

MEMORANDUM

TO: Kent Carlson and Michael Wishnie, Co-Chairs, Task Force to Study the Use of
MOS Specialty Training as a Substitute for State Licensing Requirements
FROM: Law Student Interns, Veterans Legal Services Clinic, Yale Law School
DATE: November 1, 2013
RE: Licensing Requirements for Security Guards in Connecticut

I. Recommendations

- The Connecticut Legislature should amend CONN. GEN. STAT. § 29-161q (2013) to waive the portions of the eight-hour security guard training course that cover materials on which veterans have already received equivalent military training.
- The Connecticut Legislature should amend CONN. GEN. STAT. § 29-161q (2013) to waive the Security Guard application fees for veterans with relevant training.
- The Department of Emergency Services and Public Protection (DESPP) should promulgate a regulation waiving the security guards firearms course requirement for veterans who have valid and relevant military weapons qualifications, or the Connecticut Legislature should amend CONN. GEN. STAT. § 29-161q (2013) to require DESPP to recognize military training and weapons qualifications when issuing Security Guard licenses.
- The Department of Emergency Services and Public Protection (DESPP) should waive the non-statutory Security Guard application fees for veterans with relevant training.

II. Relevance to the Task Force

The latest IAVA Report¹ identified security guard positions as a potential site for license streamlining. According to that report, security guards in Connecticut have a median annual income of \$27,200 and a projected job growth of 6% over the next decade. The report estimated that there will be approximately 250 security guard job openings in Connecticut in the next year.

There are both pros and cons to focusing on security guard licensing. On one hand, the job is relevant to a number of different military occupational specialties (MOS). The IAVA report lists security guard positions as applicable to MOS in the Army, Marine Corps, and Air Force. In the Army and Marine Corps category, the IAVA report ranks security guard as the fifth most likely position to overlap with military training. In the Air Force category, security guard is the third most relevant position (after private investigators and police officers). The job thus has the benefit of coverage and relevance across several different military branches.

However, in comparison to other occupations, the annual salary (\$27,200) for security guards is low. For instance, in Connecticut, telecommunications installers make an annual \$50,300, while crane operators make \$66,500 and police officers make \$64,800. In addition, the

¹ The Veterans Legal Services Clinic (VLSC) at Yale Law School drafted a report on veterans' employment for IAVA in October 2013. The draft report, which is titled *Transitioning Troops: Aiding Gulf War II Veterans in the Passage from War to the Workplace*, contains statistics on military occupational specialties and the Connecticut labor market. Copies were distributed to the Task Force at the first meeting. Please contact the VLSC law student interns if you would like another copy or more information: matthew.blumenthal@clinics.yale.edu; emma.kaufman@clinics.yale.edu; ryan.podolsky@clinics.yale.edu.

projected job growth for this position is significantly lower than the national average of 19% over the next decade. These statistics begs questions about the utility of focusing on a job with relatively low salaries and sluggish growth.

Nonetheless, the sheer number of annual openings (250) makes this job worth examining further. Only accountants (530) and truck drivers (380) have more annual job openings in Connecticut, and both of those positions have potential drawbacks: in the case of accountants, a low degree of relevance for many military occupational specialties; and in the case of truck drivers, a level of required travel that ex-servicemembers may wish to avoid.

III. Licensing Requirements

Licenses for Connecticut security guards are governed by statute and regulated by the Department of Emergency Services and Public Protection (DESPP). CONN. GEN. STAT. § 29-161q (2013). Pursuant to the relevant statute, security guards must be over eighteen and be “of good moral character.” CONN. GEN. STAT. § 29-161q(a) (2013). The statutory requirements also include completion of an eight-hour training course, the contents of which are described in more detail below, and payment of a \$40 licensing fee. CONN. GEN. STAT. § 29-161q(b)-(c) (2013). In addition, the statute requires potential Connecticut security guards to complete a background check and to pay a separate \$100 application fee. CONN. GEN. STAT. § 29-161q(c) (2013).

