|  |
| --- |
| **TEXAS CTE LESSON PLAN**[www.txcte.org](http://www.txcte.org) |
| **Lesson Identification and TEKS Addressed** |
| **Career Cluster** | Law, Public Safety, Corrections, and Security |
| **Course Name** | Federal Law Enforcement and Protective Services |
| **Lesson/Unit Title** | Federal, State, and Local Laws |
| **TEKS Student Expectations** | 130.341. (c) **Knowledge and Skills**(5) The student analyzes the impact of ethical and legal responsibilities relevant to federal law enforcement and protective services(B) The student is expected to analyze the impact of legal issues relevant to federal law enforcement and protective services(E)The student is expected to analyze specific federal, state, and local laws and regulations affecting government security operations |
| **Basic Direct Teach Lesson**(Includes Special Education Modifications/Accommodations and one English Language Proficiency Standards (ELPS) Strategy) |
| **Instructional Objectives** | The students will be able to:* Differentiate between civil and criminal law
* Analyze the impact of legal issues relevant to security services
* Analyze specific federal, state, and local laws and regulations affecting government security operations
* Summarize specific juvenile laws affecting security operations
 |
| **Rationale** | Since the advent of Homeland Security and the events of 9/11, the issue of security is increasingly in the hearts and minds of all people. It is necessary to maintain the high level of standards that security organizations must meet. In turn, there should be no doubt as to why a system of regulations has been developed which is monitored and enacted by various legislative bodies including federal, state, and local Laws. |
| **Duration of Lesson** |  |
| **Word Wall/Key Vocabulary***(ELPS c1a,c,f; c2b; c3a,b,d; c4c; c5b) PDAS II(5)* | **Authorized employer** –any person that employs private security officers and is authorizedto request a criminal history record information search of an employee through a state identification bureau**Employee** –both a current employee and an applicant for employment as a private securityofficer**Charged** –with respect to a criminal felony, means being subject to a complaint, indictment,or information**Felony** –a crime punishable by imprisonment for more than one year, regardless of theperiod of imprisonment actually imposed**Participating State** –a state that has not elected to opt out of participating in the act bystatutory enactment or gubernatorial order**Person** –an individual, partnership, firm, company, corporation, or institution that performssecurity services, whether for a third party for consideration or as an internal, proprietary function**Private Security Officer** –an individual other than an employee of a federal, state, or localgovernment whose primary duty is to perform security services, full or part time, for consideration, whether armed or unarmed and in uniform or plain clothes**Security services** –services, whether provided by a third party for consideration, or byemployees as an internal, proprietary function, to protect people or property, including activities to patrol, guard, or monitor property (including real property as well as tangible or intangible personal property, such as records, merchandise, money, and equipment); protect against fire, theft, misappropriation, vandalism, violence, terrorism, and other illegal activities; safeguard persons; control access to real property and prevent trespass; and/or deter criminal activity on the authorized employer's or another's premises**State Identification Bureau (SIB)** –the state agency designated by the governor, or otherappropriate executive official or the state legislature, to perform centralized recordkeeping functions for criminal history records and associated services in the state |
| **Materials/Specialized Equipment Needed** | **Materials*** Federal, State, and Local Laws computer-based presentation
* Federal, State, and Local Laws Key Terms
* Federal, State, and Local Laws Concept Map and Key
* State and Federal Regulations Venn Diagram and Key
* White board/chalk board
* Discussion Rubric
* Individual Work Rubric
* Presentation Rubric
* Writing Rubric
 |
| **Anticipatory Set**(May include pre-assessment for prior knowledge) | Engage students in a discussion regarding education, training, and regulations within the security industry. In the discussion, include the following questions and use the Discussion Rubric for assessment:* What are your views on regulations in the security field?
