contract private security, it is also necessary to quote typical industry evaluations made by local private security executives:

- "Today a private guard operation has two big aspects: running the business (e.g., eliminating the alcoholics) and training. The so-called 'labor market' is a dung heap."
- "It's dog eat dog. Sometimes guards are sent to spy on another agency or to steal an account. Sometimes guards steal accounts from their employer and start their own agency. Some guys lie all the way to their client and get away with it."
- "The agency head is almost always a frustrated cop."
- "Guard agency heads are management types; their constant headache is employee turnover."
- "Pinkerton's and Burns have no control over the personnel they hire; any corporation hiring them would be taking a grievous chance with its good name and its property. Contract security means looser control by the corporation and less loyalty to the corporation, far less supervision of unkempt, untrained personnel, and lack of initiative to enforce assigned tasks."
- "Contract agency heads are forced by competition to keep up to date in personnel and mechanical security techniques but they don't have the personnel to do the job. The big agencies do pretty well on their premium accounts, but the private security problems are even worse than the Rand report says."

- "There are three kinds of security employees: income supplementers (who are too transient), time-fillers (who are too lazy) and professional guards (who like the quasi-authority and law enforcement)."
- "The current fly-by-nighter trick is to illegally use the employees' withholding money as working capital until the IRS catches up with them. The typical agency head, big company or small, is a male madam hiring garbage. First one of these agencies will give you Tarzan, then they give you Jane and pretty soon you have Cheetah--and they never really gave you Tarzan."

These opinions must be compared with the great mass of factual data presented in Chapters I-III of this report. Here we may note that this local indictment does not seem to represent a merely local problem. The same New York Times article which described the prosperity of contract security also described its troubles, quoting several dissatisfied consumers. Everywhere the problems seem the same: inadequate personnel, training and supervision. Because the AJC found that almost all persons involved with private security in Greater Cleveland identified contract security as the most seriously problem-ridden sector, the AJC devoted more of its research resources to this sector. This greater emphasis is reflected in the balance of this report.

C. IN-HOUSE GUARDS AND DETECTIVES

3,900 ON PRIVATE PAYROLLS: Many local institutions and corporations choose to handle the security function on a "do-it-yourself" basis. Although available data is quite inadequate, the AJC estimates that rising labor costs have produced a shift to a preponderance of contract security, with a current ratio of 65 contract security employees to 35 in-house security employees. This proportion excludes moonlighting public peace officers. Table 2 above shows that almost 40% (3,900) of all privately-employed and almost 60% (8,525) of all security employees (including public peace officers) in Cuyahoga County are in-house employees. Since in-house and contract security operations usually involve different costs and benefits to their users, an urgent local research need is for a systematic sample inventory of local in-house security forces. This section presents a summary of such descriptive data as the AJC was able to gather on this least studied of security personnel sectors.

The AJC discovered that Greater Cleveland's in-house private security includes many different kinds of forces, from the University Circle police to the apartment,

store and manufacturing guards payrolled by small and medium-sized businessmen, and, most massively, the security protection chosen by most major Greater Cleveland corporations and private institutions.

UNIVERSITY CIRCLE POLICE: One unique and effective in-house security force is the University Circle Police Department (UCPD), which serves many of Greater Cleveland's cultural and educational institutions. Although this large force (31 full-time, commissioned patrolmen, 17 full-time guards, and 10-15 part-time guards) provides most of the crime protection in its designated areas, it depends upon the Cleveland Police Department's Fifth District forces for several functions, including suspect holding facilities and serious crime investigations. In addition to such standard equipment as radio systems and patrol cars, the UCPD protects some of the 35,000 persons within their 2 square-mile jurisdiction by closed-circuit television with laser beam transmission. Although the UCPD supervisors and patrolmen have thus far had training equal to that of municipal policemen, their salary levels have fallen below the fast-rising levels of the Cleveland Police Department. Nevertheless, the UCPD has experienced some institutional resistance to its high personnel costs. Case Western Reserve University has been testing UCPD's relative costs and benefits by contracting with the Wackenhut contract security agency for fixed post coverage of 21 buildings. UCPD patrolmen are continuing their highly-valued exterior patrols and other assignments.

APARTMENT SECURITY: In 1970, the federal census-takers found 3,376 Cleveland SMSA guards and watchmen employed in 48 distinct industry groups and concentrated in manufacturing, business services, public administration, finance and real estate, and retail trade. To spot-check a particular business sector as to its consumption of private security personnel services, the AJC conducted a letter-telephone survey of 20 selected managers of apartments or condominiums in Cuyahoga County. This survey was followed up by telephone interviews with four realty company executives. The AJC concluded that Cuyahoga County apartment and condominiums do not consume a large or a growing portion of security personnel services. Almost all such residences rely upon the less expensive mechanical security of an intercom-buzzer system. Just under half of the respondents presently have a private security employee, who is equally likely to be an in-house or a contract agency employee. The principal rationale offered by those using such services was not past crime experience but fear: "a feeling that it was necessary." Rather than the prevention of crimes of violence, the typical apartment guard's assignment is almost exclusively to "keep an eye on things" in the garage area by himself during the dusk to dawn shift.

TABLE 7

PERCENT OF ESTABLISHMENTS REPORTING HAVING VARIOUS PROTECTIVE
DEVICES TO PREVENT CRIMES AGAINST THEIR BUSINESS

Type of business organization	Type of business	Percent reporting establishment has--					
		Local/ Central/ burglar alarm	Rein- forcing devices	Fire- arms	Shop- lifting protective devices	In-house security personnel	Contract security personnel
Corporations	All	31	35	10	3	16	16
	Retail	37	39	16	8	16	26
Partnerships with employees	All	14	23	23	5	9	12
	Retail	13	37	31	10	9	13
Sole proprietor- ships without employees	All	6	15	22	3	3	3
	Retail	12	22	31	7	2	3
TOTAL	All	14	24	18	4	8	8
	Retail	17	31	26	9	7	11

Source: U.S. Small Business Administration, Crime Against Small Business, 1969

CRIME PROTECTION BY SMALL AND MEDIUM-SIZED EMPLOYERS: For many businesses, crime protection can spell the difference between prosperity and being forced out of business. For example, for the average supermarket, which has a net profit of one-half percent, the theft of a \$1 item represents the lost profits on \$200 in sales. Thus, more than 1,000 medium-sized local businesses and institutions employ private security personnel services, according to an AJC estimate. For small business, the impact of crime is much more severe than on either medium-size or very large businesses. According to the Small Business Administration's (SBA) index of ordinary crime loss measured in relation to receipts, small business (annual receipts under \$100,000) suffers an impact that is 3.2 times the average and 35 times that of business with receipts over \$5 million. These

small firms have greater difficulty in either absorbing these losses or investing in various protective systems, including private security personnel. A 1968 SBA nationwide survey of 2,500 selected businesses (see Table 7) probably remains an accurate reflection of the more serious crime vulnerability of Greater Cleveland's sole proprietorships without employees. For example, the SBA survey showed that, although 31% of sole retail proprietorships without employees keep firearms on their premises for protection, only 5% of these businesses can afford to use in-house or contract security personnel.

LARGE PRIVATE EMPLOYERS SURVEY: As one major part of its research, the AJC devised and sent a four-page questionnaire to 18 security directors for large private employers in Cuyahoga County. Although the representatives of one automobile manufacturer and one steel producer chose not to participate in the survey, the AJC received responses from 16 large employers, including: General Motors, Ohio Bell, Republic Steel, General Electric, TRW, Inc., Cook United, Inc., Eaton Corporation, Fisher Foods, Higbee Company, May Company, Cleveland Trust, Acme-Cleveland Corporation, Addressograph-Multigraph, PPG Industries, Cleveland State University and the Cleveland Clinic. All of these firms have at least 1,000 local employees and several of these employers protect daily populations of 10,000 to 20,000 people.

A local security consultant, Anthony Keefer, was retained by the AJC to interview all participating security directors concerning the informational items presented in the questionnaire. Since the questionnaire results showed that 8 of the 16 responding institutions use only in-house and the other 8 combine use of in-house and contract security employees, it seems accurate to characterize this large-employer group as primarily consumers of in-house security. Based on the 16 completed and returned questionnaires, as well as on Mr. Keefer's 16 distinct interview reports, it is possible to draw the following portrait of large in-house security forces.

LARGE IN-HOUSE FORCES: Large institutions with in-house security operations attribute varying importance to such operations. In many cases the top management may remove itself almost entirely from any concern for security and lay heavy responsibility and wide latitude on its director of security. In some surveyed institutions such latitude is used irresponsibly and martially and in others it is used for innovative personnel development. Overall, there is a definite trend toward

professionalism within their own ranks through societies such as the Loss Prevention Council or the Cleveland Crime Clinic or the American Society for Industrial Security professional certification program. These same managers also stress continuing education for their own security employees, emphasizing that such education will help with promotions within the security department. One retail security force has written exams for all promotions within the security department.

Large in-house security departments are in most cases no longer the "dumping ground" for older employees. One surveyed corporation's practice of shunting ineffective, older plant workers off to the security department so demoralized the security workers that they joined a security employees' union and ended the practice. Perhaps the primary reason why there is no unionism in most such departments is that employee wage levels are kept competitive with in-plant and non-security workers, as well as more than competitive with contract security agencies. In-house base pay seems to range from \$8,000 to \$13,000 annually with frequent opportunities for overtime pay. Those institutions which are sufficiently large or related to the public sector to be actively concerned about equal opportunity employment have a good ratio of white and non-white employees. Some smaller firms surveyed hire without any concern for equal opportunity. Women appear to be making some progress in in-house security employment, especially as retail store detectives. Generally small (16-60 men), similar in background, and organized along appropriate military lines, the surveyed forces often exhibited a spirit of camaraderie and pride in their work. The training of the security force director generally depends on the size of the firm. In a large firm, the security director is considered part of the management team, while in a smaller company, the security director probably worked his way up from a guard position and lacks extensive training and managerial responsibility.

FROM IN-HOUSE TO CONTRACT: A SAVINGS?: Among the 16 large employers' security directors interviewed, there seemed to be some interest in further shifting from in-house to contract operations. The rationale for this interest and activity is solely cost. Many surveyed institutions feel that they can pay a contract security agency the same amount that they presently pay as base pay (e.g., \$3.75) but that they would not have to cover the estimated 28% in additional personnel costs for fringe benefits, including vacations, time-and-a-half pay for weekend work, perhaps double-time for night work, hospitalization, etc. If--as was the case with at least one surveyed force--the security task is simply to keep people who don't belong out of certain areas and (secondarily) to look for stolen articles or

parking violations, there would seem to be a definite 28% savings gained by switching from in-house to contract.

Is there any means by which a savings-conscious company could maintain the advantages of in-house security, e.g., loyalty, familiarity, and (often) responsibility? An overall savings lesson might be learned from another surveyed force, where the security personnel are responsible for many tasks in addition to the minimal duties described above. This particular job is expanded to make these personnel the prime givers of first aid, the mail deliverers, the prime firefighters and the day and night-shift representatives of the personnel department; and the prime maintainers of Occupational Safety and Health Act (OSHA) requirements. These functions cannot be currently matched by any locally available contract security bidder. The repeated experience in our 16-force survey was that wide involvement in plant operations not only creates financial savings for the company but also generates greater security personnel enthusiasm and therefore greater physical security.

On the other side of the ledger, however, is the demoralizing role which local corporate security policies seem to have played in bringing contract security services to their present wretched condition. At one medium-sized in-house security force headquarters visited by the author, a slow-moving, elderly guard was pointed out by the security chief as an entirely untrainable person who would be around another four years until retirement. Although this security chief insulted the guard to his face in this author's presence, this seemed to be a futile gesture based on the impossibility of firing a man with such seniority. Other employees of this well-equipped force, although alert and well-trained, seemed overpaid for the very leisurely pace of their duties. There were probably no real economies achieved at this establishment.

In general, in-house security directors and their superiors seem to have been shortsighted in two areas. First and most important, it seems probable that the security head and top management at most local large corporations have not recognized all the hidden tangible costs associated with in-house security. Among the costs above union-raised basic wages are: time-and-a-half pay beyond 40 hours weekly, vacation and sick time, hospitalization and workmen's compensation, social security, unemployment compensation, uniforms (up to \$140 per man), metal badges and administrative overhead. Local industry does not seem to use a cost rate sheet which is sufficiently detailed to determine whether fringe benefits amount

to nearly 30% or nearly 40%--a considerable difference in any security budget. It may well be that in-house corporate security currently has a real cost of \$7-\$8/hour and that contract security could do a superior job for \$6-\$7/hour. Astonishingly, nobody in Greater Cleveland--or elsewhere in the country--seems to know the cost-effectiveness of contract and proprietary contract security.

Secondly, corporate in-house security has failed to recognize the intangible costs of traditional in-house security practices. Often a security director with good credentials (e.g., a staff experience with a major police department) is given too little top-management supervision. The top executives may not notice the employee morale problems created if a security director stays within his budget by combining contract and in-house guards--with different pay-scales--for the same security function. Although security directors may change contract agencies frequently because they are truly dissatisfied with the agency detail's performance, they may also change agencies frequently so that they may hire a detail supervisor or guard away from the earlier agency. By not paying attention to security, management often does not know whether their security director is building an expensive in-house empire for himself or whether he has managerial skills which deserve consideration for promotion above to wider managerial responsibilities. Too often the in-house security director's position is a dead-end one--without personal challenge and eventually becoming boring. Increasingly, employers must also consider union limits upon security operations and the exposure of their in-house security force to union organizers. Finally, in an age where the cost-benefit equation favors the leasing of many non-marketed services required by a corporation, Greater Cleveland's large employers must ask themselves whether proprietary security personnel service remains an exception.

D. GOVERNMENT GUARDS AND DETECTIVES

GROWING SECTOR: In 1970 a U.S. Justice Department-sponsored study predicted that by 1975 one-third of all private security (non-public peace officer) personnel would be government employed guards. The AJC Private Security Project did not have sufficient resources to verify that prediction locally, but it did discover a substantial governmental commitment to private protection of public persons and property. This report section will summarize what was learned about government guards and detectives in the City of Cleveland, Cuyahoga County government, area grade and high schools, area public housing and in local federal buildings.

CLEVELAND'S 'DUMPING GROUND'?: Table 8 summarizes the 1973-1975 estimated City of Cleveland expenditures for guards and watchmen in 12 departments. For 1975 the Mayor of Cleveland estimates that the city will spend \$2,242,533 on 588 private security personnel. However, because the budgeted total of 588 does not make allowance for the estimated number of "special policemen", it may be possible that the regular practice of misapplication of budget titles has understated actual city employment of private security.

Cleveland's guards and watchmen are typically paid from \$4,900 to \$8,600 annually to patrol and guard government-owned property against trespass, theft, or damage from fire or other causes. Good fringe benefits hold turnover to only about 10% annually. According to the Safety Director's office, approximately 200 of the city's armed guards and watchmen are given renewable 6 months law enforcement commissions following weapons training by a police lieutenant. However, an important City of Cleveland personnel official told the AJC that "the city guards and watchmen are often drunk or absent; they're nuts about packing a gun and have no job motivation. They are a dumping ground for city employees."

Though discussions were held with one city department about its security problems, the AJC lacked sufficient resources to confirm or disprove this sweeping judgment. One front page newspaper story this year suggested the importance of a further look at Cleveland's guards and watchmen. The story told how a city guard let a 16-year old boy into a city facility for the fifth time to steal copper wire. The guard apparently tried elaborately to cover up the fact that he had found the boy electrocuted by a live wire and had told no one.

CUYAHOGA COUNTY: As of 1974 the Cuyahoga County security force of 150 men protected 43 county buildings at a probable annual cost exceeding \$1 million. Nearly 80 armed guards or investigators are involved in protecting the County Welfare Building and investigating welfare fraud. Another critical assignment is the armed protection of food-stamp distribution centers. In interviews with the Chief of Cuyahoga County Security and his two associates (collectively representing over 100 years of Cleveland Police Department experience), the AJC learned that the county security force faces at least two problems. First is employee turnover due to firing of or quitting by some poorly-motivated personnel attracted by the relatively low requirements endemic to private security. The second problem is planning, funding and staffing the county's security/custodial role in the new Justice Center complex. The county security chief foresaw a need to combine city

TABLE 8
CITY OF CLEVELAND, 1973-1975
MAYOR'S EXPENDITURES ESTIMATE FOR GUARDS AND WATCHMEN

DEPARTMENT	TYPE (1973-1975)	NUMBER			WAGES (SALARY) RANGE '75	EST. 1975 TOTAL
		'73	'74	'75		
Bureau of City Hall Bldg. & Telephone Exchange	Guard	5	5	5	\$1.91--\$3.99/hr.	\$ 44,496
Division of Parks	Watchman	3	2	2	\$2.53--\$3.87/hr.	16,978
Division of Recreation	Watchman	1	1	0	\$2.53--\$3.87/hr.	690
Division of Waste Collection & Disposal	Watchman	17	19	7	\$2.53--\$3.87/hr.	58,310
House of Correction	Guard	66	20	33	\$4.32--\$4.57/hr.	168,907
" "	Sergeants	9	5	0	\$3.29--\$4.57/hr.	--
" "	Lieutenants	9	5	0	\$3.38--\$4.57/hr.	--
Division of Police	Institutional Guards	5	6	6	\$4,884--\$8,631	45,686
" "	School Crossing Guards	449	450	443	\$11.01 per day	977,000
Division of Water & Heat	Guard	10	17	18	\$4,884--\$8,631	148,886
" "	Guard Chief	1	1	0	\$9,048--\$12,012	--
" "	Watchman	4	2	5	\$4,884--\$8,631	38,376
Division of Light & Power Revenue Fund	Guard	4	8	8	\$4,884--\$8,631	65,749
Street Construction, Maintenance & Repair	Guard & Watchman	16	17	8	\$2.53--\$3.87/hr.	83,715
Division of Public Auditorium	Guard	14	11	9	\$1.91--\$3.99/hr.	74,692
" "	Chief Guard	0	0	1	\$9,048--\$12,011	12,011
Municipal Airports	Safety Man	34	30	30	\$7,824--\$11,733	351,990
" "	Safety Supervisor	9	9	10	\$10,392--\$13,613	100,220
Other	Guard & Watchmen	3	12	3	\$1.91--\$3.99/hr.	38,647
TOTALS		659	620	588		\$2,242,533

police, sheriff's deputies and county guards with sophisticated surveillance equipment, including sonar detection, credit-card type screening devices for the computer room and console-monitored TV cameras for courtrooms. Problems to be resolved included allocation of guard roles among the three participating agencies and a critical shortage of local funds available for purchasing surveillance equipment.

SCHOOL SECURITY: One of the most troubling aspects of rising crime is its increase in local grade and high schools. Suburban and inner-city schools alike experience considerable amounts of arson, theft, vandalism and sometimes even narcotics traffic, extortion, and the use of concealed firearms. Because public police are urgently needed elsewhere and because they may not enforce school discipline, many area schools have turned to hiring private security personnel on either a payroll or contract basis. Although guards may be asked to ferret out student resentments and intentions, they are most successful dealing with trespassing non-students by checking ID's near doors and minimizing the fear of serious crime. In Cleveland, for example, 115 security personnel hired from two or more security agencies initiate 8-10 arrests weekly for such crimes as robbery, arson and rape.

An AJC interview with two unarmed "hall monitors" at a racially-changing suburban high school suggested the positive value of such protection. Although neither of these black guards had private police training, one claimed four years of U.S. Marine experience plus several "social-work related" courses. It appeared that other guards had come to the school from "boring" jobs such as store guards. The guard claimed that the school board had given them few instructions and wide latitude to follow their own discretion. Both saw themselves as filling a clear "social-work" need. One added, "we both enjoy the work and want to be here; the money we're getting surely isn't keeping us here." When asked whether he would be permitted and would prefer to wear a firearm on duty, one guard responded, "What for? When could I use it? And if I did the chances of it ricocheting are too dangerous." At one point the two guards interrupted the interview to assist a student obviously feeling the effects of a bad drug dose. The interviewer was impressed by the skill with which help was given without attracting the notice of other students or teachers.

OTHER EXAMPLES: There are other examples of government use of private security. For example, until earlier this year the Ohio Department of Liquor Control had an \$8,300 monthly contract with a local security firm to supply armed guards to 17

Cleveland liquor stores. The contract was terminated as an economy measure, and its termination raised employee fears and shortened business hours at one crime-vulnerable liquor store. In another case, the Cleveland Heights-University Heights School District recently replaced its payrolled school-crossing guards with younger personnel from a private security agency.

CMHA: PRIVATE SECURITY AT ITS WORST?: Perhaps the most complex challenge facing local private security is borne by a governmental unit, the Cuyahoga Metropolitan Housing Authority (CMHA), which must protect the 28,000 residents of its 27 housing complexes. On many sites most residents are receiving old-age or dependent children welfare assistance. Despite federally-funded escort patrols, not only are such crimes as muggings, assaults, robberies and rape relatively frequent, but there are credible reports that a few residents of some sites are heavily involved in prostitution, narcotics traffic, boot-legging and numbers. Since the 1973 Rogers report on the safety and security services of 3 CMHA estates publicized the antagonistic attitude of many guards towards both the residents and the Cleveland Police Department, newspaper stories have continued to report abuses of authority, bribery, and misuse of firearms by many of the 50 armed guards. Ironically, the guards' required 120 hours private police training and poor supervision makes them vie with public police in law-enforcement rather than use crisis intervention techniques to prevent crime and other misfortunes feared by most estate residents.

The current CMHA security chief is a former Cleveland policeman who may be able to lessen CMHA's security problems. However, a front-page April, 1975 Plain Dealer report on CMHA security detailed how the \$625,000 CMHA security budget no longer permits foot patrols at the most crime-ridden estates. Already paying an average security officer wage of almost \$12,000 yearly, it is doubtful if CMHA can afford to train and supervise guards who are not "frustrated cops" wanting to use a gun. It will also prove difficult for the new CMHA security chief to give visible tenant security a higher priority than criminal apprehension from patrol cars.

FEDERAL PROTECTIVE OFFICERS AND GUARDS: The U.S. Congress authorized 4,000 members of the Federal Protective Service (F.P.S.) around the country to protect federal property and any persons on that property. In a Washington, D.C. interview with an AJC project representative, the training director of the General Services Administration's Federal Protection program said there are 24 uniformed and armed F.P.S.

men assigned in Greater Cleveland. Some are Federal Protection Officers with training and arrest authority similar to municipal police, while others are Federal Protection Guards who monitor doorways and close-circuit television units without any law-enforcement powers. Locally the F.P.S. protects the Federal Building, the Federal Court House and 40 federally-leased properties.

While the F.P.S. attempts to be a professional security force, it appears that it has not entirely escaped the personnel problems endemic to the security industry. The AJC was told by a G.S.A. source that Federal Protection Officers' salaries are not competitive with municipal police salaries, while those who fail the Federal Protection Officer's test often become armed Federal Protection Guards who are paid at a minimum-wage level for their watchman duties. Although the AJC did learn of a recent armed bank robbery allegedly involving a local F.P.S. guard, efforts by the AJC to get a local confirmation and expansion on this Washington information were unsuccessful.

680 PUBLICLY EMPLOYED: We have seen a substantial commitment by all levels and locations of government to protection by non-public peace officers, i.e., to "private" security as defined in this report. The AJC estimates that governmental bodies within Cuyahoga County have at least 475 private security personnel on their payrolls and that they contract for the full or part-time services of approximately 205 more, for a total public employment of 680 "private" security personnel (see Table 2 above). This represents an annual taxpayer investment of an estimated \$5 million in local private security personnel. With respect to the estimated 205 contract security employees, one should note that 9 of the 31 security agencies responding to the AJC inventory claimed governmental agencies among their clients. None of the governmental operations surveyed has yet established consistent or coherent qualification, training or operations policies for its security employees.

E. MOONLIGHTING PUBLIC POLICEMEN

PROFESSIONAL CRIME PREVENTION: Many private security sectors employ students, pensioners, and individuals temporarily in debt in a secondary employment--or "moonlighting"--capacity. The most important and sought-after class of moonlighters are publicly-employed peace officers--municipal policemen and deputy county sheriffs. When a large manufacturer, a small merchant, or even a family

with gifts collected on a wedding day want professional crime-preventers, they may well turn to taxpayer-trained and supported peace officers. The wage costs are generally high, but many consumers feel more secure employing an armed guard whose official uniform, firearm, bearing, training and ability to promptly summon police help could make a difference. Under the present distributions of responsibility among Cuyahoga County's security personnel, public peace officers moonlighting in private security work clearly reduce crime and fear of crime and thus play a necessary role.

