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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony of Senator Jill P. Carter

In Favor of SB760 Security Guard Agencies, Security Guard Employers, and Security Guards – Standards and Certifications

Before the Judicial Proceedings Committee

on March 8, 2023

Chair Smith, Vice-Chair Waldstreicher, and Members of the Committee:

- **SB760 requires an individual who provides security guard services to be certified as a security guard; regulates certain security guard employers; alters the certification and renewal standards for security guards; requires the Maryland Police Training and Standards Commission to identify or establish certain training programs for the certification of security guards; requires security guards to complete certain security training programs; and prohibits a “security guard employer” from employing a security guard to provide security guard services unless the security guard is certified.**
- **In Maryland, if an establishment employs security guards, they are most likely unlicensed and unregulated. If the establishment contracts with a private security agency to**

provide security services, the security guards are required to have a Maryland State Police issued license. There is no training requirement in either situation unless the security guard applies for a handgun. There is also no tracking requirement/tracking system regarding a security guard's use of force.

- SB760 will change existing Maryland law by establishing minimal standards and oversight of private security. It will require all security guards to be licensed, and would establish minimum training standards – a curriculum that teaches appropriate use of force, de-escalation tactics, and basic criminal law. It will also require security guards and security agencies to report to the Maryland State Police when force is used against an individual.**
- In the past two (2) years, three (3) people have been killed by security guards in Baltimore City; two (2) of those security guards have been charged with murder. There are other uses of force that did not result in the death of an individual, but otherwise resulted in harm to the public. For example, a stun gun was deployed on a woman in a wheelchair. Perhaps those uses of force would not have occurred if the security guards had been subject to minimum training standards – a curriculum that teaches appropriate use of force, de-escalation tactics, and basic criminal law. None of these uses of force were required to be reported to anyone.**
- As a result, there is currently no accountability when a security guard uses force against someone, other than possible criminal charges when the force used is grossly excessive.**

- **Being a security guard officer is a very public facing job that will necessitate all types of interaction with the public. Sometimes it's a friendly hello and an ID check at the entrance to an office building. Other times, it can be a more tense interaction. For these reasons, a trained security professional should be the minimum requirement for the safety of the public.**
- **The bottom line is that security guards who interact with the public on a daily basis, with whom they may be engaged in confrontational situations, should be vetted more extensively, receive training, especially on the appropriate use of force, de-escalation tactics, and basic criminal law. This is in the best interests of the State of Maryland, the security guard, and most importantly, the individuals that have an encounter with the security guard.**
- **A security guard is often a first responder. With today's threats—workplace violence issues, school shootings—you want this person to be prepared and well trained. Bringing someone in with little or no training is of no value. Instead, it's more of a detriment, and it can be the difference between life and death.**

For these reasons, I urge a favorable report of SB760.

Sincerely,



Jill P. Carter, Esq.

SB760_OAG_Support .pdf

Uploaded by: Zenita Wickham Hurley

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March 8, 2023

TO: The Honorable William C. Smith, Jr.
Chair, Judicial Proceedings Committee

FROM: Zenita Wickham Hurley
Chair, Office of Equity, Policy, and Engagement

RE: SB760 - Security Guard Agencies, Security Guard Employers, and Security
Guards – Standards and Certifications (**Support**)

On November 7, 2022, Kevin Torres Guerrero was fatally shot by an armed security guard using an illegal extended magazine during a dispute outside of a bar in Southeast Baltimore. The guard was later [charged](#) with first degree murder. At least two others have been shot in Maryland in the past year by armed security guards, including a man who [died](#) after being shot in the head in a Royal Farms in Baltimore City.

