ARREST,  
HANDCUFFING, AND  
SEARCH POLICY

Most Universal Security Professionals are not authorized to carry handcuffs or be trained in handcuffing procedures. However, Universal Protection Service has been mandated by the Department of Homeland Security to provide this Arrest, Handcuffing, and Search Policy to all Security Professionals who work for Universal Protection Service.
Introduction

Universal Protection Service ("Universal") has the highest regard for human life, dignity and liberty, which is the primary consideration and motivation for the Universal Use of Force Policy and this Arrest, Handcuffing and Search Policy. It is recognized that in the performance of the Security Professional's duties there may arise situations wherein Security Professionals may make a private person's arrest and/or handcuff a person who is under private person's arrest. This Arrest, Handcuffing and Search Policy delineates when a person may be arrested and procedures for handcuffing.

Any violation of this Arrest, Handcuffing and Search Policy may result in discipline up to and including immediate termination.

Any exception to this policy shall be approved, in writing, by the Universal Protection Service CEO or Chairman of the Board, or their designee.

Law Compliance

This Arrest, Handcuffing and Search Policy will not knowingly conflict with any jurisdictional law regarding private security arrest powers and handcuffing, even though it is recognized that Universal Protection Service deploys nationally and that laws vary by state or federal jurisdiction. Universal Protection Service at its discretion may institute a policy more stringent than the state or federal statute.

Use of Force

The Universal Protection Service Use of Force Policy states, in part;

"It is the policy of Universal that all employees conduct their duties with the intent to avoid physical confrontations with others.

It is recognized that in performance of the Security Professional's duties there may arise situations wherein use of force is necessary to:

Protect oneself or others from a reasonably apparent danger of imminent bodily injury or death.

Overcome resistance or non-compliance to a lawful directive or lawful arrest and to prevent escape from lawful arrest."

Handcuffing is considered a Use of Force, pursuant to Universal Protection Service Use of Force Policy. All Use of Force Incidents, including handcuffing, shall be reported pursuant to the Use of Force Policy's delineated Use of Force Reporting Procedure.
Legal Arrest

Security Professionals are not law enforcement officers. Law enforcement officers, including the police, sheriff deputies, etc., are provided with different training and have different job duties and responsibilities. For example, Security Professionals are hired to protect specific property, or area, typically by a contract. Peace Officers are responsible for protecting all people and all property within their jurisdiction.

Peace officers pursue suspects who have committed crimes and try to apprehend them. A Security Professional's role is to protect the property and assets on the premises of the security officer's employer (or contracted client). This responsibility sometimes may require protection of persons on the property. One of the Security Professional's primary roles is prevention. The Security Professional is there to deter a criminal act from occurring.

A Security Professional has no legal duty to arrest a subject, and an arrest should not be made beyond the contracted client's property or area.

A Security Professional's ability to make a lawful arrest is governed by the same laws which govern arrests made by private citizens. Therefore, it is extremely important for a Security Professional to understand the law in the jurisdiction where they are working with respect to a private citizen's ability to perform a lawful arrest. What may be considered a lawful detention and arrest in one state may be unlawful in another state.

Making a physical arrest should be an act of last resort; an act of self-defense, or when the police cannot be summoned in time to prevent the loss of property or to provide for the safety of others. Security Professionals are required to inform a suspect of the intention to place him/her under arrest. If the suspect complies without the need to have hands placed on him/her, or to be handcuffed, have the person wait for Law Enforcement to arrive.

There is no legal obligation for a Security Professional to make an arrest. While it is recognized that there are situations wherein Security Professionals do make arrests, if the situation is unsafe, the decision to not arrest may be appropriate. In such a situation, notifying and waiting for Law Enforcement may be prudent.

A person must be under arrest to be handcuffed. There are no other circumstances wherein a Security Professional may use handcuffs.

Note: Again, there are distinct differences between Law Enforcement and Private Security when detaining, arresting and handcuffing.

Law Enforcement Officers have legal authority to detain and handcuff a person without arresting them and simply to investigate a crime, incident, or suspicious circumstance.
Use of Force Policies and Procedures

Private Security possess only the same arrest powers as any private citizen in that jurisdiction. As such, pursuant to a private person's arrest, the suspect may be detained while awaiting the arrival of Law Enforcement. Private Security may not detain or handcuff a person unless that person is under arrest.

Most Jurisdictions refer to crimes as Misdemeanors (minor) and Felonies (serious). Usually the crimes are further defined by the penalties that may be imposed upon conviction.

Therefore, in most jurisdictions, Security Professionals must actually observe the Misdemeanor (minor) crime committed in their presence to make a lawful arrest.

In the case of a Felony (serious) crime the Security Professional must know that a Felony crime was committed and have a reasonable belief that the person being arrested committed the crime.

Reasonable belief (sometimes referred to as "probable cause") is the facts or circumstances the Security Professional knows, or should know, which are such to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

In all cases where Security Professionals make an arrest they shall, without delay, cause Law Enforcement to be requested to respond to take control of the arrested person.

False Arrest

Misdemeanor Arrest—In most jurisdictions, a private person making a misdemeanor arrest may be found criminally and civilly liable for a false arrest if the arrest is made and the arresting party did not actually observe the suspect commit the misdemeanor in his presence.

