City Staff

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Introduction

Molly Duplechian began the meeting by greeting everyone and thanked them for coming. She informed the group that this is a public hearing on the rules and regulations for security guards and notified them that the hearing will be recorded.

Format: First, the City staff will go through a presentation of the draft rules posted online. These were compiled with input from Security Guard Advisory Committee that met through the beginning of the year. Additional copies were available. At the end of the presentation the floor was open for public comment; written comment will also be accepted until May 25. Public comments will be taken into advisement and changes will be incorporated into the rules, if needed. The director will sign, adopt, and post final rules about 2-3 weeks after the written comment period closes.

Ground rules: Jordan Sauers will finish the presentation before asking any questions. The audience was asked to keep comments specific to the topics addressed in the rules. The ordinance was adopted by city council and any changes to that ordinance would have to go to city council. The audience was asked to be respectful of other speakers, not interrupt or talk over anyone. Questions or testimony are limited to 2 mins per speaker.

Presentation of Draft Rules and Regulations

Jordan then gave the presentation on the draft rules posted online.

This included a brief history of the ordinance and the rule-making process, which included several meetings of the 19-member Security Guard Advisory Committee. The presentation covered the requirements for receiving endorsements, the ID card and license requirement, training requirements for new and renewal applications, the training provider certification process, and insurance requirements. Jordan also previewed the online application and provided a timeline for next steps.

Questions/Comments from the Public and Answers from the Department

1. What is the definition of a security guard?
   Molly responded that the definition lives in ordinance and read the definition.

2. If people travel into Denver from other places, do they need to get a Denver license?
   Yes

3. Is the background check done through the CBI or the FBI?
   Initial applications require FBI background check; renewal applications require only CBI check.
4. Will all forms be standardized by the department?
   Yes. Because everything will be online, there will be online fields where you can enter data. The Department can provide a template for any forms that need to be provided with an application.

5. What’s the turnaround time from when a company submits a training program to when it would be approved/implemented?
   Sgt. Mosco responded that as soon as he receives one, he’d look at it and get back to the submitter within a day or two. Molly added that once a provider gets its training program approved the Department will begin to list approved training providers on the website.

6. Will the training curriculum be standardized by the Department?
   Molly explained that the Department is not going to dictate the curriculum, but rather will allow private security employers to submit the curriculum they’re using to have it approved. To obtain approval, the 5 topics required by ordinance must be addressed; the topics covered in rule are additional suggestions.

7. Will there be a change in the cost of the license?
   Previously the cost of a license was $50. The new cost will include a $25 application fee and a $25 license fee, but we will now be waiving the application fee for veterans.

8. Is there a way to speed up the turnaround time for an applicant who has something in their background check?
   Sgt. Mosco acknowledged that there has been a backlog in the past, so the Department has hired someone new to help review background checks. If there’s nothing on the FBI background check, an applicant can expect to have a license issued that day; however, if there is something on there, it may take longer for the Department to research the information and obtain any additional information that is necessary to reach a decision.

9. Will you still be scheduling license pickup?
   Individual licenses will be mailed, and private security employers will be able to pick up licenses from the Department in bulk.

10. Isn’t it redundant to require both a badge and paper license?
    Molly and Sgt. Mosco explained that this is required now because there will no longer be a provision limiting a security guard to work for no more than three companies. Going forward, the paper license will list every employer the guard works for, while the badge will show who they’re working for that day.

11. What do I do if I provide services in both plainclothes and in uniform?
    You would be licensed as a uniformed employee, and then you will have to give the Department notice of when you’ll be in plainclothes and why. The reason for this is to help police identify who is providing security services if they get called to the location.

12. Once the Department has the online application set up, how soon could an applicant get an approval?
    Molly explained that as the Department moves forward, it will be setting internal standards for the acceptable turnaround time for online applications.

13. Will an applicant have to come into the Department to get a picture taken?
    No. The Department anticipates applicants being able to upload a picture. There may be another information session at a later time once the online process has been rolled out.

14. Will an applicant be able to print out a temporary license while waiting for the official license to come in the mail?
15. What if an applicant gets approved, but his or her license gets lost in the mail?

Nothing in the rules addresses this concern, so Molly agreed to talk with the implementation team about this.

a. Note: several members of the audience indicated that other states have online databases where applicants/employers can check to see whether someone is licensed/cleared and if approved, the applicant is able to start working while they are waiting on their permanent license to arrive. Jurisdictions that were mentioned as doing this include: New Mexico, Montana, California, Utah, Nevada, Georgia, and Greeley, CO.

