**Constitutional Issues in Private Security Key Terms**

1. **Criminal offense** –a wrong against the public that the state prosecutes; the violation of acriminal law
2. **Tort** –an act that injures someone in some way, for which the injured person may sue thewrongdoer for damages (civil wrongs as opposed to criminal offenses)
3. **Tort action** –an action by a private individual or entity in civil court for a wrong committedagainst the individual or entity
4. **Probable cause** –honest and reasonable belief
5. **Assault** –a threat or attempt to use unlawful force by an individual
6. **Battery** –nonconsensual, offensive touching of another person, either directly orindirectly. No actual bodily injury is necessary to constitute battery.
7. **The Fourth Amendment to the U.S. Constitution** –the right of the people to be securein their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.
8. **The Fifth Amendment to the U.S. Constitution** –no person shall be held to answer fora capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall he be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.
9. **The Fourteenth Amendment to the U. S. Constitution** –*section 1.*All persons born ornaturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.
10. **Arrest and Detainment** –the arrest powers of private security guards is limited, and therehave been infractions when a security guard exceeded his powers and landed in jail or in the defendant’s seat of a civil suit. There is something to be said for the “power plays” that sometimes affect those who wear uniforms, and many security guards have overstepped their bounds.