Felony Arrest—In most jurisdictions, a private person making a felony arrest may be found criminally and civilly liable for a false arrest if the arrest is made or caused to be made by others and the arresting party does not have reasonable cause to believe that the person arrested committed the felony.

Detention

Universal Protection Service employees SHALL NOT detain a person without making an arrest.

A person is considered detained when he/she is not free to leave. Jurisdictional Laws have determined that any restrictions of a person's freedom, whether physical or verbal, is considered a detention. A detention by private security is considered an arrest. Therefore, it is important to understand that the arrest guidelines must be present and followed before detaining anyone.
Detention vs. Arrest

As stated above, a detention occurs anytime a person is not free to leave for any appreciable length of time. A detention can turn into an arrest if the person is advised he is under arrest and/or he is not allowed to leave. A Security Professional’s duty is not to detain unless intending to arrest.

Note: Security Professionals acting on behalf of the property owners are allowed to question a person’s purpose for being on the property, however the person is not obligated to answer any questions and his/her movement is not to be restricted.

If the person refuses to cooperate with the inquiry, the Security Professional may instruct the person to leave the property. If the person refuses to leave the property then the Security Professional would advise him that he is subject to arrest for trespass.

Law Enforcement should be requested without delay as soon as the person who has been advised to leave does not comply and leave.

If the person still refuses to cooperate and/or leave as ordered, an arrest for trespass could be initiated. However, unless necessary to protect persons or property, the physical arrest should not be made until Law Enforcement arrives.

Note: Some jurisdictions may not even allow a private person’s arrest for trespass. Again, it is important for each Security Professional to know the laws in his/her jurisdiction.

If the person who has committed no other crime other than trespass decides to leave, he/she should be allowed to do so.

Universal expects that its Security Professionals will cooperate fully in any subsequent judicial proceedings related to an arrest.

Circumstances may arise where local Law Enforcement refuses to take custody of the subject after requested to do so. When that happens, the Security Professional must without delay notify his/her supervisor and make a diligent effort to obtain the Law Enforcement officer’s name, case number, and serial number for including in the Security Professional’s written incident report.

Handcuffing and Positioning

No person shall be placed into handcuffs unless he/she is to be lawfully arrested or has already been placed under private person’s arrest.

When a Security Professional makes a Felony arrest, the suspect should be handcuffed.
Use of Force Policies and Procedures

When a Security Professional makes a Misdemeanor arrest the suspect may be handcuffed. The decision to handcuff a Misdemeanor arrestee should be based on the totality of the circumstances, such as, but not limited to:

- Cooperativeness
- Age
- Physical condition or attributes of the suspect and Security Professionals
- Need to further control the situation
- Type of crime

Any arrestee who is displaying threatening behavior and therefore, threatens the safety of Security Professionals or others should be handcuffed.

Respiratory distress, and even death, is a concern when controlling or handcuffing an arrestee displaying the symptoms of Excited Delirium Syndrome. Security Professionals who observe symptoms of Excited Delirium Syndrome shall summon Emergency Medical Services and the Police, without delay.

Positional or Compression Asphyxia is also a concern during the control and handcuffing of an arrestee who is combative and/or is on the ground.

While handcuffing an arrestee who is combative or on the ground, Security Professionals should try to avoid placing unnecessary weight on the torso.

Security Professionals shall follow the training they receive in relation to Positional and Compression Asphyxia and Excited Delirium.

Handcuffed arrestees SHALL NOT be left in or placed in either a prone (lying) face down or up position.

Note: If they are displaying any symptoms of medical distress, such as vomiting or trouble breathing, they may be placed on their side to assist in aspiration or respiration. Emergency Medical Services shall be summoned, without delay, for anyone displaying such symptoms.

When deciding to handcuff any arrestee, Security Professionals should also consider the age of the suspect. In general, children 12 years of age or younger, or the elderly should not be handcuffed, unless displaying aggressive and threatening behavior, as safety of everyone is paramount.

Consideration should be given to persons who are obviously injured and the handcuffing would exacerbate the injury or harm those who have a physical disability.
Use of Force Policies and Procedures

Once a person is handcuffed and the situation is under control, the handcuffs shall be checked for proper fit and double locked to prevent unintended tightening.

Handcuffing shall be done with the person's hands behind them.

Arrestees should not be handcuffed:

- To objects, unless tactically and reasonably necessary for safety
- To the Security Professional
- With one hand and led around by the other handcuff

The handcuffs shall not be removed until Law Enforcement arrives and takes control of the arrestee.

Note: A person who was previously aggressive or threatening or is a felony arrestee and becomes cooperative shall not have the handcuffs removed as a result of their cooperation.

Equipment
Only approved handcuffs may be used as listed on the Approved Equipment List.

Moving an Arrestee
While awaiting the arrival of Law Enforcement, the Security Professional should keep the arrestee at the scene of the apprehension, unless doing so would be tactically unsound. The arrestee should be placed in a seated position, either on a chair or other elevated stable object. If no such object is available, the arrestee may be seated on the ground.