* Should the government play a role or should the industry regulate itself?
* How does the level of training and regulations for security personnel compare with that of the police?
 |
| **Direct Instruction \*** | 1. Key Terms
	1. **Authorized employer** –any person that employs private securityofficers and is authorized to request a criminal history record information search of an employee through a state identification bureau
	2. **Employee** –both a current employee and an applicant for employmentas a private security officer
	3. **Charged** –with respect to a criminal felony, means being subject to acomplaint, indictment, or information
	4. **Felony** –a crime punishable by imprisonment for more than one year,regardless of the period of imprisonment actually imposed
	5. **Participating State** –a state that has not elected to opt out ofparticipating in the act by statutory enactment or gubernatorial order
	6. **Person** –an individual, partnership, firm, company, corporation, orinstitution that performs security services, whether for a third party for consideration or as an internal, proprietary function
	7. **Private Security Officer** –an individual other than an employee of a federal state or local government whose primary duty is to perform security services full or part time, for consideration, whether armed or unarmed, and in uniform or plain clothes
	8. **Security services** –services, whether provided by a third party forconsideration, or by employees as an internal, proprietary function, to protect people or property, including activities to patrol, guard, or monitor property (including real property as well as tangible or intangible personal property, such as records, merchandise, money, and equipment); protect against fire, theft, misappropriation, vandalism, violence, terrorism, and other illegal activities; safeguard persons; control access to real property and prevent trespass; and/or deter criminal activity on the authorized employer's or another's premises
	9. **State Identification Bureau (SIB)** –the state agency designated bythe governor, or other appropriate executive official or state legislature, to perform centralized recordkeeping functions for criminal history records and associated services in the state
2. Sources of Law
	1. Federal – come from the U.S. Constitution, U.S. Criminal Codes, judicial decisions, and executive orders from the President
	2. State –come from state constitutions, state criminal codes, and common law
	3. Local –come from city and county charters, city and county ordinances, common law, and judicial decisions interpreting codes
3. History of Training and Regulations
	1. The National Task Force on Private Security
		1. The Law Enforcement Assistance Administration (LEAA) funded a study to examine the private security industry from all perspectives
		2. It published its findings in 1976
		3. The study indicated that the private security industry
			1. Needed training and academic professional preparation programs
			2. Was a very open and unregulated
	2. The Hallcrest Report
		1. The National Institute of Justice (NIJ) funded the study of the private security industry
		2. It published its findings in 1985
		3. It found that progress had been made in training and educational programs for security professionals
	3. Hallcrest II
		1. Published findings on the private security industry in 1990
		2. The study indicated a continued and steady improvement in security services education and training
	4. Historical Legislation
		1. 1991
			1. Tennessee Senator Al Gore introduces the first pieces of legislation
			2. Legislation aimed at setting minimum standards for the security profession including
		2. First aid
		3. Fire prevention
		4. Safety
		5. Investigation and detention procedures
		6. Crowd control and crisis methodologies
		7. Technical report writing
4. 1992
	1. Representative Matthew Martinez directs a second initiative
	2. The proposal provided for
		1. A minimum of eight hours of basic classroom instruction
		2. Successful completion of a written examination
		3. A minimum of four hours of on-the-job training
5. 1993
	1. Representative Don Sundquist proposed a bill similar to Al Gore’s
		1. Added that security employees would need to pass a
			1. Drug screening
			2. Physical and psychological test
			3. Background criminal check
		2. Increased training hours
6. Proposed bills show a movement in the security industry, but the United States continues to suggest that individual states are free to enhance regulations and standards

