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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