If it is prudent to move the arrestee due to tactical or procedural considerations, then the arrestee may be escorted to another location. The handcuffed arrestee shall be escorted with the Security Professional guiding him/her with hands-on pursuant to training.

The arrestee shall be under the observation of Security Professionals at all times until placed in the custody of Law Enforcement. The constant observation of the arrestee is for the safety of all persons, to limit the attempt to escape, or to protect against the destruction of evidence.

Searching
In most jurisdictions, searching arrestees may only be done for the purpose of determining if they possess any weapons or items that could be used as a weapon to cause injury to any person, including themselves. Security Professionals are not peace officers, and are not allowed to search a suspect just to recover evidence.

The search shall be a cursory "pat down" for weapons only on the outside of clothing.
Use of Force Policies and Procedures

Note: It may be necessary to pat down both over and under outer added layers of clothing to effectively determine if the person has weapons.

In most cases arrestees shall be handcuffed with their hands behind their back, per policy. Therefore, the search of their person is limited to areas they can reach which are the lower back and pants pockets. A search of those areas may be conducted by any Security Professional.

In the event that a Security Professional does not have hand cuffs available, searching of arrestees shall be done by same gender Security Professionals. If a Security Professional of the same gender is not available, searching should be the responsibility of the responding Police Officers.

Note: If there is an emergency or emergency tactical need to search an arrestee prior to the response of a same gender Security Professional or the Police then a Security Professional may conduct a "back of the hand" search, pursuant to training. Any such "emergency" need shall be documented in the Incident Report and the Use of Force Report.

Any weapons or potential weapons found during the cursory search shall be removed and given to Law Enforcement upon their arrival.

Reporting
When handcuffs are placed on a person, a Use of Force Report is required whether or not the person remains in custody or is released by Law Enforcement.

All Use of Force Incidents are reviewed pursuant to the process detailed in the Universal Protection Service Use of Force Policy.

Training
At a minimum, training will be provided pursuant to jurisdictional law. Universal Protection Service may, at its discretion, provide more training.

Additional training will be provided only by recognized or certified and approved trainers and/or programs.

Training may be recommended based on client requirements, identified need for improvement and/or periodic proficiency.

Training may include opposite gender searches, which are to be done on an emergency basis only, using current approved methods.
Use of Force Policies and Procedures

Due to the potential for in-custody death from Positional or Compression Asphyxia and/or Excited Delirium Syndrome, the training shall include recognition of symptoms, methods of control, positioning of the arrestee, and summoning Emergency Medical Services.

Training shall include specific information on Positional or Compression Asphyxia in relation to control and handcuffing a person as well as placing them in a proper position to avoid either of these conditions occurring.

Training shall be included in the recognition of Excited Delirium Syndrome and the summoning of Emergency Medical Services without delay when symptoms are observed.

All training shall be documented as required in accordance with the Universal Protection Service Use of Force Policy.

Security Professionals shall maintain the handcuffs in clean, good working order pursuant to training and manufacture's specification.

Review

All incidents of handcuffing are considered a Use of Force and will be reviewed in accordance with the Universal Protection Service Use of Force Policy and Review procedure.

Any violation of this Arrest, Handcuffing and Search Policy and/or Use of Force Policy may result in discipline up to and including immediate termination.
EMPLOYEE ACKNOWLEDGEMENT
EMPLOYEE ACKNOWLEDGEMENT

UNIVERSAL PROTECTION SERVICE

ARREST, HANDCUFFING, AND SEARCH POLICY

I, __________________________, hereby acknowledge that
(Please print name legibly)

I have read and have been provided a copy of Universal's Arrest, Handcuffing, and Search Policy. I fully understand and agree to comply with the provisions and requirements herein. I further understand that any violation of this policy may result in disciplinary action up to and including termination of employment.

Employee Signature: __________________________ Date: ________
Employee ID No. ______________
Supervisor Name: __________________________
Supervisor Signature: __________________________
Job Title: __________________________ Date: ________

Employee Acknowledgement of Universal's Arrest, Handcuffing, and Search Policy is to be placed in employee file.

April 1, 2015
Introduction

The use of a Body Camera Recorder (BCR) has been proven effective by reducing violent confrontations and complaints against officers. The use of a BCR can provide powerful evidence by accurately documenting a Security Professional's contacts with other persons and may be an important tool for collecting evidence and maintaining client trust. Therefore, to maximize the effectiveness of this valuable tool, procedures for use of the BCR system are set forth in this Body Camera Recorder Policy.

It is the policy of Universal Protection Service that wherever the company has directed the use of BCRs and has provided BCRs, that the BCRs will be deployed in accordance with this policy. In addition, Post Orders at a location may provide more detail regarding deployment of the BCRs.

Any violation of this Body Camera Recorder Policy may result in discipline up to and including immediate termination.

Any exception to this policy shall be approved, in writing, by the Universal Protection Service CEO or Chairman of the Board, or their designee.

Law Compliance

This Body Camera Recorder Policy will not knowingly conflict with any jurisdictional law regarding private security use of video and audio recording, even though it is recognized that Universal Protection Services deploys nationally and that laws vary by state or federal jurisdiction. Universal Protection Service at its discretion may institute a policy more stringent than the state or federal statute.