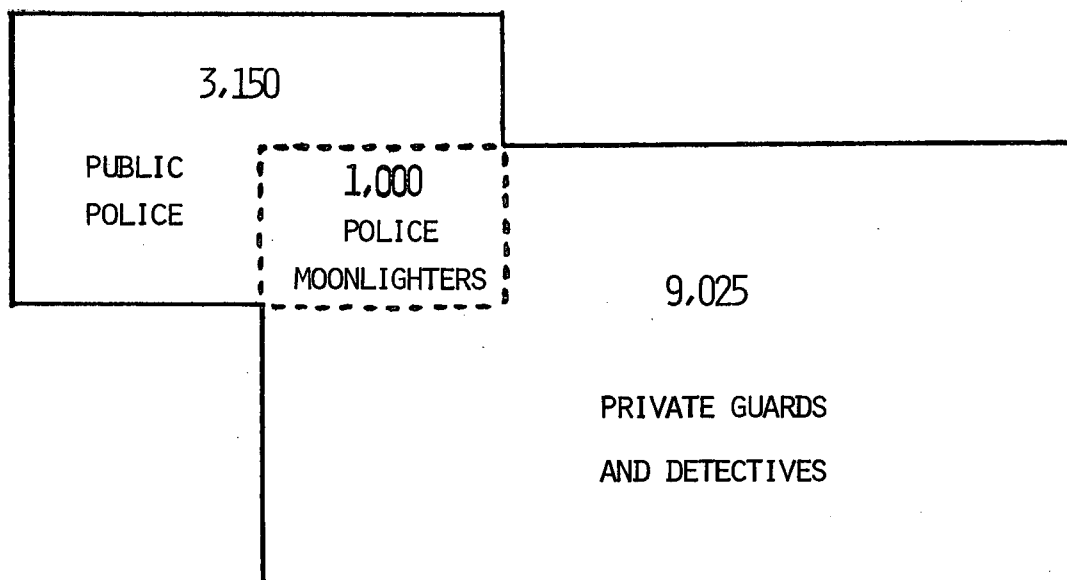
ONE CASE: SHOPPING CENTERS: The security problem which exists for the downtown merchant is matched and in some suburbs surpassed by shopping center problems with car theft and vandalism, purse-snatching, assault and loitering. While some major shopping centers employ solely private security agency personnel or a combination of agency employees and moonlighting public policemen, interviews with a local expert in shopping center security suggest that a majority of Greater Cleveland's ten biggest shopping centers employ exclusively moonlighting peace officers on their payrolls. It should be noted that many policemen detest and do poorly at internal security, i.e., at using the kind of passive skills needed to prevent or detect shoplifting, and that some shopping centers employing the far less expensive private security agency personnel are satisfied with the resulting security. Nevertheless, there appears to be a trend towards paying the \$5/hour required to purchase greater uniformity of trained personnel wearing (in almost every case) the official uniform, gun and radio familiar to the citizens. One southeastern police department suggests to local merchants that they consider carefully the legal liabilities involved in employing a "non-certified" (non-peace officer trained and perhaps uncommissioned) guard. Although a November 15, 1974 Ohio Attorney General's opinion (74-094) explicitly ruled that an off-duty municipal police officer moonlighting as a security guard in a business establishment retains his police arrest powers "only within the territorial jurisdiction in which he is appointed, which is the corporate limits of the municipality," policemen moonlighting in cities other than their own place of public employment are being deputized in the city which includes the employing shopping center. At least two local communities require merchants to pay any moonlighting policemen in the given city through the safety department, which insures both a quality control over moonlighting assignments and overtime rates of \$7.50/hour and higher for the police moonlighter.

1,000 "RENT-A-COPS"?: There are no accurate measures of the extent of police moonlighting in private security. According to a January, 1965 article in The Police Chief, published by the International Organization of Chiefs of Police:

A few measures of the extent of police moonlighting exist. A 1956 ICMA survey of 11 cities found an average of 24 per cent working at outside jobs. The more definitive and recent (1963) studies of the Bureau of Labor Statistics set the police percentage at 14.2. This is well above the 1963 rate for the nation as a whole, 5.7 per cent. Thus, it would seem that except where controls or enforced prohibitions exist, more than a few policemen are exposing their departments to potential embarrassment if not censure.

A 1970 study done for the U.S. Justice Department asserted that any survey of public police agencies about moonlighting would almost certainly underestimate its extent due to non-reporting by policemen disobeying departmental regulations. A late 1973 interview survey of safety officials in nine west-suburban communities in Cuyahoga County showed that moonlighting was common and even encouraged in all nine communities. A 1973-1974 interview survey of nine other in-county communities showed private security moonlighting was at least tolerated in almost every case. Although the estimates given to AJC researchers of the percentage of public peace officers moonlighting in private security ranged from 5% to 95%, the AJC estimates that between 20 to 35 percent or between 830 and 1,450 of Cuyahoga County's 4,150 municipal and county peace officers moonlight in private security at any one time (see Table 9).

TABLE 9
PUBLIC POLICE MOONLIGHTING IN PRIVATE SECURITY
(Estimated for Cuyahoga County)



SERVING TWO MASTERS: Substantial problems arise when a sworn peace officer has both a public and private employer. First are problems of appearance or image. The moonlighter is most often hired for his publicly purchased or owned equipment--his uniform, badge, gun, handcuffs, radio, etc.--as much as for his skills, legal authority, and on-duty police backup. Nowhere in Cuyahoga County are moonlighting peace officers required to wear a "Special Duty" armband--a requirement for the City of Columbus' police force. To the customer in a large department store or a chain carry-out food store, the uniformed peace officer lounging against the wall may seem to be avoiding his patrol rounds, but in fact he may be perfectly executing the passive deterrent role requested by his private employer.

Second, there may be problems of misunderstanding of crime prevention work by police moonlighters not temperamentally suited to such relatively passive work. No longer riding a patrol car with a partner trained in criminal apprehension, some policemen moonlighting at fixed posts admit to feeling especially vulnerable to armed criminals. According to an AJC compilation of official 1974 Cuyahoga County homicide information, 5 off-duty Cleveland policemen--all moonlighting in private security--were recorded as assailants, whereas only 4 on-duty policemen (3 from Cleveland, 1 from East Cleveland) were recorded as assailants. The on-duty killings in 1974 by police represent roughly 4 times greater total man-hours and thus a far lower frequency of use of killing force than the police moonlighters. (For comparison, it should be added that two private security persons were recorded as assailants, and that one on-duty policeman as well as one private security person were recorded as victims.)

Third, the public and private employers of a police moonlighter may have conflicting interests. For example, in 1974 two Cleveland Mod Squad patrolmen were prevented from entering Public Hall to continue drug arrests against rock concert-goers by a uniformed Cleveland police supervisor working off-duty on the concert producer's payroll. Also, employers and city law directors could easily have equally valid but contradictory opinions as to whether a moonlighting peace officer's publicly paid accident and liability insurance covers some injury suffered or inflicted while engaged in private security work.

Fourth, and most important, a peace officer who serves two masters faces frequent temptations to official misconduct. A moonlighting officer may be tempted to perform his public police task so as to conform less to justice's requirements and more to his off-duty work schedule. He may be tempted to disclose or exploit confidential police information. Most frequently, he may be

tempted to use his official position for personal gain. Purchasing a public police presence--a "rent-a-cop"--does, as a California study points out, "present an obvious temptation for disreputable business operations and an unfair advantage to those firms employing off-duty personnel." Cheat spots which wish to sell favored patrons alcoholic beverages after legal closing hours are often willing to compensate an off-duty policeman for his guard services. According to Sydney Cooper, who testified in Cleveland concerning his role as a New York City police commander during the Knapp Commission's fight against police corruption, the "rent-a-cop" business is a growing and corruptive influence on many metropolitan police forces around the country.

MILD CONTROL EFFORTS: Local public safety officials are aware of many of these problems. According to an AJC survey of the Safety Directors of the 17 largest municipalities in the county, municipal police moonlighting in private security is permitted with some limitations in 14 cities, and tolerated without any explicit limitation in the remaining cities surveyed. Specific limitation of municipal police moonlighting in private security is usually by police department policy. Methods of limitation include maximum hours allowable per week (usually 20), formal written request procedures, official review, and prohibitions against certain demeaning or corrupting types of private security work. The County Sheriff's Department uses at least three of these procedures to screen moonlighting jobs taken by its men.

One municipal police captain described to the AJC how the municipal police in an adjoining suburb are permitted and in many cases do work an eight-hour shift in private security and then work a full eight-hour shift on the municipal police force. In his own municipality departmental rules require nearly a full shift's length of non-employment prior to his public police shift. Even in this municipality, however, the sworn officers are permitted to work a full shift in private security work following their public police work. In both cases, the observer wonders which job is considered moonlighting and which the man's primary career and responsibility? Under such arrangements, neither the private consumer nor the taxpayer can expect alert, efficient service. Although the State of Connecticut and several cities in Michigan prohibit police officers from moonlighting in private security (as recommended by the National Council on Crime and Delinquency), the AJC learned of only one small suburb in Cuyahoga County which has such a prohibition. The Police Chief article points out that the courts feel "stringent anti-moonlighting regulations are in order for policemen and firemen, but not necessarily for other public employees."



CHAPTER II ARMED BUT UNTRAINED:

A LOCAL AND NATIONAL DILEMMA

Guard arrests 4, police arrest him Tech guard shot; pupil sought

By JERRY KVET
Chief Police Reporter

When Andrew Lee Hopson, 32, a private security guard, chased a speeding auto and arrested its four occupants, he exceeded his authority as a special policeman, police said today.

In a private security guard, chased a speeding auto and arrested its four occupants, he exceeded his authority as a special policeman, police said today.

Man who disarmed policeman is acquitted Tech guard shot; pupil sought

Man with knife killed in attack at bus station

Shot stops downtown burglary

Cops and robbers game in bookstore turns deadly

3 teens sought in killing of security guard here

Security guard is charged in \$10,000 bank robbery Youth Shot By Guard In Central Market

Private policeman arrested in shooting of man, 34

Shots fired in Sea World

20 Picket Protest Shooting by Guard

Are They Trained for the Job?

Uniformed security guard charged in rape

Private policeman arrested in shooting of man, 34

Shooting ends guards' dispute

1 slain, 1 hurt in dairy store robbery

Shooting ends guards' dispute

Shooting ends guards' dispute

Shooting ends guards' dispute

The Private Security Guards: Are They Trained for the Job?

By RON WEISKIND
Staff Writer

By JERRY KVET
Chief Police Reporter

By KARL R. BUCKHARDT
Staff Writer

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A. OVERVIEW

10,000 RELIABLE PROTECTORS?: Chapter I has shown how diverse kinds of private security personnel have become visible and necessary parts of Cuyahoga County's urban and suburban lifestyles. If many Greater Clevelanders can go about their business and recreational activities with even a fraction of the security they enjoyed twenty years ago, it is because they have directly or indirectly hired an estimated 10,000 protectors over and above 4,000 regular police officers. Whether the private guard or watchman be "agency", "in-house", "governmental", or "moonlighting peace officer" by type, he is not publicly accountable for his safety responsibilities. The private security employee is paid and authorized to maintain order in places where other employees or citizens may be. Regardless of his actual legal powers, others see about him a lawman's visible trappings: a uniform, badge, handcuffs, nightstick, radio or gun.

What are the achievements and failures of private security's operation and regulation in Cuyahoga County? Are most of these private guards and detectives prepared to serve their employers and fellow citizens in this emerging public safety role? Are their employers scrupulous about issuing lethal and non-lethal weapons only when absolutely necessary? Should guards use firearms to prevent theft or apprehend thieves on private property? Should costly, in-depth firearms training be given to guards who may never have to draw their handgun? What other kinds of training (if any) might be essential for private security work? Should firearms and other forms of training be given to employees who may quit after only several months? What public and private efforts are being made to control the behavior of private security persons? How effective are the present attempts to regulate private security by ordinance and statute? Should these laws be changed or administered differently? Precisely what is the public interest in private protection and how may it best be served? These are the questions which Chapter II, III, and IV will address.

B. WHO GUARDS THE GUARDS ?

MINNESOTA, 1973: In 1973 a Minneapolis-St. Paul television station (WCCO-TV) investigated contract security employee screening and training practices in the Twin Cities area. After recording former guards' stories of little or no weapons

training for armed assignments and of systematic robberies committed by guards and guard supervisors, WCCO hired a five-time convicted felon who had spent most of the previous ten years in prison for forgery, bad checks and jumping parole. With WCCO recording his conversations, he tested guard company employment practices and found that his word that he had no criminal record sufficed to get him 4 of 6 guard jobs he sought. For example, despite assurances to WCCO by Pinkerton's local manager and employment supervisor that no Pinkerton man is ever armed without fire-arms training, the ex-offender was hired by Pinkerton's the day after his interview to be armed guard for a 200-bed hospital without any training and prior to a criminal background investigation. His 2 job rejections were apparently due more to accident than to agency screening procedures.

OHIO, 1975: The AJC did not conduct a similar experiment, although it is confident that the screening and training procedures are just as lax in Greater Cleveland today. In early 1973 a Dayton, Ohio newspaperman got a security job and was immediately given a gun without any training. The author of this report interviewed an Ohio State Commerce Department licensing investigator who had also secured a gun-toting job without any training or record check, as well as a local security agency executive whose agency had successfully tested the lax screening procedures of a competitor Greater Cleveland agency in 1974. This executive reported that his agency employee had impersonated a gun-crazed moron and had been given a gun and a security job after two successive ten-minute interviews. Dozens of interviewees voiced their belief or personal knowledge that such unscreened hiring is a daily practice in many local agencies. The Minnesota 1973 investigation was entitled "Who's Guarding the Guards?" The 1975 answer in Greater Cleveland could be, "Nobody". The problems of the armed but untrained security employee have become a local and national dilemma, as described in this chapter.

PERVASIVE PROBLEMS: Until 1971, there existed no descriptive analysis of the U.S. private security sector. Then a five-volume Rand Corporation study (Private Police in the United States) funded by the U.S. Law Enforcement Assistance Administration found a mixed picture of social benefits, risks and costs. It found that private security services provide clear social benefits to their immediate consumer and, to some extent, to the general public. Thus, if private security services were drastically reduced or eliminated--other things being equal--there would be a rise in reported crime, in fear of crime, and in retail prices. Nevertheless, the Rand analysts found pervasive social and business problems in the private security

industry. The social problems included such abuses as unnecessary and excessive use of force, impersonation of peace officers, illegal bugging and wiretapping, and false reporting. The shoddy business practices found included operating without a license and negligence or fraud in performing security duties. As a major cause of these problems, the Rand analysts pointed to the present low-cost security labor market, in which sellers tend to keep wage rates and personnel qualifications low.

This sharp criticism by federally-funded researchers in turn provoked assertions by both contract and proprietary security representatives that the Rand Report was inaccurate and overly-negative. Some state legislators, municipal administrators, and national contract security company organizations produced contrary regulatory proposals. One statewide and one city police precinct study of private security forces have been completed (although the former has not been published), but this AJC report marks the first detailed effort to describe and evaluate the private security services and regulation in a major metropolitan area of the country.

A 1973 SURVEY: Working in close cooperation with the AJC private security project, Anthony P. Keefer, a CSU Institute of Urban Studies graduate researcher, established through field research that the winds of change are blowing through Greater Cleveland's private security sector. Mr. Keefer conducted personal interviews with (among others): thirteen west-suburban safety officials representing eight communities; four statewide regulators of private security located in Columbus; and one Detroit-based vice-president of the United Plant Guard Workers of America. A summary of Keefer's unpublished report, "Private Security," follows.

Private security was a subject of interest only to those four communities which had frequent experiences with private security agencies. Only one safety director would admit to private security incidents (specifically, withholding a knifing suspect from police questioning and false arrest after use of an illegal search warrant) happening in his own jurisdiction. He told Keefer that the fact of untrained private security personnel carrying guns to his community "scares the hell out of me." Several officials suggested a statutory requirement (one already had such an ordinance) of 120 hours of private police training for any armed private security work. One mayor suggested that the State Highway Department with its investigatory resources should take over regulating the numerous private security forces from the totally undermanned Commerce Department.

From the State Commerce Department's Licensing Division's Chief Investigator, Keefer learned first-hand of the regulatory problems reported by the west-suburban safety officials. This Chief Investigator was attacking the important problem of peace officer impersonation by private security personnel merely by a campaign to force removal of the word "police" from private security uniform shoulder patches. Mr. Keefer's interviews with officials of the Ohio Peace Officer Training Council (OPOTC) produced reports of three specific cases of gross firearms misuse by private security personnel and the assertion that the five or six complaints which have been made known to the Division of Licensing "are not even the cream off the top". Since the OPOTC has only one field investigator for the entire state, Keefer judged quality control over OPOTC-approved private police training schools to be "virtually impossible".

In an interview with a vice-president of the United Plant Guard Workers of America (UPGWA), Keefer found another force for change. UPGWA has over 32,000 members around the country who account for at least two-thirds of all unionized guards. Despite successes with in-house and governmental-installation security forces, the UPGWA has had very little success in organizing contract guard firms, who keep wages low to compete in the low-bid security market. (Some few exceptions were some Burns International forces in Toledo and Kentucky, who had agreed to a minimum of \$2.61/hour plus medical benefits.) To maximize job performance, self-esteem and wage increases, this union has for some years pushed for far greater training of guard supervisors and guards.

SUBURBAN POLICE CHIEFS SURVEY: Through the cooperation of the Cuyahoga County Police Chiefs Association's "cooperative police planner project," the AJC conducted an interview sampling of ten suburban police chiefs' concerns with private security. The sample included the chiefs of two cities of over 25,000 people, six cities of 5,000-25,000 people and two villages of under 5,000 people. The personal interviews, conducted between November, 1973 and May, 1974, sought to discover what problems (if any) were presented by private security forces to the police department of the municipalities in which they operated.

According to this survey, the frequency of police department contact with a private security force ranged from daily for shoplifter offenses in two communities to once or twice monthly in smaller communities or in those with few retail establishments. (This frequency estimate excludes police moonlighting in private security. Although police chief responses to police moonlighting ranged from

strict prohibition through eye-winking tolerance to outright promotion, there was general agreement that if there had to be private security working within their territory, it was better to have that private security be comprised of a known entity, i.e., their own officers.) Most chiefs interviewed were not greatly concerned with in-house industrial security forces and merely desired to know which of these security personnel were armed so that policemen responding to a burglar alarm would not be shot by an armed guard. However, problems do arise in the frequent contacts with contract retail security guards concerning shoplifter apprehension. The prosecution of shoplifting larceny cases becomes difficult when an arrested suspect complains to the conveying police officers about improper questioning or detention by private security personnel.

All chiefs interviewed were gravely concerned about the bearing of weapons in their cities by contract security personnel. Most chiefs had only a general understanding of the state's control over private security personnel. Several chiefs asked the interviewer whether the statute entitled private security forces to carry a weapon. (In fact, O.R.C. #4749.08 asserts that the statute language shall not be construed as granting authority to enforce laws or carry a concealed weapon.) Only two of the chiefs had available ordinances regulating private security. One ordinance requires private security personnel working in shopping centers (thus visible to the public) to have a local commission as a trained private police officer. The other municipality uses its weapons permit ordinance to arrest on sight any armed private security person who lacks an I.D. card certifying 120 hours of police training, a county gun permit and individual guard insurance. Guards from two large national guard companies, as well as from one smaller agency, have been thrown out of town or arrested for ordinance violations. In sum, running through all the chiefs' discussions of private security difficulties was their fear of the lack of training given private security forces.

SAFETY DIRECTORS SURVEY: Subsequently, the AJC determined to supplement its Suburban Police Chiefs Survey with more in-depth research on major in-county areas using private security services. In November, 1974, survey questionnaires concerning private security were sent to the safety director or equivalent safety official in the 17 largest communities in Cuyahoga County. These 17 cities represent 80% of Cuyahoga County's population. Completed questionnaires were returned from all 17 communities. Summaries of the results pertaining to municipal police/private security contacts are presented in the following statements and tables.

REPORTED CONTACTS: Private security operations were reported in all 17 communities responding. It further appeared that contacts between municipal police and private security personnel were generally frequent. When asked how often their municipal police department received calls for assistance or information from a typical private security force operating in their municipality, five of the respondents answered "at least once a week"; five more respondents answered "at least once a month"; no respondent answered either "at least once a year" or "never". Six respondents answered "when necessary", and one of these explained that it became necessary an average of 28 times per year.

COMPLAINTS REPORTED: Six safety departments did not mention any complaints received in regard to private security activities. The remaining 11 communities reported receiving the following types of complaints against private security operations in order of frequency mentioned: improper conduct (7); negligence (5); operating unlicensed (5); impersonating police (4); excessive force (4); improper uniform (3); failure of performance (3); improper identification (3); and other (6).

PUBLIC-PRIVATE COOPERATIVE ARRANGEMENTS: Despite the complaints noted, relationships between the police department and particular local private security agencies were characterized as "fairly satisfactory" or better in 16 of the 17 cities. Existing cooperative arrangements between municipal police and private security forces are shown in the order of frequency reported:

Municipal Police

Respond to calls for aid (15)
Permit installation of direct dial or central station alarms (6)
Exchange information (6)
Complete private security investigation (4)
Other (3)
None (1)

Private Security Forces

Report suspicious persons and circumstances (10)
Assist in traffic control around private property (7)
Act as extended "eyes and ears" of police (6)
Assist in making arrests (5)
Other (1)
None (5)

EVALUATIONS OF PRIVATE SECURITY OPERATIONS: Various officials of the 17 communities indicated agreement with, or made suggestions regarding the following evaluations of local private security operations, as shown in order of frequency:

- There should be a pre-determined, clear-cut policy for municipal police-private security interaction. (14)
- Private security personnel are relatively unqualified people who create an unfavorable public reaction to police in general. (10)
- Private security forces should function as the extended "eyes and ears" of the regular police. (8)
- Regulations are presently inadequate to control private security activities: there should be stricter licensing and control. (8)
- Private security personnel often mete out their own private justice without reporting to public police agencies: there is a need for better communications. (6)
- Mandatory training requirements should be increased for private security personnel. (3)
- Other (4)

NEED FOR DEFINITE POLICY: The outstanding area of agreement among safety officials of the 17 largest communities is that there is a need for a well-defined policy with regard to working relationships between municipal police departments and local private security forces. Even among the 7 cities reporting completely negative evaluations of private security operations, 4 agreed on the need for such a definite policy. Safety officials of all 10 communities with mixed or positive evaluations agreed that such a policy would be valuable.

CLEVELAND'S POLICE: A CASE STUDY: Thus, the AJC found municipal safety officials, large private security force heads, and private security executives in general agreement on the strong desirability of well-defined working relations between municipal police departments and private security forces. The AJC therefore determined to make an extended case study of current relations between the Cleveland police and the private security sector. In-depth interviews over many months with policemen from Cleveland and other area municipalities as well as private security executives produced the following conclusions.

INFORMAL, UNSTRAINED RELATIONS: Interview information did not suggest a strained or troubled working relationship between the Cleveland Police Department (CPD) and private security agencies. From the policemen's viewpoint, the current relationship could best be described as informal, non-threatening, uninteresting and advantageous. Let us consider each characteristic in turn. As would be expected, private security field personnel have contact with those CPD officers who work in their area. The frequency of contacts depends on the number of occasions which

require CPD assistance and the quality of information which the private security person can provide as an observer or informant. Ordinarily, Cleveland police do not routinely check credentials or otherwise harass private security personnel. Private security personnel who "cry wolf" or prove unreliable may see their CPD support reduced, although this reduction does not apply to crime-in-progress calls. Thus, the typical relation can be described as informal.

SUPERIORITY: The Cleveland policemen also see the relationship as non-threatening and uninteresting. Private security agencies and personnel, both trained and untrained, are not viewed as competitors by the CPD. Private security personnel are generally regarded as unskilled laborers, poorly educated, questionably trained and of unenviable community status. The types of assignments generally carried out by private security employees are not appealing to most Cleveland policemen, who view private security jobs as low-paying assignments with degrading job requirements. Because there is little friction or competition with private security, most Cleveland policemen are uninterested almost to the point of boredom with private security. Our interviewers were told that private security personnel are frequently "frustrated policemen" who could never succeed as regular city police officers, but who enjoy the quasi-identification with real police provided by their badge, uniform, baton and weapon. It was asserted that many private security guards would probably seek other employment if they could not carry a handgun. One policeman noted that no specific training program exists within the CPD which is designed to improve or even address the current police department/ security employee relationship.

CONTROL: Finally, the Cleveland policemen's relation to commissioned private security personnel is based on explicit authority and is therefore advantageous. The revised rules and regulations limiting commissioned private policemen and promulgated by the Safety Director in September, 1974 enable the Safety Director and every Cleveland patrolman to exercise extraordinary control over the activities of commissioned security personnel. The desirability of this control becomes more questionable in view of frequent reports to the AJC that the CPD and other city officials frequently pressure armed private security forces to become commissioned. Further, the municipal commissioning responsibility represents an excellent opportunity for official misconduct. Sources in the private security sector as well as in several police departments in the county believe that a Cleveland private police commission can be purchased and the required training overlooked for the right price.

CONFIRMING THE STATUS QUO: In this way the Cleveland policeman can be seen to have an informal, non-threatened, unexciting and advantageous relation with most private security personnel. There are, however, certain private security personnel for which the police officer has substantial respect and which may hinder his relations with most other private security personnel: these are his fellow Cleveland policemen, moonlighting as private security officers. This moonlighting by an estimated 600-plus Cleveland policemen (or more than 1 out of every 4 on the force) is not simply an example of individual enterprise. In Cleveland's police department (and in several other area police departments) a limited number of ranking personnel operate substantial police officer-for-hire services. The brokered security personnel services are made available for Cleveland stadium events, business, security, construction sites, traffic control and escort services. As in several other municipalities, the Cleveland police moonlighters utilize a wide variety of city equipment (rarely including police cruisers) to support these assignments; occasionally, moonlighters utilize city time and their public position to conduct private security investigations and escorts. Moonlighting is limited by departmental regulations as to hours and kind of assignment. However, Chief Gerald J. Rademaker's January, 1975 disciplining of at least 9 moonlighters working at the Mad Hatter Nightclub, according to the Plain Dealer account, resulted from the moonlighters' disputed failure to follow formal approval channels rather than the fact that the moonlighters were admittedly violating the substantive departmental regulation against moonlighting at places where liquor is sold. Thus, for most Cleveland policemen, private security presents a little-regulated opportunity for substantial extra wages when and if they so desire. Departmental insensitivity to the conflict of interest questions discussed above only confirms the status quo of a vaguely-defined relation between public police and private police/crime prevention activities.

