



ADVANCED PROTECTIVE SERVICES, LLC

& SAFE HARBOR INVESTIGATIONS

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Public Law Enforcement & Private Security

Thank you for taking the time to read this informative document. The decision as to have off duty law enforcement or a private security firm is always difficult. Choosing State, County or Municipal police will always have some unforeseen drawbacks. As a former police officer, I can state unequivocally the following:

1. **Private security firms have more authority on private property than police;** in addition, private security firms represent the property owners. The police, even off duty on special assignment, represent the city, county or state they work for. The police (even off duty) have to follow the guidelines set forth in the 4th and 14th Amendments of the US Constitution.
2. The **police cannot stop anyone** to ask if they live on property, what they are doing, etc... This is a violation of a person's Constitutional Rights; which could open the police or property owner up for a civil suit. The police are not allowed to speak to anyone unless they have a reasonable suspicion that a crime may be afoot; further, they must be able to articulate this suspicion in clear language. Private security can interact with anyone at anytime. Because they do not represent the Government and the Constitution does not apply to private security.
3. **Off Duty Law Enforcement working a part time job:** Private security officers treat the job differently because it is their full-time employment. Private security officers also perform many tasks or duties that would be considered "beneath" most beat cops... Part time employees are often not as dedicated as full time employees.
4. **Legal ramifications of any issue on a part-time job.** The Law enforcement officers are less likely to get involved, because of legal issues that might affect his "full time" law enforcement status. A civil suit or other legal issue could cause them to lose their full time job.
5. **Off duty police are expensive.** You can have two security officers for almost the same price of one off duty policeman. This means more manpower keeping your property or venue safe for less money.
6. There are also civil law issues. Police work in the "criminal realm." They are not allowed to become involved in civil matters. Property owner rights, lease agreements and other such issues are civil matters. The police have no knowledge or responsibility in these areas. Private security firms do.
Private security operates in both the civil and criminal realm.
7. **Insurance Liability;** will be insurance. Will the city, county or state agency cover any and all liabilities for an off duty police officer working on private property? Private security companies have Certificates of Insurance naming their clients as the Certificate Holders.
8. The US Supreme Court has ruled – **"it is not the duty of the police to protect the individual citizen..."** Warren v. District of Columbia, 444 A.2d 1 (D.C. App. 1981). Private security can and does protect all persons on the property of the client.

This is an informational document intended to help you in making an informed, cost effective decision.

Advanced Protective Services - We specialize in YOUR protection!

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Corporate Security, Investigation, Consulting & Training