Before any branch or location serviced by Universal Protection Service purchases and employs BCRs, authorization shall first be obtained in writing from the Director of Risk Management or their designee. This will necessitate a legal review to determine that the use of a BCR is legal in the particular jurisdiction, as well as any additional requirements to implement before the deployment.

Purpose

The primary purpose of the BCR system is documentation and preservation of contacts between Universal Protection Service Security Professionals and the public. The recording of Security Professional's interactions with people provides transparency and accountability for the locations where Universal Protection Services has deployed BCRs.

The BCR is designed to assist and compliment Security Professionals in the performance of their duties. Through proper utilization, the BCR will aid in the prosecution of criminal
offenders, refute allegations of Security Professional wrongdoing, assist and provide evidence
during civil litigation, and provide an accurate, unbiased account of the incident being recorded,
which will supplement the Incident Report.

Advising a citizen they are being recorded during the contact may reduce a violent
confrontation or prevent a complaint against an officer.

BCR will also provide video and audio documentation for future training needs.

Nothing in this policy prevents Universal Protection Service from utilizing BCR video and audio
footage during an internal investigation; although, it should be noted in many instances BCR
video and audio footage has been invaluable in refuting false allegations. Furthermore,
nothing in this policy prevents Universal Protection Service from relying, in whole or in part,
upon the footage for the purpose of imposing discipline of an employee, up to and including
termination.

BCR Usage

As a general rule, private citizens cannot be voice recorded without their knowledge by
Security Professionals. Security Professionals must inform the person(s) they are in contact
with that they are being recorded both visually and audibly.

The notice shall be given by an audible statement that is recorded on the BCR such as,

"Our conversation is now being recorded by audio and video."

Or if brevity is needed due to a tactical consideration, "You are now being recorded."

It is recognized that in rare circumstances it may be desirable to record however not
tactically safe to give the advisement, such as a person with a firearm. The recorder
shall be activated as soon as tactically safe. The decision to not give the advisement
must be fully detailed in the incident report.

In most jurisdictions, Security Professionals are not required to cease recording an event,
situation, or circumstance solely at the demand of a person provided there is no reasonable
expectation of privacy.

Each Security Professional shall record, both visually and audibly, the following:

1. All calls for service or reportable incidents
   a. It shall include all Security Professionals who are at the incident
   b. The BCR shall be activated while en route to the incident and remain on until the
      Incident is completed.

2. Contacts with persons when initiated by the Security Professional

January 21, 2015
Note: Casual contacts such as greetings, or contacts that would likely not be anticipated to result in a reportable incident does not require the activation of the BCR.

3. Contacts with persons, initiated by the person, whenever possible
   Note: Casual contacts such as someone asking for directions does not require the activation of the BCR.

4. Assisting other Security Professionals during contacts

5. Arrests

6. Accident Scenes

7. Suspect Interviews

The above list is not all-inclusive and each Security Professional is encouraged to use their judgment regarding BCR usage. If a Security Professional fails to record any contact as described above, they shall provide justification for the lack of a recording and should document the explanation in a comprehensive incident or supplemental report.

A crime in progress is the opportune time to activate the BCR. However, under the heat of the moment, such an event occurring unexpectedly is an example where an officer may not have sufficient time to activate the BCR. During tactical incidents an officer shall activate their BCR as soon as practical and when safe to do so.

Digital evidence captured by the BCR is not all inclusive. The BCR captures a less broad and less detailed image than the totality of the human senses. A Security Professional’s recollection of specific details may be different than what is captured in digital evidence. Security Professionals should review digital evidence prior to completing reports and prior to providing testimony at hearings, trial, or depositions.

Supervisor Usage

Review of BCR video and/or audio by a Supervisor may include but is not limited to commendations, training, assistance in report writing (such as Use of Force Reports), the investigation of claims, civil lawsuits and complaints, an unambiguous and reasonable concern of unprofessional conduct or allegations of misconduct, quality assurance, officer involved traffic collisions, Use of Force Investigations, prior to release of the recording in response to a proper legal request, and the review of critical incidents.

Restrictions

All BCR recordings are the property of Universal Protection Service.

Universal Protection Service employees SHALL NOT intentionally activate the BCR to record conversation(s) of fellow employees with or without their knowledge during routine, non-work related activities.

January 21, 2015
Universal Protection Service employees SHALL NOT activate the BCR in places where a reasonable expectation of privacy exists, such as locker rooms or restrooms.

Universal Protection Service employees SHALL NOT allow other persons outside of Universal Protection Services to review or take possession of the recordings. All outside requests to review a recording must be made through a Regional Vice President and approved by the Universal Protection Service Director of Risk Management or their designee.

Universal Protection Service employees SHALL NOT make copies of any BCR recording for their personal use.

Universal Protection Service employees SHALL NOT cause, directly or indirectly, any BCR recording to be uploaded to any social media website, Internet website, any electronic media, or in any way disseminate any portion of a BCR recording, except as stated in this policy.

Universal Protection Service employees SHALL NOT access, copy, forward, or release any BCR recording for other than official work related purposes. Such actions are strictly prohibited and subject to discipline, up to and including immediate termination.