IV. Education, Training, and Licensing 1. The interest of the academic world in security education has increased
2. More private security managers are receiving college degrees
3. Most programs are small and staffed by faculty who have more experience in public law enforcement than in security services
4. Development and training of security personnel must be a continuing concern of management
5. Research has found that most security personnel received on-the-job training
6. Security services personnel see the need for more training to reduce possible legal liability
7. The merits of training will be reflected in the security officer’s
	1. Attitude and performance
	2. Improved morale
	3. Increased incentive
8. Training also provides
	1. Greater opportunities for promotion
	2. Better understanding of the officers’ relationships to management and objectives of the job
9. Other major recommendations in the field of security involve certification programs for operations personnel along with mandatory minimum levels of training
10. Legislation does not mandate (only recommends) training for security personnel; the decision is left primarily to the individual state
11. There is no consensus on the degree to which the state should regulate training, licensing, education, or experience

V. Federal Regulations* 1. Each state will
		1. Determine whether it will opt out of participation by statutory enactment or gubernatorial order
		2. Communicate such determination to the Attorney General
			1. Failure to inform the Attorney General of the determination will result in a state being considered a participating state
	2. Title 28: Judicial Administration (Refer to [Electronic Code of Federal](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&rgn=div6&view=text&node=28:2.0.1.1.46.3&idno=28) [Regulations](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&rgn=div6&view=text&node=28:2.0.1.1.46.3&idno=28))
	3. Part 105 (Guidelines)
	4. [Criminal History Background Checks](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr;rgn=div5;view=text;node=28%3A2.0.1.1.46;idno=28;sid=93bb1935130985abcb6ec25c09be78e8;cc=ecfr)
		1. [Subpart C—Private Security Officer Employment](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&rgn=div6&view=text&node=28:2.0.1.1.46.3&idno=28)
		2. Authority: 18 U.S.C. 534; sec. 6402, Pub. L. 108–458
		3. Source: Order No. 2796–2006, 71 FR 1693
		4. To regulate the exchange of criminal history record information a state retains the right to impose its own licensing requirements upon this industry
		5. An authorized employer must obtain a set of fingerprints and the written consent of its employee to submit those prints for a state and national criminal history record check
		6. Fingerprints are submitted to the Federal Bureau of Investigation (FBI) for a national search
		7. The state will make reasonable efforts to obtain information to promote the accuracy of the record search

VI. Texas Commission on Private Security1. Texas Department of Public Safety, Private Security Bureau
	1. Regulates the private security industry in the state of Texas
	2. State regulations for this industry include
		1. Licensing private security companies
		2. Registering individuals employed by those licensed companies
	3. The Private Security Bureau was created in 1969 as the Texas Board of Private Investigators and Private Security Agencies
	4. In 1998, the Agency was renamed the Texas Commission on Private Security
	5. The Commission became associated with the Texas Department of Public Safety in September 2003
	6. The Commission was abolished and reestablished as the Department's Private Security Bureau in February 2004
2. Bureau Staff
	1. The Private Security Bureau employs licensing and investigations staff internally at the TXDPS headquarters in Austin, TX, as well as field investigators located throughout the state
	2. The Bureau's investigators, who are commissioned peace officers, investigate both criminal and administrative violations of the Texas Occupations Code, Chapter 1702 and related administrative rules

 C. Private Security Board* 1. A seven-member board appointed by the governor
	2. Established to hear appeals by applicants under the Private Security Act
	3. Devises rules for administration of the act
1. Private Security Bureau Sections
	1. Private Security Bureau Licensing Section
		1. Handles original and renewal applications for Private Security companies and their employees
		2. Private Security companies may apply for a license and private security employees may apply for a registration
		3. Individuals cannot independently apply for a private security registration without being employed by a licensed private security company
		4. The licensing section staff is responsible for
			1. Receipt of applications
			2. Review of applications
			3. Fees and supplemental documentation
			4. Determination of eligibility based on [Texas Occupations](http://www.statutes.legis.state.tx.us/Docs/OC/htm/OC.1702.htm) [Code, Chapter 1702](http://www.statutes.legis.state.tx.us/Docs/OC/htm/OC.1702.htm)
			5. Issuance or denial of private security company licenses or individual registrations
	2. Private Security Bureau Investigation Section
		1. The investigation section handles
			1. Consumer complaints
			2. Alleged criminal activity
			3. Administrative violations
		2. The investigation staff consists of civilian employees and commissioned peace officers
		3. The civilian investigations section staff is responsible for
			1. Processing consumer complaints
			2. Reviewing all applicant criminal history background checks
			3. Accepting, denying, revoking, or suspending licenses and registrations
			4. Setting hearings
2. Private Security Licenses
	1. Class A – Private Investigation Company – private investigation services, including heir finders and unclaimed funds
	2. Class B – Security Contractor License – alarm systems, including camera/closed circuit television systems (selling, installing and monitoring); Security Contractor License (guard services, including armed and unarmed guards); Security Contractor License (armored car or courier service); Security Contractor License (locksmith services)
	3. Class C – Combination of Private Investigation and Security Contractor
	4. Class D – Electronic Access Control Device Company License – consists of only electronic access control/alarm system
	5. Class T – Telematic Company – services that are provided to owners, operators, and occupants of consumer vehicles or commercial fleet vehicles through the remote access of in-vehicle data that rely on global positioning system satellite data to fix the exact location of the vehicle, including location-specific emergency and roadside vehicle breakdown assistance; automatic collision notification; real-time traffic and navigation information; remote vehicle diagnostics; and stolen vehicle recovery, which is enabled through the two-way communication between a service subscriber's vehicle and a telematics company's response center

