

SECURITY TRAINING & BEST PRACTICES

SecureLaw Ltd.

Presented in consideration with

Department of Business Affairs & Licensing

Copyright, James F. Pastor, 2010

CAVEATS & LIABILITY LIMITATION

- This training session is intended to acquaint you with certain legal principles and security methods.
- The material contained in this training session does not necessarily represent the policies or desired practices of the City of Chicago or of the Department of Business Affairs & Licensing.
- You should consult the legal advisor for your firm or your employer before taking security actions based on the materials provided and/or the opinions of law expressed in this unit of instruction.
- What is legally permissible varies on the particular circumstances of the situation. This training session is only designed to acquaint the attendee on broad legal/security concepts and procedures. It is not intended to act as policy or procedure for you, your company, or of the City of Chicago in the application and enforcement of the Late Night Liquor License ordinance.

OVERVIEW OF TRAINING

- Understand Security Principles & Methods
- Selecting & Training Security Personnel
- Public Relations Principles
- Security Law & Arrest Powers
- Use of Force Principles & Continuum
- Questions & Scenarios

You can't fight City Hall...

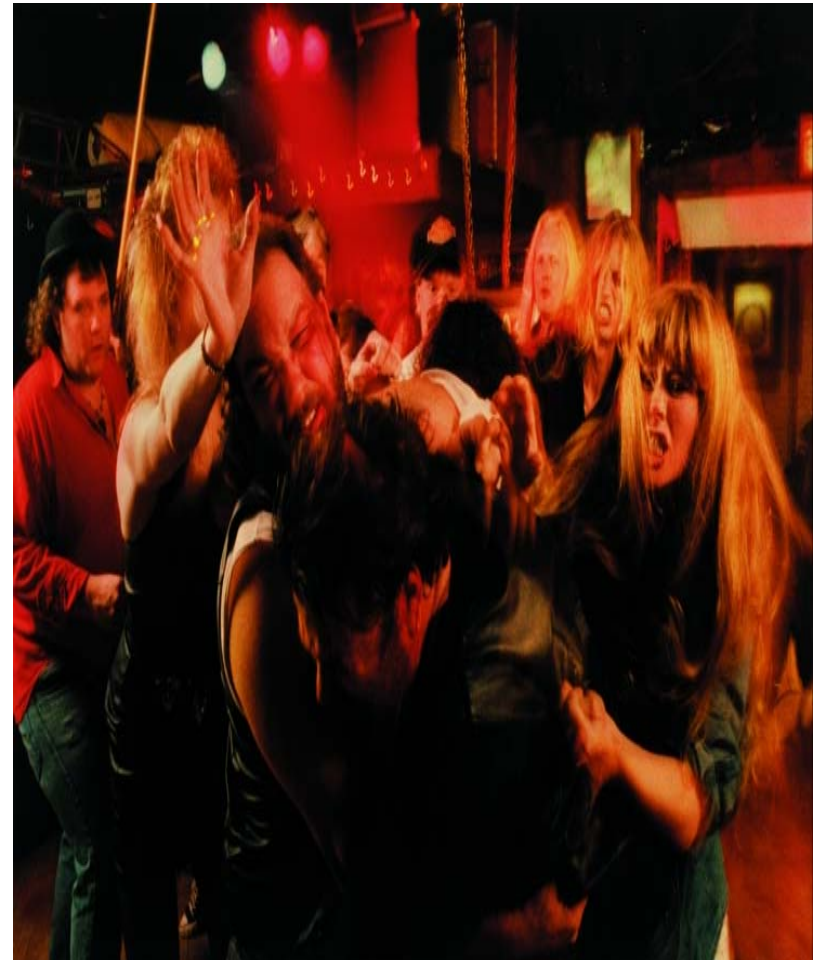
Those who are mad about the ordinance, please consider that:

- Ordinance reflects National trend (private security methods & personnel moving into public domain)
- Ordinance reflects principles of Order Maintenance (“Broken Windows” theory)
- Ordinance reflects current realities of policing (Homeland Security vs. Hometown Security)
- Ordinance reflects crime statistics of late night clubs (Crime magnet?)

What is Security?

- Security is an Attitude
- Everyone's Responsibility
- Environment is the Key
- Competitive advantage
- Use Chicago Ordinance for your benefit!

Where would you rather spend your time & money?



ORDER MAINTENANCE PRINCIPLES

- Start by looking from the outside in
- Extend your external perimeter
- Maintain clean, attractive & orderly environment (both external and internal)
- Layered use of signage, cameras & personnel
- Control access points
- Develop Security & Evacuation policies/procedures

Selecting & Training Personnel

- Do background check of security personnel (civil, criminal, credit, references, etc.)
- Seek mature & disciplined individuals
- Marital arts vs. body builders
- Communicators vs. “tough guys”
- Subtle style vs. “look at me”
- College classes vs. “GED” or high school
- Training should focus on law & policies

SECURITY PERSONNEL

- Security personnel are your Agents/Representatives
- Security personnel are authority figures, drunk people often do not like being told what to do!
- Security personnel must understand value of communication
- Engage softly: build up—don't force violence
- Remember the ego--must “save face” “maintain cred”
- DO NOT TAKE ANYTHING PERSONAL!
- Goal: Everyone has good time, No one gets hurt, You make money!

Is this NOT the Goal!