Public release of digital evidence is prohibited unless approved by the Chairman of the Board or the CEO, or their designee.

Universal Protection Service employees SHALL NOT release any BCR recording or copy of a recording to law enforcement personnel unless approved by the Chairman of the Board or the CEO, or their designee.

Subpoenas: If a law enforcement officer or private person presents a subpoena for such recordings, regardless of whether it is for a criminal or civil proceeding, the recordings will not be released until approved by the Chairman of the Board or the CEO, or their designee and on the advice of legal counsel.

Search Warrants: If a law enforcement officer presents a search warrant for such recordings, they will be released pursuant to the warrant and notification shall be made to the Vice President and Risk Manager, without delay.

Universal Protection Service employees SHALL NOT knowingly record while on employee breaks, report writing, or during other administrative functions including discussing a case with other Universal Protection Service employees and/or any counseling or disciplinary meetings.

Security Professionals may use media captured via the BCR, to review their own recordings, to assist with an investigation, completion of reports, and pursuant to an internal investigation involving the Security Professional.

Security Professionals shall also document the use of the BCR in the Incident Report.

January 21, 2015
Policy

Universal Protection Service employees may use media captured via the BCR for training purposes, with the written pre-approval from the Regional Vice President and the Universal Protection Service Director of Risk Management or their designee.

It is not the intent of Universal Protection Service to review digital evidence for the purpose of a general performance review or to discover policy violations.

In situations where there is a need to review digital evidence not covered by this policy, it must be approved by the Chairman of the Board, the CEO or their designee. Each situation will be evaluated on a case by case basis.

Evidence Preservation

Downloading

A BCR recording of evidentiary value will be saved by creating a "case" for the digital recording. Any recording of an incident that is reasonably anticipated to result in a civil claim, criminal prosecution, or personnel complaint shall be preserved. Once a case has been created it shall be "named" or labeled by the incident number, call number, or other standard location identification with the intent of locating and differentiating the file. The cases that are saved will not be purged from the system until the corresponding case has been adjudicated and the purge is approved by the Director of Risk Management of Universal Protection Service or their designee.

A case saved in the above manner will be considered saved as evidence.

Any report related to a digital recording, which has been saved as described above, should indicate in the evidence section of the report that a digital recording of the incident was preserved and saved as evidence.

Only those digital files which have been saved as a "case" can be burned to a DVD.

Equipment

Only approved Body Camera Recorders may be used as listed on Approved Equipment List.

January 21, 2015
EMPLOYEE ACKNOWLEDGEMENT: UNIVERSAL BODY CAMERAS POLICY

I, ________________________, hereby acknowledge that

(Print name legibly)

I have read and have been provided a copy of the Universal Body Cameras Policy. I fully understand and agree to comply with the provisions and requirements therein. I further understand that any violation of this policy may result in disciplinary action up to and including termination of employment.

Employee Signature: ____________________________

Date: ____________

Facilitator Name: ________________________________

Facilitator Signature: ____________________________

Job Title: ____________________________

Date: ____________

January 21, 2015

Employee Acknowledgement:

Initial Each Page
Introduction

Due to the deployment of firearms as part of Universal Protection Service contracts, the Universal Protection Service Firearms Policy is established as a specific guideline to the handling and use of firearms, for those Security Professionals supporting contracts and clients requiring armed services.

Any exception to this policy shall be approved, in writing, by the Universal Protection Service CEO or Chairman of the Board, or their designee.

Use of the Firearm

An armed Security Professional shall under no circumstances remove the firearm from the holster while on duty and/or on client property except in accordance with the Universal Use of Force Policy. The portion of the policy that addresses drawing or exhibiting of firearms states:

"Drawing or Exhibiting Firearms

Employees shall not draw or exhibit a firearm unless the circumstances surrounding the incident create a reasonable belief that it may be necessary to use the firearm in conformance with the use of deadly force."

"Deadly force is the force used only when there is an imminent threat of death or serious bodily injury to any person and the use of such force is likely to cause death or serious bodily injury to the subject."

Any deviation or violation of this Firearms Policy is considered a serious violation of Universal Policy and will result in discipline up to and including immediate termination.

It is recognized that the use of a firearm is only allowed in the most serious circumstances and is in compliance with the Universal Protection Service Use of Force Policy and jurisdictional law.

This Firearms Policy addresses the varied and related subjects that are inherently connected to the deployment and use of firearms by Universal Protection Service Security Professionals.

Law Compliance

This Firearms Policy will not knowingly conflict with any jurisdictional law regarding private security firearms use even though it is recognized that Universal Protection Services deploys nationally and that laws vary by state or federal jurisdiction. Universal Protection Service at its discretion may institute a policy more stringent than the state or federal statute.

Violation of this Firearms Policy can be determined to be negligent and/or an excessive Use of Force and therefore may subject employees to criminal and civil prosecution, as well as discipline up to and including immediate termination.

Revised August 12, 2014

Employee Acknowledgement: 

Initial Each Page
Firearm Policy

Firearm Policy Compliance

All Universal Protection Services staff shall comply with this Firearms Policy. It is the responsibility of each Security Professional authorized to carry a firearm as part of their duty equipment to fully comply with this policy at all times.