CURRENT ISOLATION: This status quo is under no pressure from the top to change. In a telephone interview with this author, Police Chief Rademaker stressed that his department's activity and problems were "radically" different from those of any private security force. To underscore his department's lack of involvement with private security, Rademaker asserted that private security's "prevention" or "watchmen" activity was not connected with his department's law enforcement activity, which is "accountable to the public and can't afford a mistake." Chief Rademaker described his department as "not closely affiliated with any private security force," the closest relationship being with the University Circle police.

Chief Rademaker's one suggestion was that some organization other than the police department should provide private security employees with a pistol range and weapons instruction on a fee-paying basis.

PUBLIC POLICE: HOW CREDIBLE A MODEL?: In the best of all worlds sometimes outlined in private security literature, the municipal police departments of America should act as teachers and models in upgrading private security personnel to serve as the "eyes and ears" of the police. There is no present likelihood that this educational function could be undertaken by the Cleveland Police Department. The final report of Mayor Ralph Perk's Cleveland Crime Commission (appointed to investigate police department corruption) stated that, unless the Cleveland Police Department is "drastically restructured,"

there will not only continue to be corruption and misconduct within the department, but there will continue to be distrust and dislike of the police by the majority of the community and bitter dissatisfaction within the police ranks themselves.

Even if the widespread criticisms of police response time, payoffs, and robberies are false generalizations from the proverbial "few rotten apples," the present situation of public distrust does not permit the Cleveland Police Department to function effectively as the crime-prevention teachers and models for private security personnel.

PROSECUTOR INTERVIEWS: Since many of the private security problems reported--impersonation of public peace officers, firearms misuse, false arrest and the credibility of legal testimony by private security personnel--could be knowledgeably evaluated by local prosecutors, CSU law professor Gordon Friedman, an AJC consultant, interviewed Mr. Everett Chandler, then Cleveland's Chief Police Prosecutor, and Mr. John T. Corrigan, Cuyahoga County Prosecuting Attorney, about any private security cases which had come to their attention. Both prosecutors' responses were informative. Professor Friedman's questions and a paraphrase summary of Police Prosecutor Chandler's responses appear below.

CAUSES AND EFFECTS OF PRIVATE SECURITY: What has caused the growing use of private security personnel? Does this growth bring any dangers, and what is its effect on the Cleveland Police Department?

Prosecutor Chandler: Although the police cannot keep up with what's going on today, I don't like the trend toward using private security officers. The problem with private security people is that it's dangerous to arm just anybody. In terms of restrictions and standards, the application one makes to Columbus to become a private security business is really not very meaningful. If a guard is on private property he need not be qualified to carry a gun. Public policemen do not like private security people and often they will not respond to calls made by private security officers. The heads of private security forces are often former policemen themselves. They know the business and when they need results, they know who to call.

FIREARMS MISUSE: How do you remedy the problem of recent reported incidents of irresponsible use of guns by private security personnel? Is there any information as to civil litigation against security guards?

Prosecutor Chandler: I am very strongly in favor of a ban on the sale and manufacture of guns altogether. But the private security agency can hire anyone. It is frightening for me to go to a corner store and see a guard with a gun. My feeling is that a security guard in a store, whether it be a large department store or a neighborhood store, will probably cause more danger to the people there, than if he were not armed. The fact that he is armed would serve as a catalyst for a shoot-out which would harm a great many people.

EFFECT OF NEW OHIO CRIMINAL CODE: Has the revised criminal code in effect since January 1, 1974 had any impact on private security problems?

Prosecutor Chandler: The new penal code has created more crimes such as menacing and aggravated menacing. Today you can charge somebody with virtually any type of misdemeanor. A private security person does not have to witness the crime to arrest; this is certainly a large amount of power. They pull their guns on people much too quickly and issue tickets in the wrong situations. But there are very few complaints about private security people primarily because people do not generally complain about people who wear badges and guns.

TWO LEGAL QUESTIONS: Should private security people be required to notify suspects of their constitutional rights before any interrogation? What is your response to the fact that New York City private security people have been issuing summonses in retail stores?

Prosecutor Chandler: Private security people should be restrained in the same manner as the police. Criminal charges are involved and therefore private security people should give suspects all of their constitutional rights. As for retail private security issuing summonses, it's a good idea because it will lessen the time-consuming petty-money cases. Summons authority is not too much authority for private security.

PRIVATE SECURITY AS TRIAL WITNESSES: Do you find any problems in successful prosecutions involving private security people as witnesses?

Prosecutor Chandler: Private security people make bad witnesses (giving much hearsay testimony); they have bad bookkeeping and bad records. They don't take notes; they have no common sense and don't use common sense. They need the same, exact training as the police and they should be trained as needed in carrying a gun. As efficient law enforcement officers private security people leave a lot to be desired. Public safety officials should have the power to require the heads of security companies to be commissioned and to have their staffs commissioned.

OTHER EXCESSIVE FORCE: Have you had any experience through your office with private security people exercising excessive force?

Prosecutor Chandler: Private security people do in fact often beat the hell out of people, but nobody makes complaints against them primarily because they are in uniform. When the complaints are made, my office follows through on them. In my opinion, public police officers have physical and mental abilities which private security people don't have. Many private security people are basically stupid, poorly trained, and in poor condition physically.

POLICE MOONLIGHTING IN SECURITY: What are your feelings about police having second jobs--moonlighting? Do you see any problems in the use of official equipment while on private security jobs?

Prosecutor Chandler: Policemen acting as security officers should be treated not as Cleveland policemen but as security officers who actually have no more power than a private citizen. Public police insurance should not cover a police officer's injuries if suffered while on a second, private job. I am against the use of police equipment during the course of police moonlighting jobs. In my experience the only police officers I've known that have been reprimanded for using public equipment on private jobs have been black police officers. An example: at football games most of the officers are off-duty but are wearing their uniforms. These people are employed by Art Modell and I do not believe that they should wear their uniforms. A police officer is not "on-duty 24 hours a day". When he is off-duty and a crime takes place, he has a responsibility of calling the police, and not jumping out and chasing the bad guys. I believe police officers use this statement for convenience.

CMHA GUARDS: What do you feel is the quality of the Cuyahoga Metropolitan Housing Authority guards?

Prosecutor Chandler: I recognize that the Metropolitan Housing people are trying to improve their image. The head of CMHA's security forces is an ex-cop and in the future things will be okay there. But now things are very mediocre: CMHA security people create problems for themselves by making very bad arrests. They exercise far too much power.

SUGGESTED CHANGES: Would you suggest any statutory changes in terms of regulation of private security?

Prosecutor Chandler: Private security people should have the same training as a police officer in terms of using guns and knowing about the laws. Money should be spent to buy private companies to train these people as well as police are trained. Unless properly trained they're potentially dangerous.

OTHER PROBLEMS REPORTED: Despite the five research efforts just summarized, the AJC was unable to collect totally comprehensive information on either the range or the frequency of private security's problems. The chief obstacles to comprehensive information are two: lack of the considerable amount of personnel, time and money for a total survey of the private security operations of one county; and less than full cooperation from many private security employers and employees. It is easy to present the story of private security's problems as reported in Greater Cleveland newspapers, and this has been done on the title page of Chapter II above. It is even easier to list many of the private security problems reported by private security workers and supervisors: poor employee wage scale, extremely high employee turnover, cut-throat competition leading to management dishonesty to clients and his own employees, client ignorance of security matters, employees' undependability, dishonesty and use of excessive force, employers and employees who "play cop" by overstepping their legal powers and misusing their firearms, and inadequate employee background checks, training and supervision.

However, it remains very difficult to determine whether a given incident of private security misbehavior is more the rule than the exception. The very limited AJC attempts to investigate the frequency of insurance claims and a sampling survey of post-1969 Court of Common Pleas civil suits against private security forces suggest that these claims and suits are relatively infrequent and do not always represent actual misconduct or liability by the private security employee. Similarly, the reported incidence of firearms misuse, false arrest, improper search or fraud appears to be relatively low. Nevertheless, Greater Cleveland private security management circles are full of persons eager to tell AJC researchers how bad things really are. Most of the blame for dangerous or unbusinesslike conduct is usually placed on the greedy "other" agency heads, but almost every interviewee tacitly admits some small share of responsibility for a wretched situation. It is Greater Cleveland's private security persons themselves who give the most convincing testimony of its serious problems.

C. DEADLY WEAPONS: THE AUTHORITY OF FORCE

5,000 ARMED BUT UNTRAINED: Among all the serious problems the most critical by far is the fact that thousands of guards are issued firearms with little or no training in how and when to use them.

While there are only an estimated 4,150 public peace officers, the AJC estimates that 5,125 privately-employed security personnel sometimes carry firearms on duty, in addition to the estimated 1,000 armed peace officers who moonlight in private security. These 5,125 employees are distributed by types of employer and employee as shown in Table 10. In addition to this armed 60% of Cuyahoga County's privately employed security personnel, there are an additional estimated 175 non-peace officer security personnel on public payrolls in the county who are sometimes or always armed. These estimates should be compared to other research estimates. In 1970 a Rand Corporation survey of private security employees found that 49% said that they were armed with guns while only 10% said they received periodic firearms range training. A 1974 Institute for Local Self-Government survey of California private security employees indicated that over 55% of the employees sometimes carried firearms while on duty, with 28% going armed on duty "at all times".

TABLE 10
ESTIMATED NUMBER OF FIREARMS ISSUED TO PRIVATELY-EMPLOYED
SECURITY PERSONNEL IN CUYAHOGA COUNTY -- 1975

<u>Employee Type</u>	<u>In-House (Proprietary)</u>	<u>Contract (Agency)</u>	<u>All Private Employees</u>
Watchmen	240	555	795
Guard			
Citizens' Legal Powers	420	1,400	1,820
Limited Police Powers	950	950	1,900
Detectives			
Citizens' Legal Powers	100	120	220
Limited Arrest Powers	270	120	390
Peace Officers	600	400	1,000
TOTALS	2,580	3,545	6,125

FEAR AND FANTASY: Why are so many guards armed with deadly weapons? Frequently, the client, the supervisor or the guard--or all three--note that a potentially hazardous assignment requires self-protection for the guard, and promptly conclude that the self-protection weapon must be a firearm. In more cases than not, no professional judgment is exercised in considering such alternative weapons as a baton, chemical spray, guard dog, etc. Too often a gun is issued out of a desire not merely to defend the guard but to apprehend and subdue the criminal. Even more important to widespread firearms issuance, however, are the fantasies of authority which a gun supports. As one gun-toter told a firearms researcher, "Man, when you've got a piece on your hip, you're nine feet tall." A large proportion of private security employers and employees seem to be "frustrated cops" who talk off-handedly about "wasting" or "blowing away" anybody who gives them any trouble. As their advertisements sometimes stress, private security agencies can and do order the full range of lethal and non-lethal riot and emergency equipment available through the eight "police equipment" merchants listed in the current Greater Cleveland "Yellow Pages". Finally, the AJC found that some local agencies permit or require the guard or detective to purchase his own gun; it seems likely that such employees are purchasing less expensive and less safe weapons. The California ILSG percentage of 40% of armed guards owning their own pistol may well apply to Greater Cleveland.

FIREARMS USE, LARGE EMPLOYERS' FORCES: As part of the AJC questionnaire survey of the security directors for 16 large employers, each director was asked what percentage of his total security employees ever wear firearms on duty. A follow-up question asked for the frequency of carrying a firearm on duty among those security persons ever armed. The 13 responses were as follows:

<u>Percentage of Employees Ever Armed</u>	<u>Number of Respondents</u>	<u>Individual Firearms Carriage Frequency</u>	<u>Number of Respondents</u>
100%	5	at all times	6
95%	1	frequently	2
75%	1	sometimes	0
50%	1	not applicable	5
0%	5		

When these same security directors were asked which typical situations warrant the wearing of firearms by some of their employees, the responses were as follows: "exterior patrol in the social environment in which the (firm) is located"; "solely protection of officer's life when imminently in danger of death by violence"; "prevent loss of life"; "night surveillance, break-ins, and answering burglary alarms"; "routine daily duties, night surveillance, money escorts, high-theft merchandise escorts, trouble investigations"; "at all times under their current orders; orders are being changed to take away arms except in times of emergency"; and "from 6:00 p.m. through 6:00 a.m. daily".

In follow-up interviews the AJC consultant inquired about each respondent's policy toward firearms use by force employees. He found an extremely wide range of use. At one extreme were cases where no firearms were permitted and care was taken to avoid even fistcuffs. In the middle were security forces which use nightsticks with proper training or which carry unloaded handguns. There were also cases of the carrying of handguns with the absolute rule that the handgun may not be pulled unless the man's life is at stake. Finally, there were situations which almost encourage the use of firearms. One company's firearms training constantly stresses that a man has a gun to be used. In this force it is safe to surmise that the firearm would be drawn at the slightest opportunity. Further, the pistol was in some forces almost the least lethal weapon in which the men are trained; high-power rifles, riot equipment and karate are part of the training and "benefits" offered by some companies. When one large, law-and-order conscious downtown store recently disarmed their security force for non-special daytime assignments, many of their guards reportedly quit in protest.

In several security operations surveyed, Keefer observed no reluctance about carrying a gun but an absolute taboo on pulling the gun. It appeared that no proof had ever or could ever be given by these security managers that their men would not pull the gun in anything less than a life-or-death situation. There were many surveyed firms which use firearms but which have never given their armed employees an hour's training in firearms safety, i.e., in the proper occasions to use or not use firearms. Firearms safety does not result from having fired in the army or going to a pistol range once a year. Each armed security force head was asked, "Why do you carry guns?" In each case the answers were either "I don't know why; it's been a long-standing practice" or "We carry guns only to protect ourselves in a life-or-death situations." The answers did not assert a proven effectiveness of firearms in self-defense or in crime prevention. Our consultant

concluded that none of the protected environments he surveyed required the routine use of firearms and that a flat firearms prohibition or stringent firearms training were desirable at such locations.

GUN CONTROL: Present gun control regulations, like most other aspects of the law, treat private security personnel as private citizens. Stronger gun control is an issue that has been revived at local, state and national levels. Its outcome, form and effect on private security cannot at this point be predicted. It is, however, noteworthy that, whereas previous efforts at gun control had focused on the registration of weapons and the licensing of owners, such a thrust has now been joined with efforts to ban the manufacture, sale and possession of handguns, with certain exceptions. These exemptions to the proposed handgun ban universally include police officers and state militia, but only sometimes exclude licensed private security personnel.

For example, a proposed amendment to the Michigan Constitution to ban the casual possession of handguns does not include a private security exemption. At the federal level, two bills proposed in the House would exempt from stiff transfer controls only private security services licensed by a state. From what this report has noted about the gross laxity in the selection, regulation and arming of private security personnel, it should be obvious that gun control legislation must be carefully drawn as it applies to "the other police".

D. TRAINING: INFREQUENT, INCOMPLETE, AND MISDIRECTED

120-HOUR PRIVATE POLICE COURSE: What kind of training is given these often-armed private protectors? The most extensive classroom-oriented private security training available throughout Ohio is the 120-hour private police course offered by training schools accredited by the Ohio Peace Officer Training Council (OPOTC). This 9-person appointed Council, established in 1965 to set standards and oversee required training for permanent public police officers, was required by Ohio law in 1970 to make available a distinct training certification program and curriculum for other persons performing a police-type job such as private police, special police security guards and watchmen. The current curriculum, although apparently subject to state-approved local revisions, generally includes the following subjects and hours of instruction: orientation (1), role of law enforcement (4), note taking (1), report writing (3),

criminal law and procedures (4), laws of arrest (4), search and seizure (4), rules of evidence (4), techniques and mechanics of arrest (4), crimes and elements (4), interviews (2), testifying in court (4), legal phrases and definitions (2), motor vehicle crimes (2), vehicle traffic laws and control (4), handling of juveniles (5), mental illness, drug and alcohol abuse (6), self defense (10), first aid (12), surveillance (4), homosexuals and perverts (2), patrol of private property (2), crowd and mob control (4), firemanship (4), shoplifting (4), firearms training (8 in classroom, 8 on range), and examination (2).

THE FLAWED SOLUTION: Although still widely regarded as the potential solution to private security's training problems, this course has many flaws. It reaches too few suitable people and too many unsuitable people. It is too often taught in schools designed more to make money than to instruct. And it is supervised state-wide by an underfunded staff whose law-enforcement background and mandate are not focused on private security's particular training dilemmas. Each of these flaws deserves notice.

FEW SUITABLE TRAINEES: Compared to the number of private security personnel who go unarmed on policing-type details, this voluntary and expensive course reaches too few suitable people. It is required for those commissioned by a safety official (see Chapter III) and for those carrying firearms at a public or private educational institution. While the AJC estimates that Ohio has between 25,000 and 30,000 private security personnel, the OPOTC in 1970-1974 has certified only 5,387 Ohioans or (allowing for those who leave private security work after this training investment) less than one-quarter of Ohio's present guards and less than one-third of Greater Cleveland's armed guards. It seems unlikely that the next several years will substantially improve these fractions, because, after rapid growth from 1970-1972 in annual number of OPOTC-certified personnel, the 1973 and 1974 totals show a continuing decline beneath the 1971 level. This enrollment/graduation drop has occurred while some in-house security forces have been paying the \$125 course costs for proven employees wishing to upgrade their skills. Now and for the foreseeable future, the majority of Greater Cleveland's private security personnel engaged in policing work, e.g., the detention and interrogation of suspects or the threatened use of firearms to defend others' persons or property against assault or theft, are untrained in the OPOTC or equivalent law-enforcement course.

MANY UNSUITED: Not only does the OPOTC course fail to reach many suitable personnel but it also reaches too many unsuitable private security personnel. Most private police course graduates do not do private policing work. Paid by day to patrol private property or conduct citizen surveillance, these tired trainees study by night the enforcement of laws which virtually no one wants most of them to enforce. They enroll because they wish to or are required to carry a firearm (sometimes legally concealed on their person) on duty or because they want the increased status and wages that may come from certification and possible deputization. To judge from instructors' comments made to the AJC, many OPOTC private security trainees are too undisciplined or unintelligent to understand the law, techniques and mechanics of arrest, but they know that passing the OPOTC course will make it likely that a sheriff or safety director will give them the power of arrest. Many instructors appear to stress that course certification and even commissioning does not make a private security employee "a real cop," but these words are drowned out by the more obvious reality that guards and watchmen with limited duties are taking police training administered by the Ohio Peace Officer Training Council. Impersonation of public peace officers is one of private security's worst problems, and the practical effect of the OPOTC-sponsored course is to worsen the problem. Despite any subsequent misuse of their police training, OPOTC graduates are immune to any revocation of their certification or to any retraining requirement. A related problem of unsuitable personnel is a possible decline in the quality of trainees. One local private security executive told the AJC that he had stopped teaching in one of the most highly-regarded local private police schools because the average student there had become "so stupid and apathetic".

SCHOOLS OR DIPLOMA MILLS?: A further problem is that the private police course is too often taught by wrongly motivated people. It has been several years since one private police training school instructor dared to substitute pornographic movies for the regular curriculum, and mandatory attendance rules seem less grossly flouted than in the past. Nevertheless, one local agency head said to the AJC that he knew of a local training school where \$100 would buy anyone a 120-hour training course certificate. Indeed, many contract security executives complained that several of the six well-established training schools serving Cuyahoga County are essentially "diploma mills" operated for the personal profit of the school "commander" and his paid instructors. There appear to be many symptoms of a "diploma mill" syndrome at local OPOTC-approved schools. For example, the AJC was told that at all area training schools, any person failing the firing range test is made to fire again

without any further attention as to whether he again fails the test. The same local private security source alleged that at all area training schools nobody ever flunks the self-defense training for physical reasons; the excuse of a "bad back" is unquestioned and suffices to get the aging or disabled past the requirement to "throw" another person in a prescribed manner. Another well-known security executive mentioned interviewing a local training school graduate who "was obviously a physical and mental defective". Another security executive who has taught the 120-hour course locally criticized the relatively easy and short final exam now given at one school.

Although the private police training program at Case Western Reserve University's Center for Criminal Justice was regularly and deservedly singled out by local security officials as substantially more professional and dedicated than other local programs, many of the above accusations were also levelled by AJC interviewees at the CWRU program. In addition, one contract agency executive accused the CWRU training course of being too "booky" to get through to unmotivated minority-group students with low "self-images".

SERVING TWO SECTORS: The final flaw in the 120-hour private police training program is its supervision by an understaffed Training Council whose concerns are divergent from the particular training problems of commissioned and non-commissioned private security personnel. The Executive Director of the Ohio Peace Officer Training Council is Colonel Anson B. Cook, former head of the State Highway Patrol. Although Col. Cook is personally concerned to upgrade private security, the continuing developments in regular police training absorb almost all of his small staff's time and limited funds. Although Col. Cook has recently been involved in efforts to end irregularities at two unnamed Cleveland area private police schools, regular quality control of these schools is impossible with a field investigative staff of only two part-time persons. An even greater problem is the Council's public police orientation. Despite its 5-year-old responsibility for private security training, the Training Council itself lacks any representation of the private security industry. Determined to protect the control of private security training by his agency and by public police in general, Col. Cook personally favors extending the coverage of those private security personnel required to take the curriculum he administers. He remains opposed to any training requirement for any class of private security personnel which would be shorter or different from the private law-enforcement curriculum he administers.

SECURITY TRAINING BY LARGE EMPLOYERS: The AJC also studied another important kind of private security personnel training: that provided by large institutional or corporate employers. Because of their greater investment in security employee wages, greater vulnerability to large civil suits and (in some cases) requirements of Defense Department contracts, very large employers tend to give their security employees considerably more training than do smaller companies. Nevertheless, substantial training disparities appeared in the 13 Large Employers Survey responses presented in Table 11. The hours of total training reported ranged from 480 plus on-the-job training down to mere on-the-job training. Since the different firms' personnel responsibilities as well as training hour computations seemed diverse, an overall average number of training hours would not be meaningful. Table 11 does not attempt to measure the important qualities of employee supervision and leadership. The AJC consultant judged one employer's force as perhaps the best led and supervised of all 16 forces surveyed, although that force did not report one of the highest total number hours of employee training. Only two firms invested effort in pre-employment training and only three firms seem to have a well-organized program of retraining their personnel. Better trained firms tended to go beyond the quick and inexpensive lecture and manual methods of training to the use of film strips or slides and a pistol firing range. It appeared that at least one responding force armed some of its employees at least 50% of the time without training or retraining them on a pistol firing range. In all 5 cases where required or optional employee training included the state-approved private police course, the respondents sent their employees to the highly-regarded training school conducted by CWRU's Center for Criminal Justice at Case Western Reserve University.

It would appear that firearms retraining is a problem for some large and medium-size in-house forces. One local police chief told the AJC that his department recently conducted firearms training for a local armed guard force of an internationally-known corporation. Some of the retrainees hadn't fired a gun for 15 years. The employing company was most pleased with this free training, but the police chief was disturbed by the corporation's lack of firearms retraining program.

AGENCY GUN USE AND TRAINING: An estimated 58% of Cuyahoga County's armed privately-employed security personnel are security agency employees. Unless employed by a college or university, none of these armed guards must be at all trained. Like in-house security chiefs, security agency heads are not required by law to know anything about or to have ever fired any of the small arsenal of firearms they may

TABLE 11

SECURITY EMPLOYEE TRAINING BY 13 LARGE EMPLOYERS

PPOT-CWRU = private peace officer training course
 offered at Case-Reserve
 R = Pistol firing range OJT = On-the-job training
 L = Lecture F = Film M = Manual NA = Not available

<u>Respondent</u>	<u>Total Hours Training Given by Security Employer</u>	<u>Pre-employment, in- service & retrain- ing by hours</u>	<u>Training Methods</u>	<u>Training Content</u>
A	310	0 - 300 - 10	L F M R	PPOT-CWRU; mock court trials; working with experienced personnel; applicable CWRU courses
B	120+	0 - 120 - 5/mo.	L F R	PPOT-CWRU; in-house film, slides & guest lectures; police pistol range qualification 2/yr.; promotion exams
C	480+ or 160+	0 - 480 - OJT	L R	public police training at Ohio Highway Patrol Academy or PPOT-CWRU
D	2,080	0 - 2,080 - NA	M	one-on-one training with emphasis on equipment and fire protection
E	2/wk., continuing	0 - 2/wk - 2/wk	L F M	NA
F	OJT, continuing	0 - some - some	L M R	Seminars
G	80	5 - 80 - 0	L F M R	OJT in legal constraints, fire prevention; encouraged to take PPOT-CWRU
H	NA	8 - 40 - 4/mo.	L F M R	their duties as patrolmen/watchmen
I	80+	0 - 80+ - 0	L M	fire prevention
J	NA, continuing	0 - NA - NA	L F M R	Audio-visual slides with testing on program. Firing range every other mo. & applicable CWRU courses. Emergency vehicle operation; specialized first aid; evacuation & fire drills. For 2/3 of force: PPOT-CWRU
K	40, minimum	0 - 40 OJT - 0	M	fire prevention
L	100	0 - 100 - NA	L F M	classroom
M	NA, continuing	0 - 40 - NA	L M	Working with supervisor; legal authority, traffic direction; misdemeanor investigation; fire control systems operation

legally amass. Currently, the only training requirement for a licensed agency head is a very loosely-interpreted minimum of 2 years' experience in any private security capacity.