Private security guards are being increasingly used to complement police officers to ensure the safety of our communities. In fact, there are more than [twice](#) as many security guards employed in Maryland than there are police officers. But although security guards often wear uniforms with badges and are armed with guns and other weapons, they face much less regulation than their police counterparts. Senate Bill 760 seeks to address this oversight by making the several important enhancements to how the Maryland State Police (MSP) certifies security guards and licenses security guard agencies. Specifically, SB 760:

1. Expands the scope of the certification requirement to include individuals who provide security guard services but do not work for a security guard agency;
2. Requires applicants who are not certified police officers to complete 12 hours of training approved by the Maryland Police Training and Standards Commission before initial certification and 10 hours of continuing training for recertification every 3 years;
3. Requires that applicants be at least 18 years old;
4. Requires the Maryland State Police to deny the certification or recertification of an applicant who has been convicted of a felony, a crime of violence, or if a certified police officer, had any finding by a court or hearing board of making a false statement or using excessive force;

5. Requires security guard agencies and employers to notify MSP if a security guard in its employ is arrested for a felony or crime of violence;
6. Allows MSP to immediately suspend the certification of a security guard who has been arrested for a felony or crime of violence;
7. Requires security guards to own a valid handgun permit before carrying a gun while providing security guard services;
8. Requires a security guard to report any use of force against a person while performing security guard services to the security guard employer or agency within 48 hours and requires the employer or agency to elevate that report to MSP;
9. Adds security guard employers to the current commercial general liability insurance requirements for agencies employing more than 5 individuals as security guards;
10. Creates commercial general liability insurance requirements for security guard agencies and employers employing less than 5 individuals as security guards.

Although still far from the considerable oversight that is appropriately placed upon police officers, Senate Bill 760 would help promote increased safety in our workplaces, retail stores, hospitals, and other community spaces by applying common sense constraints on those who are certified by the State to provide security guard services. Currently, at least [23 states](#) require security guards to be trained before they are licensed. Establishing minimum age and training standards, prohibitions on certain criminal convictions, and use of force reporting requirements for Maryland's security guard industry is good policy and is consistent with other reforms that the General Assembly has enacted to improve police practices and outcomes.

For all these reasons, we urge a favorable report.

This bill letter is a statement of the Office of Attorney General's policy position on the referenced pending legislation. For a legal or constitutional analysis of the bill, Members of the House and Senate should consult with the Counsel to the General Assembly, Sandy Brantley. She can be reached at 410-946-5600 or sbrantley@oag.state.md.us

SB 760 - Written Testimony of Favorable with Amend

Uploaded by: John Pica

Position: FWA

JOHN A. PICA, Jr.

SENATE BILL 760- SECURITY GUARD AGENCIES, SECURITY GUARD EMPLOYERS,
AND SECURITY GUARDS – STANDARDS AND CERTIFICATIONS

SENATE BILL 760- FAVORABLE WITH AMENDMENTS

SENATE BILL 760- AMENDMENTS OFFERED ON BEHALF OF THE NATIONAL
ASSOCIATION OF SECURITY COMPANIES

AMENDMENTS TO SENATE BILL 760

(FIRST READING FILE BILL)

To be offered in the Senate Judicial Proceedings Committee

By:

AMENDMENT # 1

On page 5, in line 26, after “SUBSECTION,” insert “BEFORE SUBMITTING THE
APPLICATION FOR CERTIFICATION,”

AMENDMENT # 2

on page 7, in line 1, strike “10” and insert “8”

AMENDMENT # 3

On page 7, in line 28. Strike “~~OR HAS REASON TO KNOW~~”

AMENDMENT # 4

On page 11, in line 10, after "GUARD" insert a new subparagraph,

"(2) IN THIS SECTION, USE OF FORCE MEANS:

(I) ANY PHYSICAL STRIKING OF AN INDIVIDUAL;

(II) ANY SIGNIFICANT PHYSICAL CONTACT THAT RESTRICTS THE MOVEMENT OF AN INDIVIDUAL, INCLUDING CONTROL TECHNIQUES; OR

(III) THE DETAINMENT OF AN INDIVIDUAL WITHOUT THE INDIVIDUAL'S CONSENT."

(over)

AMENDMENT # 5

On page 11, in line 11, strike "2" and insert "3"

AMENDMENT # 6

On page 11, in line 9, after "EMPLOYER", strike "~~BY THE END OF THE SHIFT OF THE SECURITY GUARD~~" and insert "WITHIN 48 HOURS ON A FORM PROVIDED BY THE SECRETARY"

AMENDMENT # 7

On page 11, in line 30, strike "~~DEMOGRAPHIC~~" and on the same line, after "ABOUT", insert "THE RACE, ETHNICITY, GENDER, AND AGE OF"; on the same page, in line 31, strike "~~, INCLUDING RACE, EHNICITY, GENDER, AND AGE~~"