It is the responsibility of Universal supervision and management to enforce compliance with this Firearms Policy through regular reinforcement of this policy, review, training, and discipline. During the review of this policy, the Use of Force policy shall also be reviewed.

Approval to Carry a Firearm

Universal Protection Services approval must be obtained prior to carrying a firearm for a duty assignment. Approval will be granted by Universal Protection Service only after the Security Professional has been certified by the State or Federal Jurisdiction, and complies with this policy.

The approval process includes, but is not limited to:

- Government (jurisdictional) certification
- Proficiency exam for handling a firearm
- Shooting qualification
- Weapon and Approved Equipment examination (see Appendix A)
- Tested understanding of Universal Protection Service Use of Force Policy
- Tested understanding of procedures at location of assignment related to firearms

Firearm Types and Equipment

Only Universal Protection Service approved firearms and ancillary equipment may be utilized at a location or in the performance of Universal Protection Service Security Professional duties.

The firearms approved will be listed by caliber and other features may be listed at Universal Protection Service's discretion to further delineate approved firearms. Only firearms and equipment on the attached Approved Equipment List shall be used. (See Appendix A)

The firearm shall be fully loaded and semi-auto weapons shall have a chambered round.

If the firearm is owned by Universal Protection Service it shall not be for any personal use other than job performance on-duty or training as outlined in this Universal Protection Service Firearms Policy.
Firearms Policy

Transportation of Firearm

Arrive at location with Loaded and Holstered Weapon: The Security Professionals shall arrive in full uniform with their weapon loaded and holstered except where not allowed by jurisdictional law or circumstances.

In the case of law compliance or circumstances requiring deviation from arriving in full uniform with weapon loaded and holstered, such deviation must be approved in writing by the Universal Protection Service CEO or Chairman of Board, or their designee. After approval is obtained the procedure in Appendix B shall be followed.

A copy of the approved deviation shall be retained at Universal Protection Service National Headquarters and at the client location.

Firing at or from Vehicles

Security Professionals shall not fire at a vehicle, either moving or stationary EXCEPT in the necessary preservation of life where deadly force is being perpetrated with or within the vehicle.

Security Professionals shall not fire from a moving vehicle.

Note: In no case shall a Security Professional willingly place themselves in a position to be subject of deadly force with the vehicle thereby creating the situation for use of the firearm.

Warning Shots

Warning shots shall not be fired.

Reporting

Pursuant to the Universal Protection Service Use of Force Policy an Incident report is required if the firearm is drawn from the holster, (except as noted in Appendix B.)

Furthermore, any incident of shots fired shall be reported without delay.

A Use of Force Report is required for any drawing, exhibiting or shots fired as set forth in the Universal Protection Service Use of Force policy.

All Use of Force Incidents are reviewed pursuant to the process detailed in the Universal Protection Service Use of Force Policy.

Revised August 12, 2014

Employee Acknowledgement:

Initial Each Page
Notifications

Any Security Professional who draws, exhibits, (except as where allowed as outlined in Appendix B) or fires their weapon will notify their immediate supervisor, without delay.

Following the discharge of a firearm Law Enforcement or any governing agency shall be notified as prescribed by law.

Any emergent situation as a result of shots fired, such as injury, or crime in progress, will cause notification to appropriate emergency responders, such as police and fire (paramedics) via 911.

Training

Training beyond the aforementioned certification will be provided pursuant to jurisdictional law at a minimum and Universal Protection Service may at its discretion provide more training.

Additional training will be provided only by recognized or certified and approved trainers and/or programs.

Training may be recommended based on client requirements, identified need for improvement and/or periodic proficiency.

All training shall be documented as required in accordance with the Universal Protection Service Use of Force policy.

Security Professionals shall maintain the firearm in good working order and clean pursuant to safety training and manufacturer specification.

All training and manufacturer’s instructions shall be followed while cleaning or examining the firearm. Cleaning and examining shall not be done while on duty or at the client location. Any deviation regarding the location of the cleaning and examining of the firearm must be approved by the Universal Protection Service CEO or Chairman of the Board, or their designee.

Review

All incidents of drawing, exhibiting, (except as where allowed as outlined in Appendix B) or firing the weapon are considered a Use of Force and will be reviewed in accordance with the Universal Use of Force Policy and Review procedure.

Any violation of this Firearms Policy and/or Use of Force Policy may result in discipline up to and including immediate termination.

Amendments or Changes to this Policy are subject to the approval by signature of the Universal Protection Service CEO and the Chairman of the Board.

Revised August 12, 2014

Employee Acknowledgement:

Initial Each Page
Appendix A

Approved Equipment List

The below list is the currently approved weapons and ancillary equipment for carrying a firearm while on duty. No other equipment is authorized without specific written permission of Universal Protection Service CEO or Chairman of the Board, or their designee.

This firearms and ancillary equipment list will be reviewed annually and updated as appropriate at any time there is an approved change to the list.