 F. License Requirements* 1. Individual license
		1. Examples: Security (commissioned officer and non-commissioned officer), Private Investigator, Alarm Systems, and Personal Protection Officer
		2. An individual license expires two years from the date of issuance
	2. Company license
		1. Examples: Security Services, Alarm Services, and Private Investigative Services
		2. A company license expires yearly on the last date of the expiration month
	3. A Personal Protection Officer license expires on the same date as a Commissioned Security Officer license
1. Education and Experience Requirements
	1. Private Investigators
		1. The most common way to get experience is by working for a licensed private investigations company
		2. They will register you with the Private Security Bureau as their employee
		3. After you have worked for a licensed company as its registered employee, you can meet the experience requirement
		4. Legally obtained experience could also include full-time, paid employment as a peace officer, or in the case of a private investigator, insurance adjuster
		5. The only education that is acceptable, other than the experience requirement, is a four-year degree in Criminal Justice from an accredited college or university
	2. Private Security – need to be employed by a licensed security company in order to apply for an original application or renew a current license registration
2. Criminal History Requirements
	1. Section 1702.113 of the Private Security Act, and [Board](http://www.txdps.state.tx.us/rsd/psb/docs/AdminRules.pdf) [administrative rules 35.42 through 35.46](http://www.txdps.state.tx.us/rsd/psb/docs/AdminRules.pdf) (and all other provisions applicable to the specific license being sought)
	2. Felony and Class A convictions will be governed by the new Board Rule 35.46
		1. Class A’s and felonies that are related to the security field will be disqualifying
			1. 5 years from date of completion of the sentence for Class

A’s* + - 1. 10 years from date of completion of the sentence for felonies
	1. All other felonies and Class A’s will be disqualifying for five years from the date of commission
	2. Class B’s will continue to be governed by Rule 35.42
	3. Pending charges for any Class A’s or felonies are disqualifying
	4. Juvenile adjudications are no longer disqualifying
	5. Incompetence, military discharges, and sex offender registration remain the same (though the rule on military discharges is being changed to reflect the time periods provided in the new rule 35.46, and to clarify that bad conduct discharges are also disqualifying
1. Training/Testing Requirements
	1. The Level I and Level II Training Courses and Online Test which are required only for commissioned (armed) and non-commissioned (unarmed) officer applicants are no longer administered online
	2. The Level II Training Course (updated) and Test is still required for commissioned and non-commissioned security officer applicants only
	3. The Level III Training Course is required for all commissioned security officers and personal protection officers
	4. The Level IV Training Course is required for all personal protection officers
	5. Manager Testing/Training
		1. The Manager's Exam focuses on issues of general concern to managers of licensed companies, such as
			1. The eligibility criteria for
				1. Registrations
				2. Pre-employment obligations and procedures
				3. Application requirements
			2. Record keeping
			3. Procedures relating to
				1. Disciplinary actions
				2. Administrative fines
		2. Many questions are also intended to test the manager applicant's knowledge of the 2007 amendments to [Texas](http://www.txdps.state.tx.us/RSD/PSB/Laws/statutesandrules.htm) [Occupations Code, Chapter 1702,](http://www.txdps.state.tx.us/RSD/PSB/Laws/statutesandrules.htm) and recent changes to the Board's administrative rules, as they relate to the management of licensed companies
2. Other sources of information for company or individual licensing
	1. [Administrative Rules](http://www.txdps.state.tx.us/RSD/PSB/Laws/statutesandrules.htm)
	2. Occupations Codes

*Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*none |
| **Guided Practice \*** | *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*none |
| **Independent Practice/Laboratory Experience/Differentiated Activities \*** | Have students create a Concept Map illustrating the guidelines/requirements to establish a security organization. Use the Federal, State, and Local Laws Concept Map handout for the activity and the Federal, State, and Local Laws Concept Map Key for assessment.Have students create a Venn diagram illustrating the similarities and differences between State and Federal regulations affecting security operations. Use the State and Federal Regulations Venn Diagram handout for the activity and the State and Federal Regulations Venn Diagram Key for assessment.Have students write a mission statement in order to create a security organization. Have them write a 4–5 sentence paragraph mission statement in which they explain the goals and purpose of their company. What does the company hope to achieve? What type of work product does the company produce? In addition, the mission statement should articulate the company’s values. Students should be able to use information obtained on the Federal, State, and Local Law Lesson (as well as previous lessons) to establish a general framework for creating a security company. Use the Writing Rubric for assessment.*Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*none |
| **Lesson Closure** |  |
| **Summative/End of Lesson Assessment \***  | Federal, State, and Local Laws Exam and Key*Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*For reinforcement, the students will define and illustrate Federal, State, and Local Laws key terms. Use the Individual Work Rubric for assessment. |
| **References/Resources/****Teacher Preparation** | * Electronic Code of Federal Regulations, <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&rgn=div6&view=text&node=28:2.0.1.1.46.3&idno=28>
* National Association of Security Companies

[http://www.nasco.org](http://www.nasco.org/)* Introduction to Private Security: Theory Meets Practice, Cliff Roberson & Michael L. Birzer
* Introduction to Security (6th Edition), Robert J. Fischer & Gion Green Investigator/Officer’s Personal Experience
 |
| **Additional Required Components** |
| **English Language Proficiency Standards (ELPS) Strategies** |  |
| **College and Career Readiness Connection[[1]](#footnote-1)** | **Cross-Disciplinary Standards**1. Foundational Skills

B. Writing across the curriculum* + 1. Write clearly and coherently using standard writing conventions.
		2. Write in a variety of forms for various audiences and purposes.
		3. Compose and revise drafts.
 |
| **Recommended Strategies** |
| **Reading Strategies** |  |
| **Quotes** |  |
| **Multimedia/Visual Strategy****Presentation Slides + One Additional Technology Connection** |  |
| **Graphic Organizers/Handout** |  |
| **Writing Strategies****Journal Entries + 1 Additional Writing Strategy** |  |
| **Communication****90 Second Speech Topics** |  |
| **Other Essential Lesson Components** |
| **Enrichment Activity**(e.g., homework assignment) | For enrichment, students will conduct research on the Texas Commission on Private Security ([http://www.txdps.state.tx.us/psb)](http://www.txdps.state.tx.us/psb) website by clicking on the FAQ section, selecting five (5) FAQ’s and presenting findings in a written paper. Use the Writing Rubric for assessment. |
| **Family/Community Connection** |  |
| **CTSO connection(s)** | SkillsUSA |
| **Service Learning Projects** |  |
| **Lesson Notes** |  |

1. Visit the Texas College and Career Readiness Standards at <http://www.thecb.state.tx.us/collegereadiness/CRS.pdf>, Texas Higher Education Coordinating Board (THECB), 2009. [↑](#footnote-ref-1)