The other details of security guard licensing are regulatory rather than statutory. If a person meets the basic age and moral character statutory requirements, he can obtain a security guard license by (1) registering with the DESPP and (2) submitting an application for a Security Officers’ Firearms Permit. Both of those tasks involve their own requirements.

A. DESPP Registration

Applicants for security guard positions register with the Department of Emergency Services and Public Protection through their private employers. To register an employee, the employer must submit a form (DPS-688-C) to the Connecticut Treasury, along with a \$40 registration fee and a copy of the employee’s security officer’s identification card. This \$40 fee is a statutory requirement and the security officers’ identification card is often referred to as a “blue card” or a “guard card.”

To obtain a “blue card,” a potential security guard must complete an eight-hour course with training in first aid, search and seizure laws, use of force, and basic criminal justice and safety issues. These specific course components are required by law. CONN. GEN. STAT. § 29-161q(b) (2013). Pursuant to that law, the DESPP devises the specific curriculum for these courses and certifies its own instructors, who then offer the courses through the private security companies. To apply to take this course, a potential security guard must submit: an application form (DPS 135-C); two photographs; two fingerprint cards (one state, one FBI); and a total of \$166.50 in fees, which includes a \$100 application fee, a \$16.50 FBI background check fee, and a \$50 Connecticut background check fee. Of those fees, only the \$100 fee is a statutory requirement. CONN. GEN. STAT. § 29-161q(c) (2013). “Blue cards” have a five-year expiration date and recertification costs \$100. That recertification fee, too, is required by statute. *Id.*

To summarize, the process of registering with the DESPP involves completing an eight-hour course, getting a form from your employer, and paying a total of \$206.50 in fees (plus another \$100 every five years).

B. Security Officers' Firearms Permit

The second step in becoming a licensed security guard is completing the application for a security officers' firearms permit, which is required for a position as an armed guard. This application can be submitted by either the applicant or her employer. The application includes: (1) a form (DPS-1030-C); (2) a copy of the applicant's current Connecticut state pistol permit; and (3) a \$62 fee. These requirements are regulatory.

To complete the required form, the applicant must take a security guard firearms course with a certified instructor. (A list of instructors is available on the DESPP website.) That course involves seven hours of classroom instruction and an on-site weapons qualification component. The instructor indicates on the form which weapons the applicant has qualified to carry and sends the form directly to the DESPP. All armed security guards must re-qualify on their weapons each year and must send proof of that requalification to the DESPP to maintain their security guard license. In addition, any security guard license automatically expires with a person's state pistol permit, regardless of when the license was issued.

The guidelines for Connecticut state pistol permits, which are an underlying requirement for this job, are governed by a separate state statute. CONN. GEN. STAT. § 29-28(2013). Pursuant to that law, applicants for pistol permits must be 21 years of age and must be legal residents of the United States. *Id.* To be an armed security guard, a person must then be 21 rather than 18, the age required to become a licensed unarmed private security guard. Felony convictions and certain misdemeanor convictions bar people from obtaining a pistol license, as does hospitalization for "psychiatric disabilities." *Id.* People seeking a pistol license must pay \$70 and must complete a background check and a certified handgun safety course. Permits are good for five years. *Id.*

Thus, to become licensed as an armed security guard, a person must take a seven-hour course, pay a fee, and complete the separate requirements for carrying weapons in Connecticut.

IV. Analysis

There are several ways to streamline this process. It seems highly likely that ex-service members will have already qualified to use certain weapons and will have received training similar to the course required to obtain a "blue card." The Task Force may wish to consider pushing for parity between military training and the "blue card" course, or between military occupational specialties and the seven-hour weapons qualification course. However, one concern is that military training may not encompass the instruction in domestic search and seizure laws that is included in the "blue card" course. In terms of process, changing the "blue card" course requirements would require amending the statute. In contrast, the content of the seven-hour firearms course is regulated by the DESPP.

The Task Force could also consider the value of fee waivers given that the total cost of this process, assuming that a person does not have a Connecticut pistol permit, is \$338.50. Again, that would require statutory amendments, as many of these fees are part of the Connecticut law on security guard licensing. CONN. GEN. STAT. § 29-161q (2013).