<table>
<thead>
<tr>
<th>Approved Equipment List</th>
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<tbody>
<tr>
<td>Caliber</td>
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</tr>
<tr>
<td>Firearms</td>
</tr>
<tr>
<td>9mm</td>
</tr>
<tr>
<td>.38 cal</td>
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<tr>
<td>Ammunition</td>
</tr>
<tr>
<td>9mm</td>
</tr>
<tr>
<td>.38 cal</td>
</tr>
<tr>
<td>Magazines</td>
</tr>
<tr>
<td>9mm</td>
</tr>
<tr>
<td>Loaders</td>
</tr>
<tr>
<td>.38 cal</td>
</tr>
<tr>
<td>Holster</td>
</tr>
<tr>
<td>N/S*</td>
</tr>
</tbody>
</table>

*N/S = None Specified

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Revised August 12, 2014
Appendix B

It is the Policy of Universal Protection Service that the Security Professionals shall arrive in full uniform with their weapon loaded and holstered except where not allowed by jurisdictional law or circumstances.

The following is the alternative procedure where an exception is required and has been granted by Universal Protection Service.

Procedure for arriving or leaving client location not in uniform and the weapon unloaded or needing to be checked.

**Note: The Procedure must be approved prior to implementation by the Universal Protection Service CEO or Chairman of the Board, or their designee.**

Firearm and ammunition transportation to and from the duty location and/or any location for Universal Protection Service related functions, such as firearms qualification or training shall only be in compliance with jurisdictional law and Post Orders.

**Loading, charging or press checking a weapon:**

The following is the alternative procedure where an exception is required and has been granted by Universal Protection Service.

Charging stations or barrels may be provided in the safe area, depending on the location. If supplied, the charging barrels will be utilized at all times when loading, unloading or checking the firearm.

If the weapon is **not loaded**, follow the posted loading and charging procedures for that make of weapon.

If the weapon is **believed to be loaded** and needs to be checked, follow the posted press checking procedures for that make of weapon.

In the case of a location where there is no designated area or procedure the weapon will not be checked. The procedure for checking the weapon will be done according to a written procedure specific to the client location and only when approved by Universal Protection Services CEO or Chairman of the Board, or their designee.

**Unloading and re-securing of the firearm:**

Using the safety clearing barrel, if available, the Security Professional will unload their weapon following the posted procedures for that make of weapon.

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Employee Acknowledgement:

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Employee Acknowledgement: Universal Firearms Policy

I, ________________________________, hereby acknowledge that

(Print name legibly)

I have read and have been provided a copy of the Universal Firearms Policy. I fully understand and agree to comply with the provisions and requirements therein. I further understand that any violation of this policy may result in disciplinary action up to and including termination of employment.

Employee Signature: ________________________________

Date: __________
Facilitator Name: ________________________________
Facilitator Signature: ________________________________
Job Title: ______________________ Date: __________

Revised August 32, 2014
Employee Acknowledgement:
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Use of Force Policy

Overview

Universal Protection Service ("Universal") has the highest regard for human life, dignity and liberty, which is the primary consideration and motivation for the Universal Use of Force policy.

The level of force used is based upon the totality of the circumstances surrounding the immediate situation. Universal employees must use only that force that appears reasonably necessary to bring an incident under control, while protecting the lives of others and themselves.

It is the policy of Universal that all employees conduct their duties with the intent to avoid physical confrontations with others.

It is recognized that in performance of the Security Professional's duties there may arise situations wherein use of force is necessary to:

- Protect oneself or others from a reasonably apparent danger of imminent bodily injury or death.
- Overcome resistance or non-compliance to a lawful directive or lawful arrest and to prevent escape from lawful arrest.

Force Defined

Force is defined as any physical effort used to control, restrain or overcome the resistance of another.

An employee should utilize a level of force that is reasonably necessary in view of the level of the immediate threat or actions of another individual. The reasonableness of a specific use of force should be assessed from the perspective of an objectively reasonable employee, under the facts and circumstances which are known, or through reasonable diligence ought to have been known, to the employee at the time of the incident.

The use of reasonable force may be necessary in situations that cannot otherwise be safely controlled.

Degrees of Force

Employees may use force to carry out their duties only when force is reasonable under the circumstances. There are varying degrees of force that may be justified in a security-related situation. However, the use of force by employees must be consistent with the need for the lowest level of force required.

Intermediate force is that force necessary for employees to carry out their duties without causing serious bodily injury or death.

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Deadly force is the force used only when there is an imminent threat of death or serious bodily injury to any person and the use of such force is likely to cause death or serious bodily injury to the subject.

**Serious Bodily Injury:** A bodily injury that creates a substantial risk of death, causes serious, permanent disfigurement, or results in a prolonged loss or impairment of the functioning of any bodily member or organ. It also includes but is not limited to: loss of consciousness, concussion, bone fracture, and wounds requiring extensive suturing.

There is no way to predetermine what level of force will be effective or reasonable under any particular situation. In addition, it is recognized there are times when an employee must make split-second decisions regarding the application of force under circumstances that are tense, uncertain and rapidly evolving.

An employee should reasonably assess the immediate threat and/or actions of an individual. The variety of progressively escalating force options available to an employee during a confrontational situation creates a "force continuum." From the force options within this continuum, an employee should respond with only the reasonable force option necessary to control the situation or stop the immediate threat.