16. Can applicants anticipate a quicker turnaround time to get a decision regarding armed status (currently it takes a month or more)?

Yes. The Department will set internal standards for acceptable lengths of time for approvals to be granted once the online system is up and running. Currently, the trend for Merchant Guards is for an applicant to receive a MG license and to add on armed status later. However, with the new system, the Department anticipates more people applying for armed status at the same time they apply for their security guard license.

17. Will there still be an option to apply in-person if someone doesn’t want to apply online?

Yes

18. Will the Department allow someone to get hired and begin working as a security guard prior to licensure, as long as the person became licensed within a specific time after hire?

No. Ordinance prohibits anyone from working as a security guard prior to obtaining a license from the Department.

Sgt. Mosco explained that City Council, the Department, and the SGAC have all discussed this issue at length. The Department understands the concerns that private security employers have with hiring and training employees who may not be able to obtain a security guard license. The best way for private security employers to avoid this risk is to complete their own FBI background check on any applicants before hiring and training them.

19. Why are you targeting the security guard industry?

The Department is not targeting the security guard industry. The Department issues over 180 types of licenses, and all employees who work in a field requiring licensure must obtain the license before being allowed to work.

20. Why does the Department require training providers to be certified?

Certification of training providers is a national best practice, and it is also a matter of public health and safety to ensure that security guards are receiving training adequate to prepare them to protect the public.

21. Are there any training exceptions for event staff, as opposed to full time security guards? Asked another way, how much of the required training can be on the job training?

Sgt. Mosco explained that it is up to private security employers to certify that an employee has complied with the letter of the law regarding training, and that any training provided by the employer must be approved by the Department.

22. Is there any reciprocity with different cities that may have different requirements to become a security guard?

Sgt. Mosco explained that training hours completed in other jurisdictions may transfer if the training comports with the standards in Denver. However, a security guard will need a Denver
license to work in Denver, notwithstanding any other security guard license the person has obtained in other jurisdictions.

23. If Colorado implements state-wide regulations of the security guard industry, will Denver maintain the current rules and regulations?
   First, the Department cannot predict whether any such state-wide regulations will become law, or when. So until that happens, yes, these rules and regulations will be in place in Denver.
   a. One member of the SGAC is on an advisory board with the state that has been working on this topic for 2 years. He noted that the state is taking an interest but any changes are only in beginning stages and that nothing is coming anytime soon.

24. What will the standards for denial of a license be? One attendee was concerned about an employee who had been denied a Merchant Guard license for a 22-year old offense.
   Sgt. Mosco explained that the standards for denial are in the ordinance. There may be cases where an old charge affects a license application, but in any such case, the investigators are looking for patterns and serious charges, and frequently reach out to other jurisdictions to get reports in order to make an informed decision.

25. Can a security guard transfer an armed status license from one company to another?
   Training may carry over, but a licensee’s armed status is only valid for the particular employer listed on their armed status application.

26. What is the process for appealing the denial of a security guard license application?
   All applicants who are denied have the right to an appeal hearing. Any order of denial issued will tell an applicant what he or she needs to do to request an appeal hearing with the Department.

27. Will there be an interim system before the online application system is up and running?
   Molly will check with the implementation team.

28. What are the specific criteria the Department will be looking at to approve training providers?
   Those criteria are outlined in the ordinance. As long as a provider has curriculum that covers the 5 categories outlined in ordinance, it will likely be approved. The Department understands that the initial round of curriculum submissions will be tough, but we’ll work with you and we’ll get there.

29. Once a company’s training curriculum is approved, can an employee at the company deliver the training?
   Yes; you can also hire an outside approved trainer.

30. Can a private security employer provide training on four of the five topic areas and outsource the fifth topic area to an outside trainer?
   Yes, as long as you submit curriculum that meets all the standards in the ordinance and have it approved by the Department, any mix of certified training providers can deliver the training.

31. Has the Department approved any training yet? If so, is there a copy available?
   Yes. The hotel industry has submitted a training plan that has been approved. The Department may not be at liberty to share that particular plan, but you could reach out to CO Hotel and Lodgers Association.

32. Should security guard employers work together to come up with training modules?
   Sgt. Mosco encouraged industry members to work together.
Additional questions or public comments may be submitted via email to Jordan Sauers at Jordan.Sauers@denvergov.org.