Due to its limited project resources and to indications of mistrust of the AJC by local representatives of contract security, the AJC Inventory of licensed agencies did not solicit local data on the obviously sensitive areas of agencies' gun use and training. However, 1974 surveys by the Institute for Local Self-Government (ILSG) showed that 45% of licensed California private security agency heads admitted to providing their employees with no formal pre-work instruction in firearms use, while 40% indicated a lack of weapons retraining. When a related ILSG survey queried security employees (84% of whom worked for contract agencies) about their firearms use, an even more disturbing picture was sketched. Fifty-five percent of the responding employees said that they sometimes carry firearms, although only 8% had received firearms training in their present job. Only 13% had received firearms training from a previous employer, while 53% were equally divided between being self-taught and having received firearms training in the military service. As for overall pre-work training, 39% did not receive any and 78% received 8 hours or less. Only 73% of the surveyed employees had received on-the-job training, usually consisting of 10 hours of instruction by another employee or 7 hours of training by a supervisor while working. Fully 43% of the responding contract guard employees indicated that they had received no retraining whatsoever.

These 1974 California findings closely parallel the 1970-71 survey findings of the Rand Report as well as of the Greater Cleveland interview data gathered by the AJC. On the basis of these interviews, it appears that many small agencies have no general or firearms-specific training program apart from a few minutes of on-the-job instruction. It also appears that some of the very largest and most prestigious local contract agencies have rapidly changing policies on both weapons training and weapons issuing, so that it sometimes happens that an entirely untrained guard is issued a gun. More frequent local problems include lack of any in-depth training or retraining (e.g., a lack of manual, classroom or range instruction beyond gun nomenclature and mechanics) as well as sporadic supervision of all types of guards.

E. FACTORS IN THE LOW-QUALITY MARKET

THE MINIMUM-WAGE GUARD: Who is both the subject and the result of contract security's minimal or non-existent commitment to training? How can one measure the average

contract security guard? Take the current minimum hourly wage (\$2.00--\$2.10), add a nickel or at most a dime per hour, and you have taken his financial measure. Although time-and-a-half wage rates would apply to his possible 8 hours weekly of overtime, the recession-created labor pool of potential guards leaves many guards with only \$80-84 weekly gross pay. The pay scale hardly moves up from this average: hard work, supervisory responsibilities or seniority may win a guard incremental raises to \$2.20-\$2.50/hour, and a superior employment background plus private police training may earn one \$2.60 or even \$2.75/hour as an agency guard. (It is only the \$3.25-\$4.25 base hourly wages of in-house security personnel which brings Cleveland SMSA's guard-watchmen annual earnings up to the still-mediocre levels displayed in Table 12.)

TABLE 12
CLEVELAND SMSA
AGES AND EARNINGS OF MALE GUARDS AND WATCHMEN

1970 AGE DISTRIBUTION		1969 EARNINGS BY RACE		
<u>Years</u>	<u>Number</u>	<u>Earnings</u>	<u>Number</u>	
			<u>Negro</u>	<u>All</u>
16-17	36			
18-19	20	\$1 to \$1,999 or less	83	400
20-24	155	\$2,000 to \$3,999	74	302
25-29	223	\$4,000 to \$4,999	63	276
30-34	150	\$5,000 to \$5,999	94	397
35-44	473	\$6,000 to \$6,999**	86	340
45-54*	656	\$7,000 to \$7,999	82	403
55-59	416	\$8,000 to \$9,999	86	629
60-64	535	\$10,000 to \$14,999	44	451
65-over	<u>559</u>	\$15,000 or more	<u>4</u>	<u>74</u>
TOTAL	3,223		616	3,272

*Median age was 53.5 years

**Median earnings for all earners was \$6,768

Source: U.S. Bureau of the Census, 1970 Detailed Characteristics, Tables 174 and 175

Earlier parts of this chapter and Chapter I have suggested the incompetence and unreliability of contract security's minimum-wage guard. He is not well cast in a crime-prevention role, since he is likely to have committed criminal acts himself. (One Minnesota polygraph company ran lie-detector tests on 24 security guards and found that every one appeared to have been guilty of theft of money or merchandise or illegal use or selling of narcotics. In addition to a recent Ohio Commerce Department check on guards' misdemeanor records, a local polygraph operator confirmed for the AJC that such criminal backgrounds pervade Greater Cleveland's guards.) He may well be a man in his early fifties (see Table 12) and thus unlikely to absorb much formal training of any kind. He is, quite simply, the shiftless watchman of former years, now given an impressive uniform and (as likely as not) a loaded firearm. The "janitor with a badge" is often given the authority of deadly force because he himself lacks an authoritative, crime-detering appearance.

AN INDUSTRY FIXTURE?: Unfortunately, this sorry individual is currently perceived by agency executives as contract security's central fixture, inevitable and necessary for success in the low-cost, low-quality competitive security personnel market. One local agency head told the AJC how, when first assigned as guard supervisor for one of the two largest national guard companies, he almost lost his own job for firing as incompetent three of the first ten men hired on his first day. In a labor-intensive industry where 80-85% of costs are directly related to labor, nobody in Greater Cleveland or around the country knows whether contract security consumers are willing to pay more for more effective protection if such protection requires significantly increased guard wages and guard training costs. The security personnel market in Greater Cleveland and elsewhere is virtually as unresearched today as in 1971 when the Rand Report concluded:

The executives we contacted in the contract security industry could not provide us with quantitative evaluations of the effectiveness of their services. (We queried executives of the five largest contract companies on this point, on the assumption that it would be in their self-interest to have evaluated the effectiveness of their services; that is, if a particular service which costs \$X per year could be shown to reduce losses to crime by several times that cost, it seems logical that the potential client would be more likely to purchase the service.) However, these executives pay careful attention to costs, since the low bidder often wins the contract. (The fact that the low bidder often wins the contract indicates why wage rates and personnel quality are low and perhaps suggests a low level of sophistication among the buyers of private police services.)

CAVEAT EMPTOR: In the absence of consumer demand for cost-effective security programs, Greater Cleveland's contract agencies, big and small, scramble about in the cockpit of a low-bidder-wins market. Whether (more frequently) the agency bids \$3.25-\$3.75 for low-cost guard contracts or whether (less frequently) the agency bids \$4.25-\$4.75 for "premium accounts," little changes for the average contract guard. Even on premium accounts, where agency supervision of agency personnel is considerably improved, most agencies lack enough higher-paid, higher trained guards to cover their relatively few such accounts. And so it could frequently happen that a Greater Cleveland consumer of an undetailed \$4.25/hour security package is actually buying the minimum-wage guard.

CRIME INSURANCE: What other factors are or could be at work in this low-quality guard market? One potential marketplace regulator of private security is the insurance industry. Depending on whether specified security systems are used, insurers may offer very substantial rate discounts, require high deductibles before insuring, or even refuse to insure. Thus, the insurance industry has a potentially significant impact on the levels of use and quality of private security services. However, there is a critical shortage of crime insurance in the United States, especially in high-crime areas. According to the National Advisory Panel on Insurance in Riot-Affected Areas, nearly 50% of ghetto businessmen have no theft or burglary insurance. Of those without insurance, 30% said that they wanted it but that rates were too high; 25% said the insurance was unavailable at any price.

A promising 1971 development was the creation of HUD's Federal Crime Insurance Program (FCIP) which offers relatively low cost, easily obtainable non-cancellable burglary and robbery insurance to small businesses, home owners and tenants in 14 eligible states, including Ohio. FCIP has an important crime prevention function because protected properties must meet some basic protective requirements such as dead bolt locks, and, for certain high risk businesses such as jewelry stores, central station alarm systems. The requirements do not cover guards, presumably because the costs of such services would be prohibitive for likely FCIP customers.

However, a Government Accounting Office study, reported in the April 23, 1975 Plain Dealer, noted that HUD had failed to sell enough policies. Only about 350 policies were in effect in all of Ohio in 1974. GAO said low sales are due to the apathy of agents because of low commissions, weak promotion and advertising of the program by HUD, the expense of the required protective devices, and the relatively few insurance agents and brokers in high crime areas.

PREMIUM DISCOUNT PROBLEMS: Although the insurance industry has promoted many crime prevention projects around the country and locally (e.g., the Greater Cleveland Auto Theft Prevention Program), it has not made any positive impact on the quality of private security personnel services. For forty years the industry has recommended insurance-premium discounts for firms having private security systems. The national recommendations of the Insurance Rating Board now range from very small percentages to 70 percent (compare Table 13). However, apart from certain mechanical alarm systems, these discounts are still determined by "rule of thumb" and have no demonstrated statistical relation to experience in deterring crimes. For example, although no rationale is available, the discounts long recommended on "Mercantile Open Stock" burglary insurance assume that guards employed exclusively by the insured (in-house guards) provide sufficient loss protection to justify a discount, whereas contract guards do not justify any discount.

TABLE 13

CURRENT INSURANCE PREMIUM DISCOUNTS

<u>TYPE OF SECURITY USED</u>	<u>PREMIUM DISCOUNT</u>
1 Watchman on premises*	15%
2 Watchmen on premises*	30
1 Watchman reporting to outside central station*	30
2 Watchmen reporting to outside central station*	60
Central station protection system with access to premises	30-70**
Central station protection system without access to premises	25-50**
Local alarm system	15-30**

*Watchman or guard must be on insured's payroll (non-agency)

**Premium discount range varies according to relative effectiveness of specific security system used.

Source: National Bureau of Casualty Underwriters

According to a local insurance underwriter, the insurance industry is focusing its attention on mechanical security, sometimes demanding its use by insureds in place of private security personnel. One local underwriter told an AJC researcher that absolutely no minimum security personnel qualifications must be met for the premium discount: "As far as we're concerned, private security persons could be deaf, dumb and blind. If a higher-quality private security person was available, the cost would be too high for the consumer to bear." For lack of any loss experience data, this prediction of a cost-benefit equation cannot be evaluated.

NO PROGRESS: Although reports in 1969 and 1971 by the Small Business Administration and the Department of Justice/Rand Corporation have asserted a need for a statistical reporting system on the effectiveness of insured private security systems and personnel, the insurance industry still cannot provide data on, for example, the average losses at "type A" premises with a "type Y" security system. Although interviewed by the Rand Corporation analysts concerning the premium discount problem, Don Pillsbury, the Underwriting Division head of the Insurance Rating Board, had not read the Rand report by 1975, nor did he consider that its recommendations carried much weight. Since "there is no agitation among underwriters to code crime experience," and since the insurance industry "is not very well informed on subjects like private security," the industry will, he predicts, make no move towards coding crime experience in the foreseeable future. According to him, improving the quality of private security personnel "would not do much" in altering the discount system. This contrasts unfavorably with the insurance-motivated development and application of Underwriter Laboratory standards to mechanical security systems. In summary, only long-standing habit and outdated judgment that businessmen would not pay for high-quality private security personnel seem to prevent the insurance industry from developing cost-effectiveness data which should be quite helpful in promoting upgraded private security.

GUARD UNIONIZATION: A potent long-term factor for upgrading private security is the slow but steady organization successes scored by three security unions: the International Union, United Plant Guard Workers of America, Amalgamated Local 145, Private Police and Security Guards, AFL-CIO Local 57, and the Teamster's Union. Buoyed by a Taft-Hartley Law provision that a guard service cannot belong to the same union as the non-guard employees of a business, the United Plant Guard Workers and Private Police and Security Guards unions have recently succeeded in organizing some security workers of such major corporations as Eaton Axle, White Motor, Midland-

Ross, TRW, Chase Brass, General Electric Lamp, and Addressograph-Multigraph. A March 27, 1975 Cleveland Press story featured the claim by AFL-CIO Local #57 leaders to have organized about 1,000 in-house and agency personnel; the Plant Guard Workers local claims roughly 400 members in 19 units. In addition, the Teamsters have succeeded in organizing at least one medium-size contract security agency. Thus, two of these unions have entered the contract sector where unions have traditionally met with little success. Taft-Hartley restrictions apparently preclude the use by the AFL-CIO or Teamsters of federally-certified elections.

Although the AJC has received unconfirmed reports of illegal tactics used by two of these unions in their local efforts, such tactics seem unlikely to quicken the gradual pace of union organization. Crime prevention planners should consider the unions' long-term potential to demand increased guard training and eventual limits on public police moonlighting in private security work. Should the overall economy improve the typical guard's job security, there might well be a significant increase in union-organized guard forces and consequent pressures to end the low-cost guard market.

"THE NAME OF THE GAME IS OVERHEAD": Unfortunately, the low-cost, low-quality guard market is supported by the currently most powerful market factor: the contract security agencies themselves. As one local contract agency head told the AJC, "the client buying a guard could usually do as well with a mannequin; the image of security is all that's wanted." Wherever insurance or inventory shrinkage considerations have not forced a continuing consumer interest in the quality of security services, the agencies' promotional assurances of quality usually suffice if its bid requires a lower dollar investment by the consumer. As former New York City police commander and current Rand Institute consultant Sydney Cooper concluded in the March 30, 1975 New York Times:

Tenant groups, homeowner associations and industries are being solicited for subscriptions to private security guard services often by organizations offering such services at rates for which they cannot possibly produce even a partially trained, moderately skilled and semi-literate guard.

With abundant evidence available since the Rand report that many untrained agency guards overstep their legal authority in dangerous ways, and with industry profits at an all-time high, there is little or no evidence that industry money is being plowed back into guard training and recruitment programs or into consumer

education efforts. The current industry shortsightedness was well presented by Pinkerton's, Inc. spokesman William C. Linn, as quoted in the same New York Times article. Mr. Linn explained recent industry profits by noting that guard services have only one major overhead item--guards. Linn concluded, "the name of the game in this trade is overhead."

F. RESOLVING THE DILEMMA: NATIONAL REFORM EFFORTS

U.S. DEPARTMENT OF JUSTICE: Although efforts to eliminate the armed, untrained, minimum-wage guard face considerable opposition from some consumers and suppliers, several reform efforts have recently been made. The 1970-1971 Justice Department/Rand Corporation report awakened criminal justice organizations in the United States and Canada to the size and scope of private security. However, this seminal study could not answer many of the detailed questions involved in any state or metropolitan-area policy on private security. Because of "limited research" on such questions, the Justice Department's prestigious National Advisory Commission on Criminal Justice Standards and Goals recommended in mid-1973 that research be conducted to determine the duties, responsibilities and interrelationships of public and private police agencies, and to develop a mechanism to enhance their cooperative delivery of police services." The Commission's Report on Police went on to outline an important strategy:

Remedies must be found for the ills that plague private police. Their acceptance by public police as a productive force within the criminal justice system will be enhanced if standards of performance and regulatory controls are implemented.

EXPERIMENT IN MORNINGSIDE HEIGHTS: Also in 1973, the New York City-Rand Institute, in cooperation with the New York City Police Department and the cultural and research institutions of Manhattan's Morningside Heights area (including Columbia University), undertook a six-month study to develop a 26th Precinct Community public safety program which would enfold area private security forces into the precinct's overall attack on crime. Under former New York City Police commander Sydney Cooper, the Rand Institute developed a program of classifying, better equipping, upgrading, and coordinating the 611 Morningside Heights private security personnel in tandem with a newly-deployed, 15-officer municipal police satellite unit, which would patrol on foot while equipped with walkie-talkies. Unfortunately, the program as implemented

found many private institutions responding to increased municipal police presence by reducing the number of their security guards rather than moving many of their better-trained guards out onto the streets to work as "eyes and ears" for the regular police. The lesson emerging from this New York experience is that ways have yet to be found to get the variety of public and private safety forces to work together under some unified vision without asking each to divest itself of its own mandated authority or private character.

NATIONAL PRIVATE SECURITY ADVISORY COUNCIL: As a result of the Rand report, the Justice Department's Law Enforcement Assistance Administration (LEAA) in early 1972 created a National Private Security Advisory Council (NPSAC), composed of individuals representative of major contract and in-house corporate security forces, as well as of national police and sheriffs' associations. Although formed because of a private security industry belief that their industry could significantly aid LEAA in its crime-reduction mission, NPSAC's first report said, "the private security field has no desire to perform police work and therefore does not wish to be viewed as a public law enforcement agency." In this as well as in subsequent statements, NPSAC seems caught on the horns of the familiar dilemma: how can private security expand or even acknowledge its public safety role without disrupting the low-cost, low-quality service cycle apparently demanded by consumers?

After a prolonged period of inactivity, NPSAC has completed and is currently publishing a model state statute to license and regulate burglar alarm firms. However, NPSAC and its Guards and Investigations Committee have thus far been unable to agree upon several drafts of a "Model Private Security Guard Licensing and Regulatory Statute". It is now expected that a July, 1975 NPSAC meeting in Chicago will ratify a model statute and accompanying commentary proposing that all contract security companies be licensed by a statewide authority; that all private security officers (those engaged in active crime prevention either as watchmen, security guards, armored car service guards, courier service armed guards or alarm response runners) be registered for criminal background investigations; and that all armed private security officers, both in-house and contract, meet much stricter standards of personal qualifications, formal training, public liability insurance and employment notification.

NPSAC's probable approval of this model statute will not indicate a strong consensus between in-house and contract representatives on all its provisions and will not prevent any individual NPSAC members from lobbying as private employees

against its adoption by state legislatures. LEAA Administrator Richard W. Velde has made it clear that LEAA's goal with respect to NPSAC-approved model statutes is simply to make them "available as a service for the states to accept, reject or change." Following a lukewarm endorsement by NPSAC of its proposal to establish an on-going process of specific private security goals-setting, LEAA has established a Private Security Standards and Goals Task Force, based at Western Illinois University.

COMMITTEE OF NATIONAL SECURITY COMPANIES: In December, 1972 a group of 7 nationwide contract security companies formed the Committee of National Security Companies (CONSCO) to counter the regulatory impetus created by the Rand report. John J. Horan, first CONSCO chairman, characterized the Rand study as not "giving adequate consideration to the economic aspects of our industry." While CONSCO (now grown to 11 members) has not itself produced any cost-benefit analyses of either several proposed regulatory schemes or of low, medium, and high-cost guard services, in March, 1974 it did release a statement arguing that contract security agencies and in-house security forces should be subject to the same licensing requirements. This argument has been reflected in all drafts thus far produced of a CONSCO model private security statute drawn up somewhat independently of the NPSAC model statute.

It is difficult for the AJC to say more about CONSCO, since its current chairman would not respond to a written AJC inquiry for current information on the Committee's press releases and public statements. This silence persisted after the CONSCO chairman had met the author at a NPSAC meeting and after CONSCO's chairman had sent Burns International's chief investigator in Cleveland to "investigate" the AJC Private Security Project. Several NPSAC members or associates told the AJC that, although CONSCO lawyers have recognized a political necessity to support significant regulatory proposals, the operating heads of the same companies show little or no inclination to accept significant changes in the industry's low-bid practices.

AMERICAN SOCIETY FOR INDUSTRIAL SECURITY: While large contract security companies have created their forum in CONSCO, the large in-house and governmental security managers often express their opinions through the 5,000-member American Society for Industrial Security (ASIS). A 1974 national membership survey showed Greater Cleveland's ASIS chapter to be comprised primarily of security executives of manufacturing and banking/finance firms, with over one-third of the members responsible for safeguarding U.S. government classified materials. By a slight majority, the 21-member

national ASIS Board of Directors voted to notify the National Private Security Advisory Council of ASIS opposition to applying to in-house guards the same regulations proposed for contract guards in NPSAC's model statute.

Although not an especially activist organization, ASIS appears to be moving on several fronts to upgrade private security. For example, in addition to promoting security administration curricula of varying quality in the nation's community, junior and four-year colleges, ASIS is slowly developing a voluntary professional certification program open to all qualified security directors and managers. It is currently proposed that an independent ASIS Security Certification Board direct the local administration of a battery of 8 tests of approximately 50-60 minutes each. Three of the 8 tests would cover the required subjects of the theory and principles of security management, loss prevention and investigations. The remaining five test subjects would be selected by the examinee from the following 15 fields of security theory and principles: legal aspects; protection of proprietary information; transportation and cargo; fire resources; restaurant/lodging; banking; educational institutions; Department of Defense; retail security; computer; health care institutions; disaster control; public utilities; drug/alcoholism; and credit cards. Passage of the 8 tests, with the resulting status of "Certified Protection Professional: (CPP), would justify increased salary requirements as well as upgrading and defining the relatively new corporate function of security management.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE: In 1974, IACP, as the principal police chiefs' association, formed an advisory Private Security Committee consisting of several of its most prestigious members to try to improve the uneven or non-existent working relationships between public police associations and private security organizations at the state and national levels. The Private Security Committee is seeking funding for its proposed "Center for the Study of Private Security". In its funding proposal for this Center, the committee's staff asserts:

The private security sector is one of the least known and most underrated activities dealing with citizen crime prevention in the United States. Little, if any, information exists on how the public and private protective services interrelate to produce a crime-free environment or interact to deal with instances of crime and disorder in a given community. The concept currently employed as described in research relating to the criminal justice system, excludes private sector activities in crime prevention or in law enforcement.

Also in 1974, the IACP implemented a 24-hour "Security Program Development Training Course" for private security executives. Through the individual memberships of some IACP members on the Justice Department's National Private Security Advisory Council, some police chiefs are heavily involved in plans to upgrade private security.

THE NCCD APPROACH: The economic difficulties in marketing upgraded private security personnel services were squarely faced by the Private Security Committee of the Law Enforcement Council of the National Council on Crime and Delinquency. In their widely-studied draft "Standard State Act For Private Security Services", the NCCD staff set forth "an essentially commercial code" which proposes a relatively modest use of criminal sanctions and inexpensive employee training options. Further, the model statute proposes several fundamental changes--practicable only in the long run--which would enhance the profitability and social utility of private security. Specifically, the proposed statute flatly prohibits municipal police from private security moonlighting (following existing Connecticut law); sharply limits municipal deputizing of private security persons; and (extending earlier American practice) allows cities and other governmental units to contractually delegate that unit's entire police powers to a licensed private security firm. Taken together in a long-term context of future unionization of private security employees, these NCCD proposals foresee the possibility of an eventual saving of taxpayer's public safety dollars by the competitive pressure of a private sector alternative for insuring public safety.

CHAPTER III TOOTHLESS AT BEST:

MUNICIPAL AND STATE REGULATION

THE DIRECTOR OF PUBLIC SAFETY OF CLEVELAND

Rules and Regulations Governing Private Policemen

Introduction

Authority invested in him by virtue of Sections 77 and 78 of the City of Cleveland and Section 1-3507 of the Municipal Code

of Cleveland to serve without compensation from the City of Cleveland as a Police Officer.

Private Patrol Watchmen and Agencies

733.03 EXCEPTIONS. This chapter shall not apply to the following: (a) Employment as regularly appointed police officers, regularly appointed officers or law enforcement agents of the United States, the State of Ohio or the City of Cleveland.

(b) Off-duty employment as regularly appointed police officers of the City of Cleveland, the State of Ohio or the United States.

16,500 Tote Firearms

Ohio Lacks Control Over Private Police

By WILLIAM F. MILLER. The business of providing private security guards in Ohio is a \$5 billion-a-year industry. It is estimated nationally that there are 100,000 private police officers employed in the industry. While the industry is growing rapidly, laws governing it in Ohio are weak.

Rademaker disciplines 9 moonlighters

Nine Cleveland patrolmen were ordered yesterday to work three of their off-duty days after a hearing before Police Chief George J. Rademaker on charges they worked security guard jobs on their days off.

Two patrolmen facing similar charges were reprimanded. Another was reprimanded, but not suspended, until the patrolman returns from furlough next week.

Ten patrolmen, Rademaker said, worked at the Mad Hatter nightclub, 2150 E. 100th St., one worked at the Deedally Lounge, 521

The problem is that the chief of police has had no control over the state and local law enforcement agencies. However, the chief of police has had control over the state and local law enforcement agencies.

Sec. 4749.01. AS USED IN SECTIONS 4749.01 TO 4749.10, THE WORD "PRIVATE INVESTIGATION" MEANS ANY INVESTIGATION, AS AN INDIVIDUAL, A PARTNER, OR AN OFFICER OF A CORPORATION.

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Closed Societies? Many States Press For Reform of Licensing Boards

Continued From First Page

The commission "could change textbooks at any time," he said.

Richard J. Mahon, Cleveland branch manager of William J. Burns International Detective Agency, one of the nation's largest suppliers of private guards, said he opposes any attempt to tighten training regulations.

"MOST OF OUR guards are not armed and we don't feel a private guard needs any more authority to make arrests than a private security guard in northeast Ohio," said his firm.