PUBLIC RELATIONS

Conflict Resolution Techniques

- Explanation
- Apologizing
- Humor
- Compromising
- Conciliation
- Postponing

Personal Style & Presence

- Know these techniques
- Read the people & the situation
- Know your strengths & limitations
- Use the “right” technique given the circumstance & your abilities
- Rehearse before incident
- Reflect after incident

Suggested Procedures

- Require ID's
- Check ID's against valid model (SOS book)
- Keep line moving (do not let in questionable ID)
- Use signage (ID, loitering, camera's)
- Use dress/appearance standards (as high as your market, watch for gang symbols, remove hats)
- Cover charge/drink prices (as high as your market)

Know Legal Perimeters

- Ask person to leave premises/escort out of premises
- Call police to escort or arrest
- Place person under arrest

- IF FIGHT OCCURS, SEPARATE PARTIES
- KEEP INNOCENTS FROM BEING HURT.
- IF WEAPONS ARE USED OR DISPLAYED, MAKE JUDGMENT—INTERVENE ONLY TO PREVENT INJURY.

**PHYSICALLY THROWING SOMEONE OUT OF FACILITY
CAN SUBJECT YOU TO LIABILITY!**

SECURITY LAW

- **Negligent Hiring, Training, Supervision, Retention, Entrustment**
(Key: Reasonable and Prudent Policies & Procedures)
- **False Arrest, False Imprisonment, Malicious Prosecution**
(Key: Reasonableness & Probable Cause)
- **Respondent Superior/Vicarious Liability**
(Key: Scope & Course of Employment)
- **Assault & Battery, Intentional Torts**
(Key: Attitude & Training)

ARREST POWERS

Arrest Powers/Use of Force

Private Person—No police powers

“Any person may arrest another when he has **reasonable grounds** to believe that an offense other than an ordinance **is being committed**”

(725 ILCS 5/107-3)

ARREST DEFINITION

Method of Arrest

“An arrest is made by an actual restraint of the person or by his submission to custody.”

(725 ILCS 5/107-5)

SECURITY PERSONNEL

Arrest limitations

- Security personnel are intended to prevent crime and maintain proper order
- Security personnel are not typically intended for apprehension & enforcement
- Arrests should only occur in emergency or unusual situations

USE OF FORCE

“Person is justified in the use of force which he reasonably believes to be necessary to effect the arrest, and of any force which he reasonably believes to be necessary to defend himself or another from bodily harm while making the arrest”

USE OF FORCE CONSIDERATIONS

- Force may only be used to control the situation.
- All force must cease once the threat is ceased.
- Factors to consider:
 1. Seriousness of threat (weapon?)
 2. Immediacy of threat (time/distance)
 3. Whether retreat/escape possible?
 4. Safety of third parties (customers)
 5. Company Policy & Procedures

USE OF FORCE MODELS & TECHNIQUES

Perception

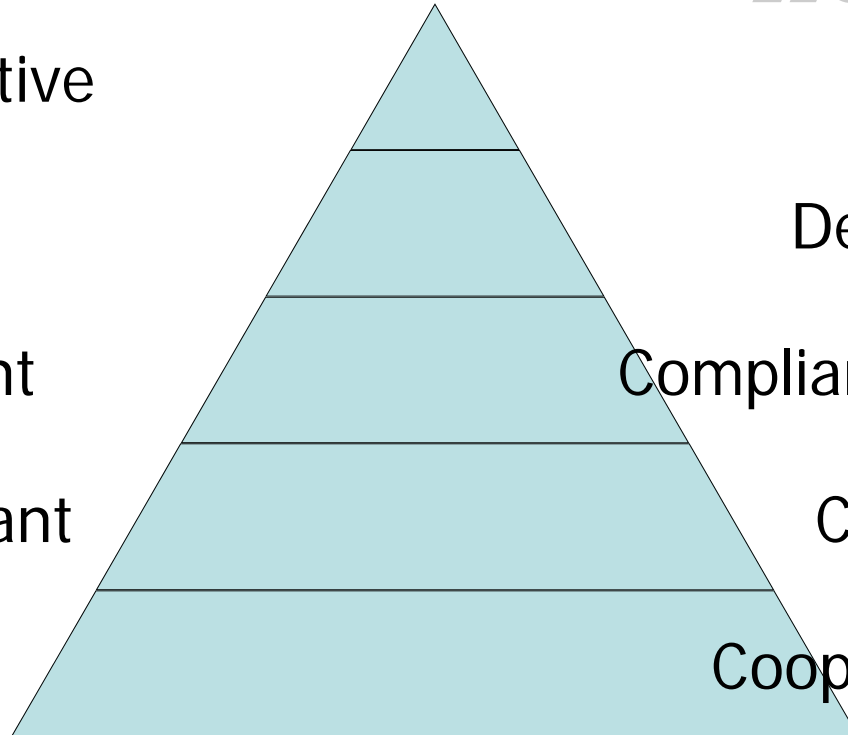
Serious Assaultive

Assaultive

Active Resistant

Passive Resistant

Compliant



Response

Deadly Force

Defensive Tactics

Compliance Techniques

Contact Controls

Cooperative Controls

USE OF FORCE KEY CONSIDERATIONS

- Use of Force as “last resort”
- Any force is based on a continuum
- Must consider type of resistance/control
- Use of force only to control situation/person
- Any use of force must stop when person or situation is under control
- If you use force to affect an arrest, then ARREST!

QUESTIONS?



Dr. James F. Pastor, Ph.D., J.D.

312-423-6700

www.securelaw.info