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Security Guard Law in Ohio Needs Teeth

By WILLIAM F. MILLER. The business of providing private security guards in Ohio is a \$5 billion-a-year industry. It is estimated nationally that there are 100,000 private police officers employed in the industry. While the industry is growing rapidly, laws governing it in Ohio are weak.

GILLISPIE SAID security forces employed directly by business or industry greatly outnumber those employed by private guard companies, but here is nobody keeping those statistics.

Since Jan. 1, 1968, Cleveland has endorsed the attorney general's ruling that private security guards who seek a private police commission from the safety department have the required 118 hours of special training.

In Cleveland, 1,223 persons have private police commissions, a drop of 600 from 1967.

The 600 were the ones who did not renew because of the training requirements," according to Thomas E. Murphy, administrative assistant to the city's safety director.

ALSO BEFORE a person can receive a private police commission in Cleveland he must have a letter from an employer stating he has a job promised and where it will be.

Last September, legislation was introduced in Cleveland City Council that would make it mandatory for

matter what they worked for, to be trained.

Maximum penalty is a \$1,000 fine for not complying with the ordinance.

Salvatore R. Calandra, assistant Cleveland law director, said the proposed ordinance did not go to hearing because "after meeting with state officers charged with enforcement of state provisions, it was my impression this entire area of private policemen would be enforced statewide."

CALANDRA SAID he had

branch manager of the William J. Burns International Detective Agency, one of the nation's largest suppliers of private guards, said he opposes any attempt to tighten training regulations.

"MOST OF OUR guards are not armed and we don't feel a private guard needs any more authority to make arrests than a private security guard in northeast Ohio," said his firm.

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City Starts to Crack Down on Gun-Toting 'Private Eyes'

By DONALD L. TRACY. Chief Police Inspector Cleveland is cracking down on private detectives carrying guns without city commissions.

Rogers said the decision to crack down was reached after discussing with Safety Director Benjamin O. Davis Jr. the case of a detective working for the Detective Agency, 1035 Carnegie Ave., N.E.

THE DETECTIVE, 36 of 1721 Franklin, 36 of 1721 Franklin, was arrested on March 10.

As in the past, the division now lacks a chief. Miss Hulin stepped down on Aug. 9 after a month on the job, and the staff of the division was reduced to 11.

Background checks on applicants were only being done on a random basis, she added.

She said the division has had great difficulty in the past getting the Ohio Bureau of Criminal Identification and Investigation, an agency of the state government, to process fingerprint checks promptly through the FBI.

In addition, during a review of the division, it was discovered that Cox was carrying checks to be

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CITY OF CLEVELAND RALPH J. PERK, Mayor

has been commissioned pursuant to Section 117 of the City Charter and Section 191 of the Municipal Code as a SPECIAL POLICEMAN

in the Department of Public Safety, subject to the control and direction of the Chief of Police. Commission Expires _____

CHAPTER 733 Private Police

733.01 Private police commissions, 733.02 Rules and regulations; bond; fee, 733.03 Initiating official uniform of Police or Fire Department, 733.04 Uniforms to be approved, 733.05 Duration of commission,

733.06 Registrar, 733.07 Application fee, 733.08 Photograph of applicant, 733.09 Identification card, 733.09 Penalty.

CROSS REFERENCES: Investigators; power to regulate - see Chapter 733. Private investigators - see Ohio R. C. 2917.

OFFICIAL BOND OF PRIVATE POLICEMAN

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A. THE NEED FOR REGULATION

WHY REGULATE AT ALL?: The serious problems involved in Greater Cleveland's private security have been sketched in Chapters I and II. This chapter discusses the scope and shortcomings of official efforts to regulate Greater Cleveland's private security. As defined in this report, private security is largely a private enterprise. Since most private activities in America prosper best with relatively less official regulation, why should not private security be entirely private, i.e., be a free-market, unregulated enterprise?

VIGILANTISM: Unfortunately, crime fighting and crime prevention are not the kind of business which can prosper if left to themselves. When everybody is a policeman, as in Wild West vigilante days, the innocent are often punished. And when the few professional crime fighters are not subject to effective public scrutiny, police efforts at self-discipline will not protect the public from its own apathy and corruptive influence. In many areas of Greater Cleveland, citizens concerned about crime must walk the thin line between community crime detection patrols and vigilante aggression.

FEW LEGAL CONSTRAINTS: Since 4 out of every 5 private security personnel are not deputized ("commissioned") by a safety director or sheriff, the typical private security guard or investigator possesses no greater law enforcement power than the ordinary citizen. In the defense of his or his employer's person and/or property, any Ohioan may use force and in some cases deadly force. In defense of a merchant's property against actual shoplifting, a private security guard may detain the suspected shoplifter for possible arrest without warrant by a police officer (ORC #2935.041). Having detained a shoplifting suspect in a department store security office, the typical (i.e., non-deputized) private security guard or detective has more power than a police officer. Cloaked with apparent authority by his uniform, badge and gun, this guard or detective may interrogate the suspect without giving any notice of the suspect's rights to remain silent and to have counsel (State v. Bolan, 27 Ohio St. 2d--1971).

Although a commissioned private security person, like a public peace officer, is limited by constitutional restrictions on state action, 80% of Greater Cleveland's private security personnel can be deterred from unlawful acts only by: a limiting

delegation of power by the property owner, civil tort or criminal suit, security force regulations, and licensing sanctions. A limited delegation of power is rare among unsophisticated consumers of private security services. The AJC's sampling survey and follow-up interviews on post-1969 Court of Common Pleas civil suits against private security forces as well as an AJC interview with Cleveland Chief Police Prosecutor Everett Chandler suggests that this after-the-fact remedy is not an effective constraint. Chapter II has suggested how current security force regulations do not adequately supervise the actions of force employees. Even the unsupervised misconduct of the armed guard seems to frequently escape the respondeat superior doctrine of legal accountability. Beyond such manifestly insufficient constraints there remains only the sanction of administrative regulation.

THE PUBLIC INTEREST IN REGULATION: Chapter II has shown how fear, misinformation and short-sighted economies have led to fraudulent business practices, criminal activity and incompetence in some segments of private security. The business of protecting the persons and property of large numbers of citizens is a business affected with a public interest. Public regulation or non-regulation of that business should not be based entirely on whether the protectors are on a public payroll or not. Not only do taxpayers pay for the mistakes of private security personnel, but they also, as consumers, are the final payers of their wages.

PASSIVE OFFICIAL ROLE: For better or worse, Ohio's governmental bodies are in no position to influence significantly the conduct of most private security personnel. This official passivity may be summarized as follows. The State of Ohio professes to register, on a once-for-a-lifetime basis, only about 2 of every 3 private security personnel in Ohio. Those relatively few Greater Cleveland municipalities which regulate any private security personnel at all register only an even smaller percentage (i.e., usually the roughly 20% who are specially qualified). As suggested in Chapter II, many local safety officials have expressed dissatisfaction with the presently authorized level of regulation. While Ohio's and Greater Cleveland's regulatory activities are generally ineffective in eliminating dangerous or incompetent personnel, and while they may not be as effective or comprehensive as those of California, Michigan or Texas, they do represent policy steps in a public safety direction which many states and cities have yet to take.

B. STATE REGULATION

MOST PERSONNEL UNREGULATED: The strengths and weaknesses of Ohio's licensing and registration laws deserve attention. Before January 1, 1970, only a few Ohio cities (including Cleveland since 1969) regulated private guards and detectives in any way. Elsewhere (and in Cleveland before 1969) any Ohioan could proclaim himself a guard or detective, buy a gun (usually without any registration or check) and hire himself out for protective work without any state or municipal knowledge. Since that date, private investigation, guard or patrol businesses (i.e., those providing service under contract) are supposedly regulated by the Division of Licensing of the Ohio Department of Commerce. According to Ohio Revised Code #4749, all proprietary or "in-house" security personnel, plus all insurance and credit investigators, are exempted from licensing.

The exemption of in-house private security from any statutory regulation deserves particular comment. Chapter I has estimated that 35% of Ohio's private security workers are employed in-house. Although Chapter I also suggested that in-house personnel often perform the same jobs as those employed in a business selling its security services, their security force is not itself a commercial enterprise. The legislative intent behind current Commerce Department regulation of private security clearly focuses on the selling of such services rather than upon the services themselves.

SELF-SERVING SELF-EXEMPTIONS: The toothless character of this statutory regulation of private security appears when one considers the variety of contract security agencies and personnel who have unilaterally decided that the licensing registration requirements do not or will not apply to themselves. For example:

- Armed and armored couriers such as Brinks and Wells Fargo have successfully argued that their legal status as bailee of the valuables they convey makes them a proprietary security organization exempt from the statute's coverages.
- Central station alarm companies such as American District Telegraph have exempted their armed "runner" guards from licensing/registration on the grounds that their alarm respondents are supposed to wait for police and thus fall outside the statute's intent. Thus two large groups of armed, commercial private security personnel who share at least some misconduct problems with other private security sectors have no public accountability for their security training and performance.

- Further, the thousands of off-duty municipal policemen around the state who moonlight in private security work while not on the employing establishment's payroll clearly fall within those required to be licensed. However, it seems that no or virtually no such moonlighter has ever bothered with this requirement.

DISJOINTED REGULATION: Unlike most state-level regulation of the private security industry across the nation, Ohio's regulation is conducted by two agencies between which no real cooperation is required. In addition to the State Commerce Department's licensing and registration of most contract security agencies, there exists the Ohio Peace Officer Training Council's role as described above in Chapter II. Despite some current voluntary exchange of information, no statute or administrative policy mandates coordination between the state's private security licensing and training agencies. If, for example, a private security employee who has been certified as a successful graduate of a private police training program is subsequently arrested or convicted for dangerous criminal conduct (e.g., misuse of firearms), his OPOTC training certificate cannot be revoked, nor (unless for an agency employee's felony conviction) can a Commerce Department approved registration be revoked, nor need a municipal safety official refuse to deputize him. Automatic notice of suspected or confirmed fraud at an OPOTC-approved private police training school commanded by a licensed security agency head would increase the Commerce Department's ability to delay, deny or revoke the license or registration of the agency head or his employees. Although OPOTC would prefer to be able to revoke training certificates as a sanction and to insure some firearms training for the armed guard or investigator, such problem cases simply escape through the loopholes of the current regulatory scheme.

GOVERNOR'S POLICE COMMISSIONS: Like every other state except Georgia, Ohio does not directly supervise in-house (not-for-hire) security forces. A single exception applies to over 600 proprietary security personnel. As explained in the Ohio 1975 Comprehensive Criminal Justice Plan, Ohio Revised Code 4973.17-.22 authorizes the Governor to commission police officers employed by banks, building and loan associations, railroads and companies with contracts with the Atomic Energy Commission. As a courtesy, this office also issues police commissions to State employees working as institutional guards. This act states that individuals commissioned by the Governor, by their oath of office, have the same authority as municipal officers and "may carry weapons if bonded." Applicants, except State employees, pay a fee of \$5 for a commission, which is in force for three years or until surrendered or revoked.

Since January 1971, a total of 1,361 such commissions have been issued, of which 440 were courtesy no-fee commissions for State employees. In its conversations with employees of the Governor's office and the Secretary of State, the AJC was told that only rarely do commissions need to be revoked for misconduct.

THE CURRENT CHALLENGE: Even without responsibility for Ohio's 10,000 exempted, self-exempted and in-house security employees, the State Commerce Department appears to have registered or approved an estimated 18,500 currently-active private security personnel employed by almost 500 licensed guard or detective agencies. Since 1970 Ohio Revised Code chapter 4749 has authorized the Ohio Department of Commerce to license "private investigators," i.e., most classes of persons who furnish or hire persons whose primary duties are to protect persons or property or who conduct any investigation relevant to a crime, personal information or legal evidence. To obtain a "private investigator's license" good for one year and renewable for \$100, applicants pay an initial fee of \$125, submit a formal application, fingerprints, photographs, and evidence of \$300,000 liability insurance, pay a license exam fee of \$25, and pass the examination. Every employee of each licensed "private investigator" must be registered with the Department of Commerce by submitting a \$5 annual fee, fingerprints, and photograph on a formal application card. Neither agency licensing nor individual registration grants the right to carry a concealed weapon; violation of any section of #4749 is punishable by a fine of up to \$1,000 and/or up to one year's imprisonment.

ONE CHALLENGE AMONG MANY: Any assessment of how the State Commerce Department has met the challenge of regulating private security must begin with notice of the low priority which private security licensing has within the Department. The Ohio Department of Commerce regulates a wide variety of industries: aviation, state-chartered banks and savings and loan associations, real estate brokers and salesmen, securities brokers and dealers, the small-loan companies, private employment agencies, auctioneers and pawnbrokers. The Department also includes the Consumer Protection and State Fire Marshall divisions as well as the "Ohio Cash Clear Away" or return-of-unclaimed-funds service. Of all of these diverse responsibilities only the "unclaimed funds" section is said by Department licensing employees to rank lower in staffing importance than the Division of Licensing.

Given these multiple responsibilities and priorities, the Department usually assigns the Division of Licensing roughly 8 "Investigators" who must administer the

three licensing laws covering private employment agencies, auctioneers and private security. At any one time there are only a rotating two "Investigators" who must process application information, administer license tests and maintain extensive correspondence in addition to a rare trip for field investigation. Other facts also suggest that the challenge of regulating private security has been and is merely one of the many difficult challenges facing the Commerce Department. The Department's Division of Licensing has advertised the fact that the Division "returns money to the state treasury by collecting more money on fees than it spends on its own operation." Perhaps this revenue-generating function produces what former Director Dennis Shaul called the Department's "lack of an overall view of the reasons for regulating certain industries, particularly with regard to protection of the public and the individual consumer." It is not merely the Department's top levels which are adrift: the Department's 1973 publicity candidly admitted that not all its civil servants have a desire to do useful work.

"SCANDAL PRONE"?: Thus far the Commerce Department's Division of Licensing has failed to meet the challenge of overseeing some of Ohio's private safety forces. In an August 25, 1974 story the Cleveland Plain Dealer reported that its month-long inquiry revealed that the Division of Licensing "has been riddled with questionable practices including alleged illegal politicking, mismanagement, shabby bookkeeping, lack of leadership and severe personnel problems." The Plain Dealer story, headlined "License Division Is Scandal Ridden," quoted from a confidential memo sent by former licensing division chief Jill F. Hultin to Commerce Director Shaul which detailed "major bookkeeping errors," "major staff problems," "no operating budget in use," and "no goals or objectives--either short or long-range--have been identified for each section." In an interview with the Plain Dealer, Mrs. Hultin said that the most important Licensing Division section concerned private investigators because "these people carry guns and kill people." Among other charges she added that private security applicant fingerprint and background checks are "minimal". Specifically, the criminal background checks on applicants "were only being done on a random basis," and had been done for a month by a man previously convicted of passing bad checks. Further, the Ohio Bureau of Criminal Identification and Investigation had been unable to promptly process fingerprint checks through the FBI. As a result, wrote Hultin in her memo, the issuance of private investigators' identification cards--a primary protection for the consumer--was five months behind.

AJC CONFIRMATION: By means of an extended series of interviews with Commerce Department personnel and local private security officials, the AJC was able to confirm and extend many findings of the Plain Dealer probe. The AJC found that the Licensing Division continues to provide no effective screening of contract security employers or employees, maintains an absurdly low level of public visibility, and (while making noticeable efforts to control advertisements) generally exhibits no will to regulate the selling of protection-detection services. The Division of Licensing lacks both the legal sanction and the administrative structure to regulate private security. Although its highly commendable drafts of the original, unamended H.B. 951 for the 110th General Assembly proposed to add many of the needed legal and administrative provisions, that legislative effort failed and the Division has since made only weak and sporadic regulatory efforts under both the Gilligan and second-Rhodes administrations. What follows are the detailed AJC findings.

NO EFFECTIVE SCREENING: According to one long-term Chief Investigator for the Division, the first 248 agency head license applications were not at all scrutinized for relevant content or verification of relevant content. Thus every completed license application seems to have been approved before late 1971. As a result, it was subsequently found that applicants had been successfully sending in fraudulent proof of agency insurance--such as their actual personal car insurance. Because the licensing investigators were allowed to operate without written policies, the giving of favors and the overlooking of legal requirements was common, according to dozens of industry sources. Based on this author's personal inspection of the raw investigators' files on each agency, it appeared that several licensees had had their test scores doctored by an unwarranted item called "experience" so as to achieve the minimum level needed to pass the competency test. Among the 94 files examined by the AJC, 2 were for licenses awarded to applicants who did not even claim any relevant experience. Some of the inspected files suggested that the law's requirements of "good reputation for integrity," "no falsification on application," and "no convictions for any offense involving moral turpitude" were ignored.

FINGERPRINT FIASCO: While the major classifications fingerprint tests run by the Ohio Bureau of Criminal Identification and Investigation (BCI) have uncovered some applicants with disqualifying felony records, this attempt at consumer protection has been a failure. Because some licensed agencies sent to the Division bad "rap

sheets" with the fingerprints of already-approved employees and because some convicted felons gave a false name, more than a few licensees and many registrees with recent felony convictions have slipped past the check and now operate as private security employers or employees. Although the AJC heard unconfirmed reports that trustee prisoners at New London were being assigned to do criminal checks, there is no doubt that long-term problems exist, such as the increasing FBI unwillingness to do applicant checks and state unwillingness to perform such checks without federal funds. BCI has remained 5 to 8 and sometimes 13 months behind in processing criminal background checks. Given a statutory permission to agencies to waive registration/I.D. card requirements for employees and given the extremely high employee turnover every 1-4 months, many consumers cannot now reasonably expect the contract agency to supply only checked and registered guards. Despite this basic frustration of the intent of the 1970 law, the Division of Licensing has made no public complaint about this bureaucratic fiasco.

LONG-RANGE, LOW-PROFILE REGULATION: Virtually all personal contacts by state field investigators are made by long-distance telephone. Our survey of Greater Cleveland safety officials shows that only 4 of the 17 reported any personal contact since 1970 with any State field investigator. One investigator told this author that he came to Cleveland on official business as infrequently as possible because he "didn't like Cleveland," despite the fact that most of the state's private security problems occurred in Cleveland. Another investigator admitted that the Division of Licensing had a reputation as a do-nothing agency with an extremely low profile and that therefore it had received an overall total of only 3 formal complaints by public policemen about private security agencies.

DORMANT ADVISORY GROUP: ORC 4749.02 created a five-member State Private Investigator Advisory Commission to enlist professional public and private security support for Division of Licensing efforts to regulate private security. The Governor-appointed Commission members must include the Director of Commerce (or a designated Commerce Department employee), 2 licensed private security agency heads and 3 public police-related members (one municipal police staff officer, one county sheriff, and one BCI officer or employee). The AJC did not hear any positive comments about the Commission's performance. Rather, the AJC was told by numerous regulatory and agency representatives that the Commission never met throughout the entire Gilligan administration, despite formal notices of meetings and that its private security agency

members were outvoted as a minority and in any case were chosen for purely political balance rather than for professional competence. Under the second Rhodes-Peltier-Carroll administration the Commission has yet to meet, despite the Licensing Chief's interest in whether the promulgation of new rules and regulations would improve controls over private security activities.

"REGULATION" WITHOUT SANCTIONS: Unfortunately, Ohio's private security statute and its accompanying rules and regulations are full of loopholes and are unenforceable, according to the office of the State Attorney General. That office concluded that the conviction of a felony would be the only legally tenable ground for revocation--not any of the other broad grounds set forth in the statute, i.e., violation of the statute, conviction of a crime involving moral turpitude, violation of the Director's regulations; and committing or suborning perjury. As a result, the Division of Licensing no longer tries to revoke a private security license upon subsequent discovery of the lack of the required experience or lack of a reputation for integrity. (In one case of selective enforcement, the Commerce Department failed to convince a license revocation hearing officer that a showing of the use of electric cattle prods and excessive physical force upon restaurant patrons amounted to proof of a lack of integrity.) Lacking subpoena power, the Division of Licensing must persuade a court to compel attendance of witnesses and agency production of most of its relevant records and accounts.

In an industry where, as one Licensing Chief put it, "many agencies operate on the edge of the law, extorting or beating up people," regulating without sanctions has failed. In three years of regulation there have been only 9 licensee hearings resulting in the appealable loss of 3 licenses; the appeals process allows an adjudicated violator to remain in the private security business for an estimated 5 years beyond revocation. One Cleveland violator simply reapplied for another license in his own name, while another violator had his business partner secure a license. When Licensing Division policy allows many agencies to carry insurance with coverage exemptions for use of firearms, libel and slander, no additional rules and regulations are promulgated to plug the discovered loophole. One Chief Investigator's extreme regulatory caution increased further when the Commerce Department failed to defend him when personally sued by a security agency for his regulatory activity. One Chief Investigator always kept a loaded pistol in his office desk drawer after being threatened with a gun by a private security licensee--a grim symbol of "regulation" without sanctions.

THE ADMINISTRATIVE STRUCTURE: DESIGNED FOR FAILURE: When one considers the financial and personnel structures of the Licensing Division, one questions whether any statutory improvements would create successful regulation of private security. The basic financial premise of the Division has been a steady surplus of fee-generated revenues over regulatory expenses. Although the last year has finally seen the separation of the investigators' licensing function from their enforcement function, it seems doubtful that any in-the-field enforcement activity will be permitted to become so regular as to diminish the present revenue surplus. Despite a statutory requirement that two-thirds of all unrefunded examination and licensing fees be distributed equally between the general funds of the municipality and county in which the agency is located, a Division official told the AJC that all such fees went into the state's general fund. A 1974 check of Greater Cleveland's city and county governments, conducted by contract security companies paying these considerable fees, revealed that local treasurers were unaware of any such distribution of private security fees.

Most serious are flaws frequently found in government personnel administration. Through a Commerce Department head necessarily sensitive to a variety of powerful pressure groups, as well as through its non-civil service Division head, the Division of Licensing's morale is directly tied to the political process. For the two "lame-duck" months after Governor Gilligan's defeat, the demoralized Division did not see any likelihood of a continuity in regulatory policy and therefore did very little regulatory activity of any kind. The August 25, 1974 Plain Dealer article attributed Licensing Division leadership problems in part to the fact that in four years the Division has had four chiefs plus one acting chief. Lacking its own staff attorney, the Division is forced to rely upon modestly-paid young lawyers who usually serve in the State Attorney General's office for only a brief time and thus lack both experience in and commitment to regulatory activity.

Finally, recently-begun civil service protection of licensing investigators has not noticeably increased regulatory effectiveness. Remaining incentives are few: there are no raises to be given and the State Personnel Board of Review appears to hamper Department efforts to weed out bad employees. In addition to the example of Board of Review over-leniency reported by the Plain Dealer, the AJC learned of one case where the Licensing chief wished to fire an Investigator for chronic laziness. Passing over this accurate but hard-to-document ground for dismissal, the chief charged illegal political activity and lost on the fired employee's appeal to the Personnel Board of Review. In addition, one Licensing official told

the AJC that Division Investigators had leaked his files to the press and had threatened physical harm to his children in retaliation for his efforts to restructure Division operations.

NARROW PROGRESS ON ADVERTISEMENTS: Although a "Standard Renewal System" may soon reduce agencies' insurance fraud and regulators' illegal waivers of fees, to date the Licensing Division's most measurable success has been in the narrow field of reducing misleading advertising. Locally the principal advertising medium has been the Cleveland Metropolitan Area Yellow Pages, which in its April 1974 edition showed at least seven categories of listings related to private security services. The AJC examined these extensive listings to discover typical and special advertising techniques and to determine whether these agencies were licensed as of April 10, 1974 by the Division of Licensing. The AJC found that although some local private security agencies appear free to flout the legal requirement to obtain a license, the more narrow and formal issues of ad content have been improved by the informal 1971-1974 efforts of one Chief Investigator. Generally, the ads studied sought to convey information (variety of services offered, employees' high training or long experience, "licensed, bonded, insured," etc.) rather than to promote fear and a resort to armed force. However, under the 61 listings of "Guard and Patrol Service" and under the 75 listings of "Detective Agencies" the AJC found at least 10 agencies whose names did not match or show any connection with any name on the Licensing Division's master list of licensees. Although it is possible that some of these 10 agencies hold licenses under a different name (a probable violation of regulations), it appears likely that most of these 10 agencies were criminally liable for failure to obtain a license. Two Licensing Division interviews indicated that no administrative or criminal sanctions were being invoked against the advertising procedures of any Greater Cleveland agency during 1974.

H.B. 951: THE FRUITS OF EXPERIENCE: Utilizing more than 3 years of such unsuccessful regulatory experience, the Division of Licensing carefully drafted a bill which would have given Ohio one of the finest regulatory frameworks in the country. Introduced in 1973 by Rep. Gilmartin as H.B. No. 951, the original bill contained many features which remain basic to any effective regulation of contract private security. These noteworthy features, many of which could not be instituted as administrative regulations, include:

- explicit application of license controls over legal persons (partnerships, firms, corporations) as well as natural persons;
- creation of individualized private security service licenses and fee schedules for "private investigative agency," "watchman agency," "private detective," "watchman contractor," and "branch office for any license category;"
- stronger requirements for licensee experience, exams and renewals;
- requiring all licensees to obtain a \$30,000 surety bond, payable to the state or to an injured third party;
- mandating investigations of the character and financial responsibility of each license applicant and authorizing similar investigation of any alleged licensee violations;
- specifying and increasing (to 13) the grounds for which the Commerce Director may revoke, suspend or withhold a license;
- empowering the Department to issue a 15-day show-cause subpoena as well as ordering a licensee or registered employee to suspend operations due to some violation of private security statute, administrative rule or ordinance;
- requiring licensee notification of local police chief and sheriff only when name or location of license changes;
- creating a renamed "State Private Investigator and Security Advisory Commission" with new powers to meet at least quarterly, to conduct research, and to make recommendations on industry and industry regulator needs, including actions desirable on specific license applications and complaints against licensees;
- setting criminal punishments for breach of confidentiality and for false reports; and
- granting immunity to Licensing Division employees from personal suits arising from their regulatory activities.

CRUSHED BETWEEN TWO LOBBIES: H.B. 951's desirable reforms were squelched by the opposing maneuvers of statehouse lobbies representing many of Ohio's public police and private security agencies. State regulatory and local industry officials told the AJC that the Fraternal Order of Police (F.O.P.) and other police organizations pressured sponsor Gilmartin to add an amendment to 951 requiring that, prior to any contract security employee's registration by the Commerce Department, such an employee must have completed an OPOTC private police training program. The irrelevance and incompleteness of such proposed training were touched upon in Chapter II's analysis of OPOTC training. If one may judge from a locally-published letter from Joseph S. McMahon, retired Lakewood police chief and currently a hospital security chief and F.O.P. representative, some public police mistakenly identified private police officers with most or all contract private security personnel and therefore opposed unamended H.B. 951. In addition, Licensing Division officials in both the

Gilligan and second-Rhodes administration have told the AJC of the "great hostility" exhibited by many public police toward private security personnel. One Licensing Division official privately attributed the public police animosity to all-too-frequent private security incompetence and impersonation of public police as well as to actual and potential losses of some police moonlighting jobs to licensed private security agencies.

Whatever the causes of the training amendment tactic employed by the public police lobby, the amendment enabled the contract security agency lobby to argue for the unworkability of the amendment and to persuade legislators to bottle up the bill in committee. This lobby, based in the Ohio Association of Private Detective Agencies, opposed even the original H.B. 951 while professing an ability to support legislation mandating 40 hours of agency on-the-job training during the first six months. According to a Commerce Department official, this security lobby "hedged badly" about supporting any legislation with any weapons training or weapons use requirements because these couldn't be given on billable time. Thus, while forced to defend an amended H.B. 951 which some of its drafters knew to be unworkable as amended, the Licensing Division watched as its most serious effort to regulate private security was crushed between the efforts of two powerful lobbies.

REGULATION UNDER RHODES: The now-habitual style of haphazard state regulation of contract security was formed in 1970, the final year of Governor James A. Rhodes' earlier administration. Collecting fees and processing tests and credentials as if every applicant belonged in the protection-investigation business, the Rhodes appointees did not develop a policy of consumer protection. A look at recent appointees suggests that history may repeat itself. During Governor Rhodes' entire 1963-1971 administration, the Commerce Department was directed by J. Gordon Peltier, whom Rhodes this year has reappointed as State Commerce Director. In recent months Peltier has been the only Rhodes cabinet appointee in serious danger of rejection by the State Senate, primarily because of his 1971 issuing to himself of a real estate license without following normal testing procedures. Casual licensor Peltier has in his turn reappointed Charles R. Carroll to the Licensing Division Chief position he held 7 years ago, prior to the addition of Division responsibility for contract security.

MORE OF THE SAME?: Although the Republican-directed State Commerce Department has perhaps had too few months to demonstrate its own regulatory policy, Senate Democrats considering Peltier's nomination have charged that he has already emasculated the Shaul-instituted Consumer Protection Division. Although Licensing Chief Carroll did begin his second tenure by rejecting employee applicants who falsified their applications with respect to misdemeanor convictions and arrests, this policy has been ended. An industry lobbyist reportedly persuaded Director Peltier to force Carroll to stop these rejections by eliminating the employee registration question "Have you ever been arrested? Yes ___ No ___." Thus fingerprinting is now used without any supporting data in a weaker effort to discover any criminal background of new private security employees. Although any application question about arrests is probably unconstitutional and any question concerning misdemeanor convictions is not strictly warranted by the current statute, the current result is a far lower standard of consumer protection against poor-risk agency employees.

In an April, 1975 telephone interview with the AJC, Chief Carroll showed his awareness of such problem areas as agencies' cheating the Internal Revenue Service, failure to make license payments and register employees, troubled relations between public police and private security and insufficient staffing for field investigators. Saying that "the Licensing Division has been slipping for the last couple years; lots of agencies aren't renewing their licenses or aren't bothering to apply in the first place," Carroll asserted that enforcing universal licensing was his first priority.

UNWILLING TO REGULATE?: In his first few months of licensing private security, Licensing Chief Carroll may be unaware of the enormity of the regulatory failure. One recent Chief Investigator of the Division told the AJC that there are one-half as many unlicensed as licensed agencies in the state. Despite the supportive efforts of a few local safety officials (including the Administrative Assistant to Cleveland's Safety Director) the Division has never systematically tried to identify unlicensed agencies. Indeed, the AJC was told by one local contract security head that a Columbus-based, licensed security head presented the Licensing Division with a list of 15 names of unlicensed competitors in private security and was advised by the Division to himself take a Polaroid picture of them actually doing private security work and to give such evidentiary pictures to the Division prior to any possible investigation by the Division.

Beneath the Division's political, legal, and administrative problems lies its failure to consider whether or not the consuming public is actually injured by a significant and reducible amount of private security misbehavior. Failing to answer this question, the Division inevitably slips into equating regulation with sporadic efforts to control formally measurable aspects such as felony convictions or impersonation of public police in advertisements or uniforms. Lacking the will to observe or otherwise discover actual private security behavior, the Division more closely resembles a private security information-deposit and fee-processing center than a monitor of protectors for hire.

In an interview for the Plain Dealer's August 25, 1974 article enumerating Licensing Division "scandals," the Licensing Division chief said that state enforcement and licensing is so wanting that the public might be better off not believing it has some measure of protection. Commerce Department Director Dennis Shaul admitted to the Plain Dealer that though he personally thought citizens are better off with state enforcement in these areas, "it is a close question." Shaul added that the only answer to agency woes is the complete restructuring of the Commerce Department, adding "I hope my legacy is to destroy this department."

C. LOCAL REGULATION

THE LOGIC OF LOCAL CONTROL: Since neither the State Commerce Department's Licensing Division nor the OPOTC have investigators stationed in Greater Cleveland or any other regional headquarters, and since most private security agencies operate largely or entirely within a single county, logic suggests that local governmental units would play a crucial role in successful regulation of private security agencies. In actuality, however, most Greater Cleveland municipalities appear to take a relatively passive and informal regulatory stance toward private security. Despite grave police misgivings (reported above in Chapter II) about private security abuse of the authority of force, uniforms or police powers, most local safety officials defer to the state as the principal regulator of private security. With few exceptions, the police and sheriff departments surveyed by the AJC neither enforce the statutory requirements of agency notice to local police nor do they press for adoption of a local ordinance covering most contract security personnel. Limited AJC research into existing ordinances and other local regulatory policies does not suggest that Greater Cleveland's communities are ready to forge local instruments of responsible, coordinated control of private security services.

COUNTY SHERIFF'S DEPARTMENT: AN UNUSED RESOURCE: Among the many unenforced provisions of the Ohio Revised Code regarding private security are two which require every licensed security agency head to report the fact of beginning private security operations and the location of any branch security agency office promptly to the local sheriff and police chief as well as to the State Department of Commerce. According to a knowledgeable Cuyahoga County Sheriff's Department administrator, only one agency has complied with these provisions since the 1970 law was passed. (Similarly, in November, 1974, the Cleveland Safety Director's office opened a new small file containing the prescribed letters of notification from the few agencies which had begun to comply with these provisions.) The sheriff's official asserted that the regulatory problem was that the private security statute lacked teeth. This official was particularly concerned with the impersonation of sheriff's deputies, stating that the "army surplus" stores allow anyone to purchase an official peace officer's jacket and patch. He was also concerned about private security's use of flashing "bubble-top" blue lights when not actually pursuing a felon. Comparing the private security statute to "the junkyard law," the official emphasized any prosecutor's difficulty in showing that a suspected impersonator had both the intent to impersonate and to profit from the impersonation. His final comment was the noteworthy proposal that all private security employees should by law be screened for any criminal background by the county sheriff's department, which, he said, has the most inclusive fingerprint/arrest files in the county.

LAW DIRECTORS' SURVEY: To sample municipal regulation of private security, the AJC surveyed the law directors of the 17 largest municipalities in Cuyahoga County. A one-page questionnaire survey specifically requested copies of local ordinances related to private security and sought to discover in detail the varieties of current and suggested municipal regulation of private security. The responding 12 law directors represent cities with over 70% of Cuyahoga County's population. As in the parallel Safety Directors' Survey, this sample of 17 was selected as far more likely than the remaining 43 in-county communities to regulate private security in a formal way. (The Safety Directors' Survey established that private security operations are to be found in all 17 municipalities included in both surveys.)

Of 12 responding Law Directors, 7 reported that their municipality had some ordinance concerning private security businesses, personnel or activities. The complete information available from the 17 Safety Director responses revealed that

9 of the 17 municipalities have local rules and regulations concerning private policemen, while an additional 3 communities regulate the private security business in general. As a result of its survey requests, the AJC received copies of private security-related ordinances of 9 municipalities (Cleveland, Cleveland Heights, East Cleveland, Fairview Park, Euclid, Garfield Heights, North Olmsted, Parma and Shaker Heights) and copies of the current rules and regulations governing commissioned private police in Cleveland and Parma. Since the principal formal means of regulating Greater Cleveland's private security personnel appears to be the deputizing or commissioning of its most skilled 20%, we shall begin our description with the commissioning process.

COMMISSIONING BY SAFETY OFFICIALS: To augment local safety forces, Ohio Revised Code 737.05 gives each city's Director of Public Safety the power to commission private policemen, not on the police department's classified list, under such rules and regulations as the city's legislative authority prescribes. This commissioning power is parallel to that exercised by county sheriffs in commissioning some auxiliary deputies and by cities in commissioning city employees (often armed guards) as "special policemen." Although privately employed, commissioned private policemen or policewomen derive authority from the state and have authority to arrest for a misdemeanor and to carry a concealed weapon in public. While municipal police must have a minimum of 260-280 hours of peace officer training, any private security person commissioned by a local safety director must complete only the 120-hour private police course (outlined above) prior to or within one year of appointment. No retraining whatsoever is required. Following enrollment in or completion of this \$125 OPOTC course, a commission application is made to the city's Director of Public Safety. After a more or less thorough police department criminal background check as well as payment of annual fees for the commission and a surety bond, a commission card and police badge are issued to the applicant. A safety director is under no legal obligation to grant any private police commissions, and the AJC Survey revealed that no private policemen are currently commissioned in 4 of the 9 surveyed cities having rules for such commissions. However, the survey revealed 1,691 commissioned in Cleveland, 90 in Parma, 20 in Euclid, 12 in Fairview Park and 2 in Mayfield Heights.

The commissioned security person is then co-responsible, within the work hours and sometimes changeable territory of his employment, for the full enforcement of virtually all local, state and federal laws. The applicable rules and regulations (whether issued by a city council or city manager) typically specify

that a commissioned private policeman or policewoman: receives no city compensation but is subject to the Police Chief's and Safety Director's orders; must wear an approved uniform and badge and carry his commission card; must report all crimes and aid public police in distress; may carry a concealed weapon but may not force his services on any client. Parma, one of several commissioning municipalities whose rules seem an attempt to imitate and improve upon Cleveland's rules, has added more specific rules on: defensive gun/baton use reports; arrest, booking and report-filing procedures; and 25 grounds for commission revocation. Six of the ten ordinances surveyed specify at least a penalty of arrest for failure to disclose information related to criminal activity.

BARTERING FOR GUN CONTROL: Although this commissioning process ought to serve only a public need to augment armed and authorized safety forces performing such assignments as shoplifter detention or high-risk investigations or patrols, it has become a vehicle serving other ends. Private security personnel often seek a commission to enhance their job qualifications, wage demands or overall status. Public police, finding an ever-increasing number of armed but untrained guards in communities lacking gun permit laws, often seek to institute their own firearms control policy by promoting commission applications from many who neither seek nor need such arrest or concealed-weapons power. The result in Greater Cleveland has too often been an unsuccessful coordination of public and private peace officer activity.

It is theoretically possible for every Greater Cleveland safety director to commission no private policemen, as Springfield, Ohio's Safety Director has done since 1968. It is also possible to reverse a commissioning policy and revoke hundreds of commissions at any given time, as Boston's Police Commissioner recently did. However, several major Safety Directors in Greater Cleveland appear to view private police commissioning as a necessary evil, a barter in which arrest powers are theoretically granted to armed private security personnel in exchange for assurance of firearms training and for control over commissioned personnel's subsequent deportment on private as well as public property. One suburban Safety Director and one high-ranking Cleveland Police Department official each approached the AJC to convey their frustrations in trying to reduce the numbers of untrained, unstable private security personnel, both commissioned and uncommissioned, who go armed in their respective cities.

TABLE 14
PRIVATE SECURITY ORDINANCES IN NINE LARGE MUNICIPALITIES OF CUYAHOGA COUNTY

MUNICIPALITY	GENERAL						COMMISSION				LICENSE						
	Who Regulated	Regulator	Method	I.D. Card	Distinct Uniforms	Investigators Bond	Weapons Bond	Training Required	Authority Given	Further Rules	Fingerprints	Photograph	Record Check	Medical Exam	Fee/Duration	Revocation Ground	Penalties
CLEVELAND	PP CCE	DPS	C	NS	R	1,000	NR	NS	NS	DPS	NR	NS	NR	NR	\$25 Y	RV	Ar.
CLEVELAND HEIGHTS	PP	CM	C	NS	NS	5,000	NS	NS	OP	NS	NS	NS	NS	NS	\$5 Y	MMD	NS
EAST CLEVELAND	PS	CM	Reg	MMD	MMD	NR	NR	NR	NS	NS	NR	NR	NR	NR	NS	NS	NS
EUCLID	PP	DPS	C	R	R	1,000	1,000 Reg	NR	NS	NS	R	R	R	R	\$25 Y	NS	Ar.
FAIRVIEW PARK	PP	DPS	C	R	R	1,000	1,000	R	NS	DPS	R	R	R	NR	\$25 Y	OP	Ar.
GARFIELD HEIGHTS	PS	DPS	L	R	R	1,000 OP	NS	NS	OP	NS OP	R	R	R	NS	OP Y	OP	\$500 6 mos.
NORTH OLMSTED	PP	DPS	C	R	R	1,000	1,000	POT	NS	DPS	R	R	R	R	\$25/5 Y	NS	Ar.
PARMA	PP	DPS	C	R	R	1,000	1,000	NR	NS	DPS	R	R	R	R	\$25 Y	NS	Ar. OP
SHAKER HEIGHTS	CCE	DPS	C	NR	NS	NS	NS	NS	OP	NS	NS	NS	NS	NS	NS	NS	NS
SHAKER HEIGHTS	Al.A	PC	L	R	R	NS	R	NR	NS	PC	R	R	R	NR	\$10/50 Y	OP	OP

Source: R Required
 NR Not Required
 AJC NS None Specified
 Survey NA Not Applicable
 Research LEP Law Enforcement Powers
 Y Yearly
 OP Other Provision
 POT Peace Officers Training

PP Private Policemen and/or Women
 PS Private Security Persons, Agencies
 DPS Director Public Safety
 CM City Manager
 PC Police Chief
 CCE Commissioned City Employees
 Al.A Alarm Agents and Agencies

L License
 C Commission
 Reg Registration
 SRL Security Required by Law
 RV Safety Director's Rule Violation
 Ar. Arrest for Failure to Disclose
 MMD Mayor or Manager's Discretion

In a county where gun registration or permit laws are the exception rather than the rule, public police have no easy ways to curb private security gun abuse. A handful of state-licensed private security agency heads have argued from their rights as citizens and agents of property owners to an exercised right to use potentially lethal force without commissioning or any other dependency upon local ordinances or police policies. Sometimes doubtful police policies have been adopted: the AJC heard charges from security chiefs of two of Cleveland's largest corporations that the Cleveland Law Department had several years ago applied heavy pressure on these in-house forces to send their armed guards to the 120-hour private police course. Further, several private security agency heads told the AJC that local police departments like the legalized domination created by commissioning private policemen but still do not wish to process arrests made pursuant to that commission. Finally, the rules and regulations governing private policemen commissioned by a typical city include doubtful restrictions. The typical rules command the private policemen to obey any public policeman's orders on any subject which contradicts his employer's order, and command the private policeman to surrender his commission card at any time upon request by any public policeman. For another example, the variety and occasional vagueness of Parma's 25 particular grounds for commission-revocation suggests that the application process has screened out only some of the many applicants whom its police department considers grossly unworthy of law enforcement powers. All too often, the local commissioning process seems aimed at dominating a lower caste of armed safety forces rather than enlarging the number of disciplined law-enforcers.

LICENSING ORDINANCES: FILLING A VACUUM: The principal details of commissioning and other ordinance-authorized regulation in 9 responding cities are displayed in Table 14. Besides the relatively frequent ordinances on commissioning, 4 cities have tried to fill the state-created regulatory vacuum by licensing, registering or requiring some or all private security services. The most comprehensive constraints are Garfield Heights' licensing requirements for all private investigators and agencies, all private patrol watchmen and agencies, and all in-house detective/protective employees of places of amusement, recreation and entertainment. In addition to giving the Safety Director the power to deny license applications upon findings either of lack of necessity for the license or lack of good moral character, the license requires each individual security employee to carry \$10,000 of false arrest public liability insurance, to report all non-routine actions taken to the police within twelve hours, and to subscribe to an oath similar to that

administered to city police officers.

In an effort to reduce the incidence of preventable false alarms, fraud and even the provision of services by convicted burglars, Shaker Heights has enacted several stringent ordinances requiring substantial fee payments and criminal background checks before mandatory licensing of all fire, holdup and burglar alarm businesses and agents. Like several other surveyed cities, Shaker Heights has a gun registration ordinance which is explicitly applied to armed private security personnel. In a sensible effort to locally regulate all contract private security a Shaker Heights ordinance makes failure to follow state licensing and I.D. card requirements a city offense. East Cleveland authorizes its City Manager to register all contract private security employers and to enter into written agreements to provide moonlighting public police service to public or private organizations. This distinctive ordinance also provides that the moonlighting police officer shall be paid the police overtime rate; that the city shall be paid an overhead fee of 15% of the moonlighter's pay; and that the moonlighter shall at all times be considered on official police duty, under the control of the Police Chief. Finally, the city of Euclid requires the employment of 1-2 private policemen or security guards for the nighttime hours at all private parking lots of all apartments with more than 400 dwelling units.

ORDINANCE PROBLEMS: Underlying most surveyed ordinances is a commendable legislative intent to prevent private security business frauds, firearms misuse, and impersonation of public police. Nevertheless, there are substantial problems with the current pattern of local regulation of private security regulation in Cuyahoga County. Many armed private security guards and detectives are not regulated in most surveyed communities; the AJC estimates that over 2,000 of the 6,000 privately-employed security personnel who are sometimes armed on duty are not regulated by any local ordinances. Further, no surveyed community appeared to require periodic firearms requalification. While the AJC did hear of the misuse for impersonation and the failure to return private police commission cards, it also heard reports of the misuse by public police of concealed weapons, gun permit or private security reporting laws to eliminate firearms carriage by private security personnel lacking a local police commission or a certificate of private peace officer training. With respect to repeated but unsubstantiated charges that public police harass and dominate commissioned private policemen, it would appear from the face of several councilmanic or safety directors' rules and regulations that an orderly administrative process is not always available to afford a hearing on the denial or suspension of a private police commission.

As to local police department's well-founded fear of private security's abuse of firearms, the recent repeal of ORC 2923.01 has left no statutory mechanism for bonding weapons carriage by private peace officers. Although local bonding agencies are reportedly supplying (at doubled prices) the \$1,000 surety bond or bonds required in most commissioning cities, this amount of coverage does not sufficiently protect either the commissioning city or the general public. In light of real damages and jury awards today, it would appear that Cleveland Heights' requirement of a \$5,000 bond is the minimum realistic level of protection. While the bond requirements seem too low, the licensing fees charged seem too high (with a range of \$5 to \$50) in view of the fact that most of these agencies and employees must pay state fees. The AJC did not attempt to determine whether the licensing cities had complied with ORC 4749.09's requirement that all local private security license fees be approved by the State Director of Commerce. There is a serious local temptation to generate municipal revenue by charging fees well in excess of regulatory services and by not establishing licensing reciprocity with nearby communities served by the same licensees.

The AJC found possible irregularities in at least two ordinances. First, for reasons outlined above about public police moonlighting in private security, East Cleveland's declaration that its City Manager may by written agreement sell moonlighting police services at overtime-plus-15%-overhead rates and still treat such service as official duty under the specific supervision of the Police Chief seems to overprice available moonlighting services and allow wealthy property owners to buy a disproportionate degree of official police services. Second, at least one local city (Cleveland) has ignored ORC 735.05's requirement that any city's legislative authority itself promulgate rules and regulations for private policemen. In an informal opinion requested by the AJC, Cleveland's Chief Counsel said that Cleveland's conflicting enactment of commissioning rules is warranted by Cleveland's charter city status and the charter's specific authorization. The practical consequence of Cleveland's autonomy is that the city's legislative authority, City Council, has not overseen Cleveland's private police commissioning process, despite its statutory mandate (exercised by other local councils) to do so. Also, it remains quite possible that some area municipality with safety-director rules and regulations for private police commissions has in strict legal terms given either invalid or unrestricted private police commissions, because no enabling ordinance supports the safety director's rules and regulations.

LOCAL REFORM EFFORTS: For several years a few concerned local officials have sought improved regulation of private security personnel. In September, 1970, legislation (Ord. #1670-70) was introduced in Cleveland City Council which would have required 118 hours of peace officer training and municipal commission for all security guards regardless of employer, duties or police equipment issued. Despite a November 26, 1971 Plain Dealer editorial strongly endorsing this proposal, it never went to committee hearing because of promises of state enforcement of statutory provisions and because safety officials came to regard the proposed ordinance as an invasion of property-owners' rights. As has happened subsequently in other cities' deliberations about private security, the irrelevance and misdirection of the proposed training and commissioning went unnoticed by reformers.

More recently, a small group of local safety officials from Cleveland and suburban communities have indicated an interest in working as a committee to review this AJC private security report and to draft a model ordinance for the use of area city councils wishing to better regulate armed or commissioned private security personnel. Although California's Institute for Local Self-Government has developed a model private security ordinance, its assignment of wide regulatory responsibilities and discretion to the local police chief makes its adoption premature in most areas of the country. Any development in Ohio of a model ordinance should attempt to assist rather than supplant enforcement of statutory regulation.

SILENCE FROM STATE AND LOCAL PLANNERS: On the national level the Law Enforcement Assistance Administration is engaged in a commendable effort to broaden its scope to include all crime-prevention strategies, and thus to no longer limit its scope to improving the criminal justice system per se. This includes encouraging "crime-specific" planning on the part of state and local planning agencies as well as funding the National Private Security Advisory Council. However, local private security reform efforts have proceeded with little or no attention and support by criminal justice system planners. Despite improvements over its previous edition, Ohio's 1975 Comprehensive Criminal Justice Plan devotes only a few technical sentences to the existence of private security as a law enforcement factor and gives no space to the difficulties and importance of integrating private security with other crime-prevention activities.

REFORM OPINION SURVEYS: Among the responses to the AJC's Law Directors Survey, opinion was evenly divided as to whether state or local regulatory changes were desirable for the respondent's municipality. One respondent wrote that his

Police Division favored stronger state controls. Another favored an ordinance requiring a simple registration of all armed private security persons, coupled with a statutory requirement of firearms training. One well-informed respondent preferred a state law requiring any non-police officer carrying a firearm to have a firearms permit issued either by the local police department or the county sheriff. This respondent explained that there are many people who legitimately carry guns but they can be arrested and tried under existing laws which give them only an affirmative defense (ORC 2923.12C).

The AJC's Large Employers Survey of security chiefs also examined support for two proposed reforms. The survey questionnaire reported the suggestion of a statutory requirement of a report to the local police chief and the state Division of Licensing concerning every firearms discharged by a private security employee. When asked for a personal reaction to this proposal, 14 participants responded. Seven agreed, 5 disagreed and 2 had no opinion.

Some of the respondents made the following substantive comments: "all private police or security officers should be licensed;" "only cases when discharge causes personal injury or damage to property;" "rigid control by individual companies; if major incident police department should be advised;" "(firm's) recommended practice to report;" and "we would welcome it. We do not permit the discharge of the weapon, unless we intend to kill. It is to be done in self-defense only, and all armed officers are so instructed and trained." Those firms which favored the mandatory discharge report tended slightly to be also more interested in intensive security force training.

The AJC Employers Survey also asked the participating security directors for their opinion of the ASIS professional certification program for security directors and managers (described in Chapter II). Ten of the 16 respondents indicated that they had no opinion, with 4 of these indicating that they were unfamiliar with the program; 2 respondents were opposed; and 4 were in favor, 1 of these on the condition that the certification be voluntary. When asked whether such a certification program would eliminate any necessity for state certification, 2 answered "Yes;" 5 answered "No;" 7 answered "Not Certain;" and 1 "Could Not Answer" because unaware of the program. This result suggested that Greater Cleveland's private security industry lacks an effective clearinghouse for current information and discussion.

REFORM SCEPTICS: One group which could be crucial to the success of any reform effort is the Ohio Association of Private Detective Agencies, Inc., a security agency association organized statewide and nationally. OAPDA's Cuyahoga County chapter withheld its organizational support from the AJC's "Greater Cleveland Private Security Services Inventory." The chapter's verbal explanation of this rejection of an AJC request was that such an inventory could only make trouble for the agencies, as had the federal "Rand Report" (discussed in Chapter II), and that there was probably "federal money" behind the AJC Inventory effort. Although its 30-agency local chapter remains open to supporting changes in State Licensing Division rules and regulations as well as to proposals for roughly 8 hours of mandatory (but billable) training for all private security employees, the local group appears to prefer to suffer the presence of a minority of unlicensed, incompetent or dangerous agencies rather than support more thorough regulation by a Licensing Division which they perceive as hopelessly incompetent.

A LOCAL PROPOSAL: THREE-TIER TRAINING: In 1974 the Cincinnati Tri-State chapter of ASIS proposed a statutory requirement of 40 hours training for all private security officers. In response to this initiative and to private security reform activities on the state and local levels, ASIS's Cleveland chapter appointed a 4-person "Committee on Registration of Security Officers." The Committee, which included this author, drafted, reported back, and received Cleveland chapter approval for the following general recommendations:

- All legislation should be on a state level with provisions that no local government subdivision shall exercise control over private security;
- All contract security companies must be licensed as now provided under sections 4749.01 to 4749.10 of the Ohio Revised Code;
- Proprietary security organizations would have the option of being licensed;
- Only licensed organizations would be authorized to conduct training classes and to issue temporary registration cards to new employees;
- All private security officers regardless of employer would be required to be registered and to complete 8 hours training within 30 days;
- Those private security officers completing an additional 32 hours of training would be eligible to carry firearms on duty or traveling to and from work;
- Those private security officers completing an additional 80 hours of training (for a total of 120 hours) would be eligible to receive a private police commission issued by the state and permitted to carry a concealed firearm on duty or traveling to and from work;

- The following state agencies would be responsible for administering functions as follows:
 - A. Licensing companies and registering private security officers - Department of Commerce,
 - B. Certifying training classes, instructors and issuing certificates of completion - Ohio Peace Officer Training Council,
 - C. Issuing private police commissions to qualified persons - Secretary of State;
- As an ideal alternative to divided regulation, a Private Security Commission housed within the Executive Department of the State of Ohio could be created to administer all private security matters.

A REVISED OPOTC CURRICULUM: These recommendations parallel Chapter II's concern with the incomplete and misdirected content of the present OPOTC private police course and with the infrequency of any training for most private security personnel. In an effort to provide more flexible and universal training while still utilizing OPOTC certification structures, the Committee proposed a substantial rearrangement and revision of the OPOTC curriculum elements. Although two of the four committee members were OPOTC-approved private police instructors, the Committee realized that further content revisions may be desirable. The following three related courses are proposed:

(Recruit Course)

Introduction	1 Hour
Report Writing	2 Hours
First Aid	1 Hour
Firemanship	1 Hour
Patrol	2 Hours
Specific Job Orientation	<u>1 Hour</u>
	8 Hours

(Basic Course)

Introduction and Review	2 Hours
Report Writing/Note Taking	2 Hours
First Aid	1 Hour
Firemanship	1 Hour
Interviewing	1 Hour
Laws of Arrest	1 Hour
Laws of Search and Seizure	1 Hour
Testifying in Court	1 Hour
Vehicle Traffic Control	2 Hours
Mental Illness/Drug Abuse	2 Hours
Defensive Tactics	2 Hours
Firearms	<u>16 Hours</u>
	32 Hours

(Advanced Course)

Introduction and Review	2 Hours
First Aid	10 Hours
Firemanship	2 Hours
Interviewing	2 Hours
Laws of Arrest	3 Hours
Laws of Search and Seizure	3 Hours
Testifying in Court	3 Hours
Crimes and Elements	4 Hours
Rules of Evidence	4 Hours
Criminal Law and Procedure	4 Hours
Surveillance	4 Hours
Techniques and Mechanics of Arrest	4 Hours
Vehicle Traffic Laws	2 Hours
Defensive Driving	2 Hours
Juvenile	3 Hours
Mental Illness/Drug and Alcohol Abuse	4 Hours
Defensive Tactics	8 Hours
Crowd and Mob Control	4 Hours
Retail Security	4 Hours
Public Relations	2 Hours
Firearms Re-qualification	4 Hours
Examination	<u>2</u> Hours
	80 Hours

AT PRESENT: TOOTHLESS REGULATION: Unfortunately, there is little likelihood that present reform efforts in Ohio will produce minimally coherent and effective regulation of private security in the next several years. The foreseeable future in Greater Cleveland and in Ohio is likely to strongly resemble today's dangerously piecemeal and slack regulation. For example, in the city of Cleveland perhaps 1,000 armed but uncommissioned guards provide largely untrained, unsupervised protection without any de facto city or state oversight. For these often ill-paid and transient employees their work is as unsupervised as it was ten years ago, before the present statutes, ordinances, and rules were adopted. Although the Wall Street Journal recently reported a wave of criticism of licensing boards around the country, what is perhaps surprising in Ohio is a relative lack of criticism of the State Commerce Department's paper-tiger regulation. Toothless at best, state and municipal regulation of private security often loses even the will to regulate these quasi-public protectors. While license fees flow into city and state coffers, the public is exposed to the all-too-frequently criminal activity of those paid to prevent crime.

CHAPTER IV THE PUBLIC INTEREST:

RELIABLE PROTECTORS

Senator's Bill Have Saved Cousin Guarding the Security Guards

By PAUL CRITCHLOW
HARRISBURG — A 19-year-old cook who was shot to death by a private guard Thursday night in Harrisburg.

Professional Licensure Committee. The bill would require strict licensing and training of all private security guards.

The private security guard business is rapidly expanding. The growth reflects in creating violence in our society and that is tragic. Potentially tragic are the poor laws and regulations governing the private guard industry.

Ohio laws are particularly weak, reports Plain Dealer reporter William F. ...

Cleveland has enforced the ruling since ... This resulted in a drop of 500 ...

Group To Make Proposals Private Security "Model Code"

Private Security Advisory ... initial recommendations designed to prevent the public from confusing private firms with public police agencies and to make it difficult for private security employees or ex-employees to pose as police officers. Another series of recommendations would place firm controls on ...

Mr. Murphy told LEAA: "There is a need for regulation, but it should be of a useful and uniform nature in all 50 states—as well as municipalities—gain the protection they want."

The Council said that as a recent report on the private security industry, made by The Rand Corporation, a number of states and municipalities are considering legislation. The Rand report licensing and registration ...

Security system now available to homeowners

ADT (American Telegraph Co.) ... frequently dis- at many com- establishments of security. Homeowners can is same secure of their homes new ADT res- ular and fire zems, which town in Both Home & Flow- system which elabor- can be w apart- and can four pro- iver fail- matically nobly but- it works: er enters- make the

At the same time, it is transmitted to one of ADT's central stations. Station personnel immediately inform the police department and can, if desired, send an ADT guard to your home to investigate.

In addition to the alarm protection, a device for frightening burglars is built into the unit. When a lamp cord is plugged into the device, the lamp goes off when the alarm goes off.

An optional fire alarm control accommodates any number of fire-detecting thermostats and as many as three smoke detectors. When triggered, an alarm is set off that is immediately identifiable as a fire alarm, both in the home

STUDY IS PLANNED OF GUARDS IN CITY

Seeks to Assess Standards, Size and Effectiveness of Security Agencies

DAVID BURNHAM ... are at least twenty guards working in the city. There may be as many as 100 guards in the city. The study will be conducted by the Police Department and the City Council.

Law Enforcement Assistance Administration

Report on the meeting of September 19-20, 1974

NATIONAL PRIVATE SECURITY ADVISORY COUNCIL

THE COST OF CRIMES AGAINST BUSINESS

Guards Urged to Organize

By WILLIAM K. MARROW ... Security officers, guards and watchmen in the Philadelphia area were urged to organize by the Rev. Jesse L. ...

PRIVATE POLICE IN THE UNITED STATES: Findings and Recommendations

James S. Kakalik and Sorrel Wildhorn

Prepared for the Department of Justice

Cooper's conclusion: "They won't feel safe until they see more police and private security forces on the streets."

Special Council, Special Coordinator. With Cooper's elaborate analyses of crime patterns in the 26th Precinct, the New York City Police Department decided to assign 15 new officers to the 26th Precinct to join Cooper's recommended satellite unit, a highly visible walkie-talkie. These officers were not to substitute for the regular forces in the 26th Precinct or go off on service calls and thus be drained away from their primary goal: to help make the streets safe again on Morningside Heights and its environs.

Second, Cooper proposed getting many of the 611 security guards out onto the streets, to work not as policemen but as a kind of eyes and ears for the regular police and as a presence in the community.

CHAPTER 4749. OF THE REVISED CODE:

Sec. 4949.01. As used in [sections 4749.01 to 4749.10, inclusive] read as follows:

Sec. 4949.01. As used in [sections 4749.01 to 4749.10, inclusive] read as follows:

CHAPTER 4749. OF THE REVISED CODE:

(A) "Private [investigator] DETECTIVE" means any person who engages in the business of private investigation, [as an independent contractor or as an officer of a corporation] BUT WHO DOES NOT HOLD A LICENSE AS A POLICE OFFICER OR AS A MEMBER OF ANY

A. CONCLUSIONS

A QUESTION OF RELIABILITY: Much has been written about the crime-fighting and order maintenance roles and performance of public police, who in Greater Cleveland represent an investment of 4,150 persons and \$77 million annually. Yet most Greater Clevelanders would be quite surprised to learn that they have another and larger (\$88 million) annual investment in 10,000 private security personnel. Roughly 7,500 of these are not watchmen but rather crime-fighters whose patrol, alarm response, detective or armed guard assignments probably give them more contact with the average citizen than do the public police.

While without question public police are and should remain the principal apprehenders of criminals, the de facto responsibility for protecting the growing volume of private property has been shifting from government to property owners. If many Greater Clevelanders do not regularly experience an oppressive fear of crime, it is because their employers and the businesses they patronize have used private security (including an estimated 1,000 moonlighting public peace officers) to divert the rising tide of crime away from them. If citizens want still further crime prevention, they will probably have to buy it directly or indirectly (through costs added to goods and services) from private security forces, thus far outside the spotlight of public attention.

This report seeks to measure private security's most intangible aspect: do the individual guards and detectives provide reliable protection or not? Do they typically exhibit a reasonable degree of honesty, patience and common sense shaped by training? Admittedly, we do not know precisely what level of public police performance constitutes "reasonable" achievement, or whether an identical yardstick should be applied to both public police and private security. Nevertheless, the evidence presented in the above three chapters permits some significant conclusions about the present unreliability of most private security.

A NEW INVESTMENT, A POOR RETURN: Unfortunately, the "street experience" reflected in the interview and questionnaire data gathered by the AJC and other recent research efforts around the country suggests that many private security personnel are inept or worse in the new roles thrust upon them. As J. D. Peel writes in his sympathetic Story of Private Security, "the loud, the ignorant, the sly, the

the slovenly, the faintly suspect...are still with us in awesome numbers, fashioned by...security agencies...individual employers...police officers and commanders." Too often, especially in contract security work, the watchman and crime-fighter jobs are interchangeably filled by the same undisciplined minimum-wage individuals, who are given only an hour or two of on-the-job training and then work long hours with sporadic supervision and no wage incentives or accident/sickness benefits. After a few months of being paid "two dollars an hour and all you can steal" by one contract agency, hundreds of local guards move on to another local agency. They have not seen a training manual, graded testing, classroom instruction, pistol range practice or any refresher training. While the OPOTC course reaches only a minority of private security personnel actually engaged in policing assignments, it reaches hundreds of unsuitable guards or detectives who want only the increased status and wages which may come from certification and deputization as "a real cop".

While a small minority of the estimated 6,525 privately-employed security personnel sometimes armed on duty actually need a firearm for their assignment, most of private security's resort to guns is frighteningly casual. Too often, neither consumer nor supplier makes a professional judgment that law-enforcement or self-protection in a particular assignment requires a handgun (or rifle) as distinguished from a baton, a guard dog, a chemical spray or perhaps no weapon at all. Although the security agency heads claim that it is almost always the client who insists upon arming the guard, the self-made businessmen heading most agencies seem deeply attached to an image of themselves as full-time lawmen. Often entering the industry following offensive firearms-use training in military service, these men are often unable to balance their loathing of the criminal with an equal determination to insure that their men--far less trained and emotionally stable than themselves--use deadly force only for defensive purposes and not to capture a thief or an obnoxious individual.

UNRELIABLE PROTECTORS: While this AJC report was being written, the news columns of local papers were compiling their own report card on local private security behavior. Several reported incidents showed private security personnel in a favorable light--trapping a thief in a revolving door, assisting an abducted girl after her release, and returning gunfire (even when wounded) instigated by attackers or trespassers. Five newspaper articles reported the death or serious wounding of an on-duty private security employee. But the majority of the news accounts portrayed over-reaction, misjudgment or felonious conduct by local guards. For example, readers learned that:

- a laid-off commissioned private policeman shot and seriously wounded a fellow bar patron after a dispute over a woman;
- a private peace-officer course graduate employed by Cleveland's school board was arraigned on charges of raping a 14-year old pupil;
- an unarmed private security employee used his badge and uniform to "arrest", transport and rape a 24-year old driver;
- ending a four-year ethnic feud, a licensed security agency head was legally charged with the aggravated murder of his neighbor;
- two black university teachers sued a downtown department store for \$2 million, alleging unlawful detention;
- federal criminal charges were filed against a contract security agency head for failure to pay the government withholding taxes deducted from his employees' wages; and
- in fatal horseplay, a security guard pretending to "hold up" another employee of an "adult" bookstore shot the employee through the forehead.

There probably would have been fewer of these and similar incidents reported in Greater Cleveland during this study, if careful employee screening and training, limited gun issuance and careful regulation of licenses had existed. In sum, the end product of \$88 million invested annually in primarily low-wage guard-detective service has been the employment of at least 6,000 untrained or dangerously unstable private protectors.

THE CAUSES: REGULATOR AND CONSUMER APATHY: Faced with the continuous growth in the number of unreliable protectors, governmental efforts to control private security behavior have been toothless at best, and more often apathetic. Thus far the law has tended to favor the right of the private property-protector to use force (including deadly force), detention and interrogation over the right of the visiting public to conduct its business without being subject to the misdeeds of careless or unstable guards. Although the badge, uniform, handcuffs, gun, baton, and sometimes patrol vehicle of private security all spell law-enforcement authority to the general public--and to most guards--strict constitutional and administrative controls apply only to the commissioned 20% of private security. Far less than half of the county's 10,000 private security personnel are actually registered (i.e., screened for criminal background on a once-for-a-lifetime basis) by the State Licensing Division. In addition to the statutory exemption of the estimated 35% of private security personnel whose services are not sold contractually, no action

has been taken against armored carrier and central station alarm companies, as well as moonlighting public policemen who have unilaterally decided that the licensing/registration requirements do not apply to themselves. Beneath the Licensing Division's crippling political, legal and administrative problems lies a fatal lack of the will to observe or otherwise discover actual, day-to-day private security misbehavior. Locally, most safety officials have avoided broad-coverage ordinances or enforcement of statutory report-to-police requirements for security agencies. Rather than fill the vacuum created by state inaction, several major safety departments have focused on the commissioning process, which seems to be used more to dominate the firearms use and deportment of lower-caste private security than to enlarge the number of disciplined law-enforcers in given areas.

However, apathy among Ohio's public officials has been matched by the private sector's apathy about exercising quality control over the security services it consumes. It has been more than a decade since the rising crime rate accelerated private security's growth, yet top management continues to ignore the indirect business and direct social costs of low-wage or low-status security service. Although the local corporate community has failed on several occasions to support higher-cost, higher-quality contract security services which could compete with overtime-burdened proprietary operations, such initiatives have lacked the support of state-sanctioned minimum personnel standards. Only the combination of state regulation and consumer pressure can upgrade private security; either separately is sure to fail.

Cost-conscious management owes the security function another look. Every individual consumer of inexpensive or untrained guard/detective forces can hope to be fortunate enough to escape serious liability or loss, but many such gamblers will suffer from private security misbehavior or negligence. There are several questions which management should ask itself. Why, in a day when businesses purchase many specialized services, should contract security have so few eminent specialists offering their supervisory expertise for hire? Could in-house security be (as several area companies have found) the province of an executive with broad administrative skills? Could in-house security employees serve as the principal communication arm of the personnel department? Even if most large and smaller consumers of private security required a narrow definition of the security function, what is reasonably to be expected of it in an emergency? If the service is to be hired contractually, might not accepting a higher bid sometimes save the costs of dickering with a new low-bidder, hoping to find an expensive supplier who can fulfill his promises? Security service is indeed only one overhead cost among many, but it

differs in its importance for safety of persons and property as well as for public relations.

WHO SHOULD BE REGULATED?: Chapter III quoted former Commerce Director Dennis Shaul's remark that it is "a close question" whether private security should be licensed, since such regulation tends to mislead the public as to the degree of its actual protection from the dangerous and the fraudulent. Since the will to regulate is so hard to stimulate and then to control, there is indeed a serious question whether governmental agencies should make the substantial investment of energy needed to coerce the upgrading of private security. However, community crime prevention has become an area where the law must stimulate market demand. Even if one trusted that an utterly unregulated market would stimulate consumer demand for better crime prevention-personnel service, state government is unlikely to withdraw its influence from any regulated sector, especially a revenue-generating one. Rather than continue to mislead the public and inequitably tax some contract security agencies, it is desirable that private security regulation be extended in coverage and effectiveness.

While credit and insurance investigators should probably not be covered under private security regulation, some minimal standards should probably be imposed upon polygraph operators as well as guard dog services. While the major armored carrier companies may already meet many of the standards proposed, the public interest requires all armored carrier or armed courier companies and personnel to meet standards identical to other sectors of private security. Evidence gathered by the AJC suggests that it is especially necessary to regulate the many armed central station alarm runners as well as central station alarm companies themselves. While watchmen, defined in the traditional sense of those whose duties are custodial or passive observation and reporting, need not be included among those who should be subject to criminal background checks, required training and subsequent registration, all private investigators, security guards, armored carrier guards, armed courier service guards, and alarm response runners should be covered to a uniform extent. The past four years of private security reform debate suggest that such requirements will not carry Ohio to the point where the resulting increased costs to private security suppliers and (ultimately) consumers outweigh the benefits of upgrading private security personnel. It seems impossible to predict whether comprehensive regulation will favor contract (especially large company) forces over proprietary forces, but it seems that the present intense demand for security services will not diminish markedly if consumers are led to understand a changing cost-benefit equation. It

seems likely that the training/registration requirements proposed below can be implemented without either interruption of the labor supply or resort to a "grandfather" clause.

Finally, at least two private security reform proposals (those of the Institute for Local Self-Government and the National Council on Crime and Delinquency) recommend the abolition of public police moonlighting in private security. We disagree, solely on the practical ground that in Cuyahoga County there do not appear to be sufficiently large numbers of well-trained, armed private security personnel to provide adequate crime prevention for private property, employees and customers. Until such time (possibly 5 years) as local private security has further matured, public peace officers moonlighting in private security should be regulated as armed private security officers under the exclusive control of their private employer. The eventual elimination of the attempt to serve two masters would be hastened if the high wages and insurance/legal liability problems of moonlighting policemen should stimulate consumer demand for medium-priced armed private security officers without peace officer status.

WHO SHOULD BE THE REGULATOR?: If all private investigators, armed and unarmed private security officers, and moonlighting policemen should be regulated, the question becomes: will the public interest be best served by state statute, by local ordinance or by police chief policy? To begin with the latter two, it is premature to permit local police to informally regulate private security. At present many local police departments have neither conceptualized the auxiliary safety responsibilities which have or should devolve upon private security, nor do they even view their current relationships with private security as problematic. Over the last century public police have grown accustomed to firearms misuse and false arrests made by private citizens proposing to alleviate a crime problem. That private security is becoming paraprofessional, that we as a nation are now imitating the citizen crime-fighting of two centuries ago, is a difficult concept for police departments whose own upgrading into career professionals is perhaps no more than ten years old. Prior to the experience by public police of more efficient and professional conduct by most private security personnel, the present dominator-dominated relation will not be rethought by public police. Without such rethinking, Ohio cities would be ill-advised to adopt such comprehensive, police-administered ordinances as Cincinnati is considering (in response to a recent rape-murder by a private security guard). In addition to the security industry compliance problems which would result from a hodge-podge of non-reciprocal ordinances, local ordinances would create conflict-of-interest difficulties for public safety departments. For example, the

National Advisory Commission on Criminal Justice Standards and Goals asserted (Police Standard 21.1:4) that "since local laws and ordinances are often susceptible to mis-interpretation," the uniforms and identification items of private security personnel should be statutorily regulated to prevent public peace officer impersonation. One further advantage of statewide uniformity in regulating several well-defined categories of private security personnel is that the state could then reasonably require Ohio's insurance industry to build a data-bank on the loss-effectiveness of specific protective personnel systems, which could create insurance premium discounts and consumer incentives to purchase effective personnel services.

Primarily, an Ohio-wide agency should be the private security regulator because such an agency is more likely than most municipal safety departments to be responsive to a relatively wide range of citizen input. As presently constituted, and while surrounded by consumer apathy, the state Commerce Department is not going to provide the manpower and energy to serve the public interest in reliable private protectors. If Ohio were initiating private security regulation, the state might well heed the NCCD proposal of establishing a representative 7-member "State Private Security Services Commission," appointed by the Governor with the advice and consent of the Senate and with exclusive statewide jurisdiction. And if a climate sympathetic to departmental reorganization existed in the Statehouse, the State Commerce Department could profitably be broken up into two cabinet-level departments, one dealing with the financial agencies now regulated by the Department and one Consumer Protection department which could generate highly visible regulation of and consumer information about private security services. Given a 5-year regulatory commitment and in the absence of such a reorganization climate, it seems desirable for those interested in upgrading private security's crime prevention capacities to work with private security and public police to create a unified pressure for vigorous enforcement by those agencies presently responsible: the State Commerce Division of Licensing, the OPOTC, and the Secretary of State.

Finally, neither this report nor any feasible research effort could demonstrate beyond question the precise degree of crime-prevention effectiveness of guard or detective services or the comparative frequency of public and private security personnel misbehavior. What is clear is that we have been treating armed or uniformed guards or detectives as if they were passive janitors. If we screened our guards and detectives in ways appropriate to their widening responsibilities, each year would see less killings, rapes, assaults, thefts and frauds committed by local private security personnel. Those guards and detectives who are already trained and reliable would then find incentives to stay in private security. The public interest demands such an effort, which might begin in the specific ways outlined below.

B. RECOMMENDATIONS

THE PRACTICAL STARTING-POINT: NPSAC'S STATUTE: Chapter II reported the National Private Security Advisory Council's attempt to finalize its "Model Private Security Licensing and Regulatory Statute" in 1975. When made available by LEAA to all the states, its accompanying commentary will explain the crucial compromises and rationale which make this 3-year effort the practical starting point of private security reform. In its present, much-redrafted form, the thorough NPSAC statute:

- recognizes 3 categories of private security personnel: armed private security officers, unarmed private security officers, and watchmen;
- excludes from its coverage all watchmen and others with only custodial, observation or reporting functions;
- includes under its coverage all security guards, armored car guards, armed courier service guards, and alarm response runners;
- licenses only contract security companies, requiring a \$500 non-refundable application fee and a \$250 refundable two-year renewal fee;
- requires license applicants (e.g., an agency head) to possess 3 years' supervisory experience or pass an exam; and details application investigation and denial procedures;
- initiates criminal background checks (and related hiring restrictions) on all private security officers (regardless of employer), to be conducted by State Licensing Authority;
- places strict insurance and reporting requirements on employers of armed private security officers, without regard to the employer's contract or proprietary status; and requires that all firearms issued must be of a state-approved type and owned by the employer;
- establishes minimum criteria for all armed private security officers, including: 8 hours pre-assignment training and added pre-assignment firearms examination and marksmanship qualification; 32 hours initial in-service training and 8 hours annual refresher training plus firearms qualification;
- establishes minimum criteria for all unarmed private security officers employed by agency or employed in-house and in regular contact with the public, including: 8 hours of pre-assignment training, 32 hours in-service training, and 8 annual refresher training;
- requires all private security officer training to be given and certified by state-approved trainer (contract or in-house) but forbids in-house forces from themselves issuing temporary work permits for armed private security officers;

- specifies petitions, public notice hearings or appeals on proposed administrative rulemakings or license/registration revocations; and grants to State Licensing Authority subpoena power over witnesses and records;
- mandates cloth badges, "Security Officer" name tapes and other equipment requirements to prevent peace officer impersonation;
- pre-empts all local governmental laws and rules for private security companies and officers other than simple name/status reports or a bonafide business tax; and
- defines private security-related acts whose commission constitutes a misdemeanor punishable by a \$1,000 fine or 1-year imprisonment.

THE ROAD UNTRAVELED: While this model statute could be a landmark in private security reform if actually supported at the state level by those major proprietary and contract security forces whose executives have developed it, that support is quite uncertain. Further, although its provisions have become a starting point for private security reform, they surely do not travel the entire route to reform. Neither the model statute nor any other current NPSAC document recommends reforms in the regulation of private investigators--a glaring omission. The model statute mandates no training requirements whatsoever for proprietary security organizations' unarmed private security officers whose duties do not "regularly bring them into contact with the public"--a phrase broad enough to exempt many security personnel. The NPSAC statute fails to specify a maximum time period for completion of the 32 hours of in-service training required of all unarmed private security officers employed by a contract security company or in duties bringing them into regular contact with the public. Further, the statute would deny to proprietary security organizations the option to be licensed and thus able to themselves issue temporary work permits for armed private security officers. While the statute sets commendable standards for private security's use of firearms and especially handguns, it nowhere mentions other potentially deadly weapons such as batons, chemical sprays or guard dogs.

THE JUSTICE DEPARTMENT: AN AGENDA: In view of the significant yet very incomplete reforms embodied in NPSAC's model statute, what priority activities face the various sectors interested in upgrading the crime-prevention capacities of private security? Although federal officials have almost no regulatory role in private security, they must continue and expand their leadership function for the criminal justice system. As its first order of private security business, the U.S. Justice Department's Law Enforcement Assistance Administration (LEAA) should undertake a public information

effort on behalf of a serious consideration of the NPSAC model statute in all 50 states. Explanations of the rationale behind the statute and its commentary should be given to criminal justice state planning agency and regional planning unit officials as well as to interested state legislative committees holding public hearings on any private security bill. As its second priority, either NPSAC or the newly-established Task Force on Private Security Standards and Goals should develop a model private investigator licensing and regulatory statute or its equivalent. Further, LEAA should fund an analysis of the manpower, budget and administrative implications of several alternate state and local regulatory programs. In connection with such an analysis, LEAA's research division should develop more detailed statistics on private security employment and expenditures at national, state, SMSA and county levels. Finally, LEAA should try to insure that Congressional debate over federal gun control proposals is informed about the detailed private security gun control provisions of NPSAC's model statute. For example, although H.R. 40 (Rep. Bingham, N.Y.) and H.R. 2313 (Rep. Fauntroy, Dist. of Columbia) permit handgun possession for guard service agencies which are state-licensed and which monitor the use of handguns in its possession or control, these bills do not seem to permit handgun use by in-house private security forces.

OHIO'S OFFICIALS: AN AGENDA: State-level officials should accept the consequences of the fact that they bear and should bear principal responsibility for regulating private security activities. As its first order of private security business, the state legislature should support Ohio Peace Officer Training Council and Division of Licensing efforts to increase their field investigative staff resources. Irregularities recently found in both public and private peace officer schools, as well as massive non-compliance with the private security licensing statute, require frequent random inspections around the state. Secondly, the state legislature and Executive Branch should assess the various private security reform proposals urged at the city, state and national level. Taking the NPSAC model statute as a workable starting point, the state legislature should invite expert testimony by NPSAC or LEAA representatives on the model statute and its equally important commentary. Both the Executive Branch and the state legislature should recognize that no one interest group can provide sufficient testimony on private security problems and reforms. Representatives of regulators from the Commerce Department and OPOTC, the public police, contract security, proprietary security, employees' unions, public interest groups and concerned citizens all must contribute to this dialogue. The experience

of other states, such as the California experience recently summarized by an Institute for Local Self-Government study, must be considered.

Third, the state should pass a new, comprehensive private security services statute which should pre-empt all local ordinances which license or otherwise substantively regulate private security companies or employees. Compliance with even-handed private security regulation will not come while there exists the present division of regulatory responsibility among local governments and between state and local agencies. In statewide regulation, Ohio must avoid the very real possibility of protecting national or statewide security agencies while driving smaller (but occasionally superior) local agencies out of business. Fourth, the Administration of Justice Division of the Ohio Department of Economic and Community Development, the statewide agency planning the use of federal "Safe Streets Act" funds, should re-examine its blanket prohibition against private security funding and present its "Comprehensive Criminal Justice Plan" so as to give private security its due place in both community crime prevention and law-enforcement. Finally, Ohio should also give serious consideration to a statewide response to the problems of avoidable false alarms and fraudulent alarm systems, as addressed, for example, in NPSAC's "Model Burglar and Hold-Up Alarm Business Licensing Statute."

OUTLINE FOR A NEW STATUTE: Once Ohio adopts the necessary (but essentially stop-gap) measure of funding better field investigation under the present regulatory scheme, it must address the question of drastically overhauling its private security regulatory machinery. It must utilize what remains valuable in the whole range of regulatory proposals noted in this report. Specifically, we recommend that such a comprehensive statute should:

- recognize 4 categories of private security personnel: private investigators, armed private security officers, unarmed private security officers, and watchmen, following NPSAC definitions for the latter 3 categories;
- explicitly cover as private security officers all armored carrier guards, alarm response runners, bank guards and railway police; explicitly exclude all watchmen from coverage;
- regulate first 3 categories distinctly, with separate, cost pass-through fee schedules and definitions of crimes pertinent to each category of duties;
- following NPSAC, mandate Commerce Department licensing only for contract security or investigator companies but permit a licensed-to-issue-permits option to interested proprietary forces; require licensees to obtain a sliding-scale mix of comprehensive, non-cancellable general liability insurance and surety bond protection;

- adopt NPSAC's stringent insurance, reporting and gun control requirements on employers of armed private security officers;
- strengthen Commerce Department regulation by adopting the improved State Private Investigator and Security Advisory Commission (State Commission) proposed in rejected H.B. 951; have State Commission develop standard curricula for armed and unarmed private security officers;
- adopt, under Commerce Department administration, NPSAC's training and retraining standards for all armed and unarmed private security officers but broaden NPSAC's coverage to include all contract and proprietary security officers and to require all 32 hours' in-service training be completed within 120 days of pre-assignment training;
- combine NPSAC and Ohio Peace Officer Training standards for certifying trainers of private security officers, to be administered by Commerce Department;
- following OPOTC consultation with the State Commission concerning ASIS (Cleveland and Cincinnati) curriculum proposals and private security officer curricula, require an OPOTC revision of the 120-hour private peace officer curriculum;
- mandate the Secretary of State, upon recommendation of the Commerce Department, to issue a peace officer commission to registered private investigators or private security officers whose duties sometimes require the concealed carriage of a firearm and who find unavailable a local commission;
- require that all employers be notified within 60 days of the results of the state's criminal background check on all applications for licensing or registration;
- specify Commerce Department rejection of any applicant whose background check reveals conviction in any jurisdiction of any crime involving moral turpitude, dishonesty, breach of trust, possession or misuse of a dangerous weapon, or of 4 or more non-minor misdemeanors, for any of which a full pardon or similar relief has not been granted;
- mandate Commerce Department issuance of a registration/identification card for all registered armed/unarmed private security officers or investigators which is portable (remaining valid when employee promptly switches to another employer) and required to be shown upon request to any peace officer;
- following NPSAC's strategy to minimize peace officer impersonation, mandate cloth badges, "Security Officer" name tapes, and other uniform, equipment, vehicle and advertisement requirements;
- empower the Commerce Department to issue 15-day show-cause subpoenas of persons and records, to conduct administrative hearings, to seek contempt citations, and to suspend or revoke a license or registration due to some violation of a private security statute, administrative rule or ordinance;
- following NCCD's draft model statute, mandate the State Commission to submit an annual report to the Governor, Legislature and public, which shall include: number of licenses outstanding, of revocations by cause, of

insurance claims by public against private security industry (by nature of claim), of firearms discharge incidents by private security personnel (by reason for discharge and result); amount of fees received; cost of Division of Licensing private security regulation; narrative report on training quality and all other enforcement efforts by State Commission and Department of Commerce; and

- only as part of the comprehensive program suggested here, pre-empt all local governmental laws and for private security companies and non-commissioned employees, except for laws requiring simple name/status reports or bonafide business taxes.

GREATER CLEVELAND OFFICIALS: AN AGENDA: As custodians of public order for Cleveland's most diverse and crime-ridden populace, Greater Cleveland officials must take the lead in utilizing the crime-prevention potential of private security. As the direct employers of at least 680 non-peace officer security personnel, of whom at least 175 are sometimes or always armed, local public officials must institute higher screening and training standards for their own private security forces. In addition, if competent state-level enforcement of comprehensive private security regulation proves to be unachievable in the next 18 months, the above outline for a new statute should be adapted into local ordinance form. Any local ordinances should attempt to achieve a county-wide--not merely suburban--similarity and reciprocity. To centralize responsibility for accurate and prompt information, serious consideration should be given to specifying the Cuyahoga County Sheriff's Department as the common agency for any local criminal background checks of employers and employees. Local legislators should recognize the many conflicts of interest between police departments and private security forces, and should lay down guidelines maximizing private security's autonomy as a private sector partner in crime prevention. One workable mechanism for public/private coordination might be the Cincinnati ASIS chapter proposal of a 9-person Private Security Advisory Board within the city safety director's office. Any such liaison will probably grow gradually in scope and mutual respect. Therefore, although there may be much long-range public safety potential in coordinating the activities of carefully-screened private security personnel with police patrols, such programs are impractical for the foreseeable future. Finally, rather than using licensing fee ordinances with additional expensive requirements like individual employee public liability insurance, city councils should encourage local police enforcement of ORC 4749, perhaps aided by a compliance-with-statute ordinance like Shaker Heights'. Such vigorous enforcement may increase contract security support for an improved statute.

Other relevant policies should also be revised. Legislators should adopt an ordinance which sets non-overtime police wage-scale and total work-hour limits on public peace officer moonlighting in private security. Such an ordinance should specify a maximum or no more than 20 security-work moonlighting hours per week, with at least 6 hours off before going on public duty, and should also require the wearing of Columbus-type "special-duty" armbands by moonlighting police. The ordinance should declare that the police moonlighter is controlled by his private employer and may require private legal defense or liability insurance. The local safety director should be mandated to specify which kinds of police equipment and assignments are unacceptable in moonlighting. Such regulations would probably prohibit employment involving intoxicants, vehicle-towing, process service, bill-collecting, and investigations which could make use of police information. The safety director should be made explicitly responsible that such moonlighting assignments do not create conflicts of interest or diminish public duty efficiency.

The area of private security gun use and abuse merits precise regulation. Rather than permitting local police to manipulate concealed weapons so as to eliminate exposed firearms carriage in public, city councils should enact comprehensive gun registration ordinances as outlined in the AJC's recent study, Gun Abuse In Ohio. At the very least, an ordinance should require a permit to carry in public an unconcealed but loaded firearm. The public police must not use private police commissioning as an informal kind of private security gun control. Commissioning of private security personnel should be done only when law-enforcement (i.e., arrest) needs warrant a specific deputization on an annual basis. Accepted commission applicants should actually meet most qualifications currently required to become a public peace officer. Efforts should be made to insure the integrity of the private police commission process in both safety directors' and county sheriff's departments. Revised, clearly-defined rules and regulations--made as uniform as possible among the county's governments--should declare the specific jurisdiction, authority, responsibilities, and rights of private police. These revised rules must be understood by all, including the average public policeman on patrol. Their enforcement must be strict but not arbitrary, possibly with an appeals process focused on the proposed Private Security Advisory Board.

Crime-prevention training of both private security and public police should be improved. Public police are absolutely correct in their beliefs that too many private security personnel are armed and that those who must be armed must be professionally trained in firearms use and restraint. The registration of all handguns or

of private security-used handguns must be pursued, as proposed above. However, public police should reconsider whether private peace officer training (detailed above, pp. 52-53) should be required of all private security persons before they go armed on duty. Such a requirement is proposed in Ohio Senate Bill 188, reportedly backed by statewide representatives of three major police organizations. Local police representatives should carefully study the several curricula currently proposed for armed private security personnel and should consider whether they actually wish for all armed security personnel to be taught an arrest-oriented curriculum. Police organizations may ultimately conclude that the most preferable course would be comprehensive statutory registration and training administered by an agency focused upon private-sector security service. Wherever possible, public police fire-arms range facilities must be made available on a rental basis to private security forces, even for members of those forces who are not and will not be commissioned. On another front of crime prevention, public police academy training is long overdue for a formal recognition of the importance of private security services. All new police should receive several hours training on private security--its legal limits (including the provisions of ORC 4749), variety of training, and substantial potential for assisting police in their work. Such training should be reinforced and specified at the precinct level. Police departments should be responsive to any renewed initiative by Cleveland's Department of Human Resources and Economic Development to develop an area-wide crime prevention program.

GREATER CLEVELAND'S PRIVATE SECTOR: AN AGENDA: Private security is the free-market response to private consumer demand for protection which supplements and complements taxpayer-supported police protection. It is still the private consumer who has the greatest leverage on the quality of security personnel services supplied by both contract and proprietary security forces. In view of the indirect business and direct social costs of low-quality service, private consumers of security services should establish rigorous security employee selection procedures and insist upon at least 40 and preferably 80 hours of annual, programmed, graded training and retraining of their in-house or purchased guard/detective forces. Institutions with ample training budgets should seriously consider the advantages of the complete training package developed by Gould, Inc. and now marketed by ITT Services (see above, pp. 17-18). Top management must take upon itself a continuing assessment of the costs and benefits of issuing firearms to its guards or detectives. As part of this assessment, it should expect from its security chief written considerations of such alternative weapons as batons, chemical sprays, or guard dogs.

Greater Cleveland's private sector should acquaint itself with the problems uncovered and remedies proposed for private security. In considering the recent history of private security and the alleged necessity of statutory regulation of most security employees, private industry might consider the parallel cases of private job safety and private job environment safety. Most corporations are now satisfied that federal enforcement of the Occupational Safety and Health Act (OSHA) requirements has been a net benefit to them. Might not the same apply to statewide regulation of private security? In the attempt to air these issues, the Greater Cleveland Growth Association (GCGA) should play a crucial role, possibly by sponsoring a workshop open to GCGA members and to invited representatives of the local chapters of ASIS, OAPDA, the Loss Prevention Council, the Cleveland Crime Clinic, private security union locals, and public safety officials. To further clarify priorities in crime prevention resource allocation, local foundations should consider funding a community crime patrol project to compare the specific task effectiveness of indigenous crime patrols, auxiliary police and private security agencies--if one of the several urban police departments in Greater Cleveland showed clear interest in assisting the project.

Lastly, executives responsible for procuring stable security personnel service should continually weigh the hidden costs of in-house security against the all-too-obvious costs of most contract security services currently available. The protection of employees, customers and the general public would improve if a genuine competition for high-quality service developed between proprietary and agency forces.

To stimulate such competition and to assist potential consumers of contract security services, the following guidelines are offered:

- Acting through a member of the firm's management team who is given full responsibility and fiscal latitude to produce stable security personnel service, the consumer should invite several agencies to bid for its "premium" account. If possible, outline in the bid invitation the posts, procedures, personnel qualifications, weapons, and mechanical systems initially envisaged;
- Each agency contacted should be asked to make a free physical survey and to submit a confidential bid outlining an appropriate mix of security elements, evidence of comprehensive and adequate liability insurance, and a breakdown of hourly costs to client, showing employee total pay and fringe benefits, overhead and profit margin;
- Promptly verify--by telephoning the State Commerce Department Licensing Division at 614-466-4130--that each bidder is licensed and has a good performance record. Area police chiefs may be able to supply an independent evaluation;

- Upon receipt of a client list from each firm, make inquiries to past clients about the agency's performance, personnel turnover, and regularity of supervision;
- Ask for a demonstration of the agency's training program, and eliminate from consideration any agency which does not produce a satisfactory demonstration;
- In drawing up the service contract, insist that it provide for:
 - availability, upon client request, of assigned employee personnel files which should include: date of application with agency, employment history and verification for last 3 years, results of fingerprint check, and results of graded training (both pre-assignment and in-service);
 - consumer specification of some components of employee pre-assignment and in-service training which are appropriate to consumer's facility;
 - designation by agency of a detail supervisor who shall submit regular reports to client's representatives on his supervisory checks on assigned guards and on any unusual circumstances reported in writing by guards;
 - client's rights to interview agency employees prior to actual assignment and to secure an employee's immediate transfer without cause from client's detail;
 - periodic rate breakdowns by agency to insure that security employees are paid appropriately for their premium training and to maintain force stability;
 - minimum and maximum total work hours per day and per week to insure post familiarity as well as employee efficiency;
 - client approval of all kinds of weapons and ammunition issued, and agency ownership of any deadly weapons furnished; and
 - a fixed-period cancellation clause.

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RELATIONS BETWEEN MUNICIPAL POLICE AND 16 LARGE EMPLOYERS' SECURITY FORCES

<u>Employer</u>	<u>Director's Public Security Experience</u>	<u>Employees with Commission--%</u>	<u>Calls to Police, Min. Frequency</u>	<u>Total Annual Arrests Initiated</u>	<u>Current Police Relations/ Value if Close & Defined</u>
A	8	100%	as necessary	no response	excellent/great help
B	9	100%	as necessary	100+	poor/great help
C	none	0%	as necessary	0	poor/some help
D	26	0%	monthly	5	excellent/great help
E	7	20%	monthly	0	excellent/great help
F	4	100%	as necessary	1,750	good/great help
G	10 (est.)	0%	as necessary	2	excellent/great help
H	7	75%	as necessary	1,125	fair/great help
I	10	5%	as necessary	no response	no response/no response
J	none	0%	as necessary	35	excellent/great help
K	8	17%	as necessary	0	excellent/some help
L	10	70%	weekly	6	excellent/great help
M	no response	0%	as necessary	0	excellent/some help
N	none	no response	no response	no response	excellent/no response
O	no response	0%	as necessary	0	excellent/no help
P	11	30%	as necessary	400	excellent/great help

Source: AJC Survey in Cuyahoga County

Employers' code not comparable to other tables.

CRIME-RELATED INCIDENTS ENCOUNTERED BY SECURITY PERSONNEL
OF 13 LARGE EMPLOYERS BY FREQUENCY PER YEAR

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>	<u>K</u>	<u>L</u>	<u>M</u>	<u>Total Incidents</u>
Theft	200	1	12	170	NA	420	NA	150	1,314	2	165	NA	10	2,444
Burglary	20	-	-	15	NA	10	-	1	2	0	0	-	0	48
Vehicle Crimes	100	-	3	NA	NA	27	NA	19	20	1	10	NA	2	182
Drunks	-	-	2	-	NA	47	-	29	10	1	13	-	0	102
Forgery	NA	-	1	4	NA	2	-	0	50	0	4	-	2	63
Holdups	10	-	1	1	NA	13	-	0	4	0	0	-	0	29
Trespassing	-	-	25	-	NA	2	-	72	35	2	6	-	2	144
Assault	50	-	1	1	NA	12	-	2	10	0	0	-	2	78
Drug Violation	-	-	-	3	NA	7	NA	0	5	0	8	-	1	24

Source: AJC Survey in Cuyahoga County
Employers' code not comparable to other tables

NA = Current count
not available

EMPLOYMENT AND TAXABLE PAYROLL SIZE
FOR DETECTIVE AND PROTECTIVE CONTRACT SERVICES
IN CUYAHOGA COUNTY

Year	Number of employees, mid-March pay period	Taxable payrolls, Jan.-Mar. (\$1,000)	Total reporting units	Number of reporting units, by employment-size class							
				1 to 3	4 to 7	8 to 19	20 to 49	50 to 99	100 to 249	250 to 499	500 or more
1972	3,287	3,485	57*	8	7	13	14	7	6	0	2
1973	3,435	3,815	52*	4	8	10	14	6	8	0	2

* Excludes government employees, railroad employees, self-employed persons, etc.

Source: County Business Patterns, U.S. Bureau of the Census, Business Division (data based on Treasury Form 941, Schedule A, for pre-revised SIC Code 7393, which excluded burglar and fire alarm systems).

CLEVELAND SMSA
OCCUPATION OF 3,376 EMPLOYED GUARDS AND WATCHMEN
BY INDUSTRY GROUP: 1970

Agriculture, forestry, etc.	4	Railroads, railway express	10
Mining	7	Trucking, warehousing	6
Construction	50	Other transportation	--
Manufacturing	(1,186)	Communications	5
Durable goods		Utilities, sanitary services	29
Furniture, etc.	5	Wholesale trade	35
Stone, etc. products	22	Retail trade	(202)
Primary ferrous	195	General merchandise	110
Primary nonferrous	99	Food stores	29
Fabricated metal	91	Automotive, gasoline	4
Non-electrical machinery	191	Eating, drinking places	--
Electrical machinery, etc.	83	Other	59
Motor vehicles, etc.	195	Insurance	--
Aircraft and parts	32	Finance, real estate	219
Other transportation eqpt.	--	Business services	783
Ordnance	22	Repair services	18
Other	30	Hotels and lodgings	--
Nondurable goods		Private household, etc. services	19
Food, etc.	27	Entertainment, recreation	24
Textile mill products	16	Hospitals	140
Apparel, etc.	19	Other health services	4
Paper, etc. products	10	Public education	114
Printing, publishing, etc.	35	Private education	59
Chemicals, etc.	93	Welfare, religious, etc. groups	23
Rubber and plastic products	16	Other professional services	54
Other non-specified manufact.	5	Public administration	392

Source: U.S. Bureau of the Census, Detailed Characteristics, 1970

STATE OF OHIO AND THE UNITED STATES

DETAILED OCCUPATION OF EMPLOYED PERSONS BY RESIDENCE, RACE, SEX AND EMPLOYER:

1970 CENSUS

	United States					Ohio				
	TOTAL	Female	Male			TOTAL	Female	Male	Negro	Urban
			Total	Priv Wage or Salary	Total Govt Empld					
PROTECTIVE SERVICE WORKERS*	952,237	57,532	894,705	225,354	666,444	43,099	2,132	40,967	2,504	36,562
Crossing Guards and Bridge Tenders	41,645	23,919	17,726	NA	NA	1,097	641	1,266	210	1,730
Firemen and Fire Protection	176,898	1,976	174,922	4,048	170,859	8,324	138	8,186	109	7,580
Guards and Watchmen	318,264	16,262	302,002	205,220	95,553	15,837	775	15,062	1,333	12,450
Marshals and Constables	5,116	203	4,913	NA	NA	112	18	94	4	66
Policemen and Detectives	375,494	13,098	362,396	13,479	347,291	15,298	474	14,824	745	13,482
Sheriffs and Baliffs	34,820	2,074	32,746	NA	NA	1,621	86	1,535	103	1,245

Source: U.S. Bureau of Census (data based on 20% sample)

* Except private household workers

NA With regard to crossing guards/bridge tenders, marshals/constables, and sheriffs/baliffs, national figures for males employer-category are not available. The cumulative totals for these three categories are: private wage or salary: 2,607; and total government-employed: 52,741.

CLEVELAND SMSA

DETAILED OCCUPATION OF EMPLOYED PERSONS BY SEX AND EMPLOYER:

1970 CENSUS

	TOTAL	Public Admin.	Private	Female	Male						
					Total	Self Empld	Priv Wage or Salary	Total Govt Empld	Fed Empld	State Empld	Local Empld
PROTECTIVE SERVICE WORKERS*	10,704	7,333	3,371	609	10,095	12	2,933	7,250	299	120	6,831
Crossing Guards and Bridge Tenders	713	576	137	316	397	NA	NA	NA	(0)	(0)	(576)
Firemen and Fire Protection	2,144	2,102	42	30	2,114	0	27	2,087	9	0	2,078
Guards and Watchmen	3,376	392	2,984	153	3,223	12	2,631	580	109	54	417
Marshals and Constables	9	9	0	5	4	NA	NA	NA	(5)	(0)	(4)
Policemen and Detectives	4,158	3,950	208	91	4,067	0	139	3,928	154	66	3,708
Sheriffs and Baliffs	304	304	0	14	290	NA	NA	NA	(22)	(0)	(282)

Source: U.S. Bureau of the Census (data based on 20% sample)

* Except private household workers

Figures within parentheses indicate both-sexes total for a given category of public administration employment as defined by the U.S. Bureau of Labor Statistics

SIZE OF DETECTIVE AND PROTECTIVE ESTABLISHMENTS WITH PAYROLL, 1972

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	Cleveland	Cuyahoga County	Cleveland SMSA	Ohio				United States			
				Guards	Couriers	Alarms	Total	Guards	Couriers	Alarms	Total
Number	47	77	80	182	60	45	287	3,490	1,019	717	5,226
Receipts (\$1,000)	24,686	27,360	27,491	44,187	12,206	13,938	70,321	912,252	232,464	274,785	1,419,501
Payroll (entire yr.) (\$1,000)	17,848	19,509	19,541	33,427	7,531	6,384	47,342	669,064	142,021	119,219	930,304
Paid employees for wk. includ- ing March 12	3,754	4,282	4,288	9,132	1,000	798	10,930	176,315	21,260	14,382	211,957

Source: Census of Business, Selected Services,
Area Statistics, 1972

(Guards = detective agencies & guard services; Couriers = armored car services;
Alarms = burglar and fire alarm systems)