An employee may utilize any number of numerous force options within each part of the continuum. Escalation of force does not require that an employee begin by using the lowest level of force, or progressively utilize each individual force option. An employee may go directly to any level of the force continuum provided that the force option selected is reasonable.

An employee should only escalate the level of force until the control or defense is successful and the resistance overcome. An employee should then de-escalate the application of force to that which will reasonably continue control or physical safety.

Employees shall consider the use of approved options ranging from verbal commands, to restraint/control techniques, and to non-lethal equipment. Deadly force may only be used when lesser means of force have failed or are not able to be deployed effectively or reasonably.

**Reasonable Belief:** The facts or circumstances the employee knows, or should know, are such to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

**Reasonable Force:** The degree of force must be "objectively reasonable" in light of the surrounding circumstances. While there is no set formula for this determination, there are several factors that will be considered in any situation. The reasonableness will be viewed by the articulated facts from the perspective of the person using force, to a person with similar training and experience placed in generally the same set of circumstances.

In determining the appropriate level of force, employees shall evaluate each situation in light of the known facts and circumstances of each particular case. Those factors may include but are not limited to:

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**Employee Acknowledgement:**

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The seriousness of the crime, incident, or suspected offense;

The level of threat presented by the subject;

The level of resistance presented by the subject;

Whether the subject poses an immediate threat to the employee or a danger to other persons;

The proximity or access to weapons by the subject;

The potential for injury to any person, including employees or subjects;

The risk or apparent attempt by the subject to escape from a lawful arrest;

The conduct of the subject being confronted (as reasonably perceived by the employee at the time);

The time available to an employee to make a decision;

The availability of other resources;

The training and experience of the employee;

Employee versus subject factors such as age, size, relative strength, skill level, injury/exhaustion and number of employees versus subjects;

The environmental factors and/or other emergency circumstances.

The selection of a force option is determined by a wide range of variables that occur within each specific situation. Some of these variables include, but are not limited to:

Relative age, size, strength, experience and/or combative behavior;

Extent of injury or exhaustion;

Number of employees versus number of violators;

Level of intoxication via drugs or alcohol;

Sudden attack;

Proximity to weapons;

Availability of other options;

Other emergency circumstances;

Mental disability.
Drawing or Exhibiting Firearms

Employees shall not draw or exhibit a firearm unless the circumstances surrounding the incident create a reasonable belief that it may be necessary to use the firearm in conformance with the use of deadly force.

Unreasonable Force

Unreasonable Force occurs when:

The force is clearly out of proportion to the resistance or non-compliance of the subject.

The use of force against any person who has been subdued, restrained, or otherwise incapacitated, and who clearly does not represent a significant threat to any person.

The use of Unreasonable Force can be determined to be excessive and therefore may subject employees to criminal and civil prosecution, as well as discipline up to and including termination.

Reporting Use of Force

Reporting any use of force is mandatory wherein the use of force was beyond uniform/command presence, verbal commands or gestures.

Reporting is required for any "hands-on" a subject even at the lowest level of guidance or firm grip.

Reporting is required for drawing, exhibiting, or discharge of a firearm.

Employees involved in a Use of Force situation shall report the incident to their supervisor as soon as possible. The Supervisor/Post Commander shall complete or cause to be completed an incident report and deliver it to branch level management as soon as possible and within 8 hours.

Any employee who witnesses the use of force shall also notify their immediate supervisor.

Any employee who fails to report without delay the use of force or witnessing use of force will be the subject of an internal investigation and may be disciplined up to and including termination.

A Use of Force Report Form is required for any use of force beyond uniform/command presence, or verbal commands or gestures.

The Branch Manager, Division Manager and/or Regional Manager will complete a Use of Force Report Form for any incident where the use of force has resulted in bodily injury. This report shall be sent to the appropriate Vice President within the next business day following the incident. The Vice President will determine if the report should be noticed to others in the organization.

Review

All use of force incidents will be reviewed, and further investigated, if warranted.

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The level of review will depend on the type of force used but in all cases a management level of review will be conducted and documented.

The Vice President shall review the reports and forward all deemed relevant reports to the Use of Force Review Committee Chairperson. The Chairperson for the Use of Force Review Committee Is the Director of Risk Management or their designee.

All use of force reports shall be tracked and trended for review at a branch manager level and by the Use of Force Review Committee. Tracking and trending reports will be forwarded to the appropriate Vice President and/or others as determined by the Use of Force Review Committee Chairperson.

As necessary, the documented review will consider policy, procedures, training, deployment, tactics and or discipline related to use of force incidents. The Use of Force Review Committee will recommend changes, as needed, to policy, procedures, training, deployment and/or discipline based on the review, on periodic basis.

The Use of Force Review Committee will meet as determined by the Chairperson.

Training

All employees who are assigned to contracts that could result in the use of force shall be trained. Training in use of force will be conducted on an annual basis.

Training will be provided pursuant to jurisdictional law at a minimum and Universal Protection Service may at its discretion provide more training.

Additional training will be provided only by recognized or certified and approved trainers and/or programs.

Training may be recommended based on client requirements, identified need for improvement and/or periodic proficiency.

All training shall be documented as required in accordance with the Universal Protection Service Use of Force policy.

Further training and certification (where required), based on the equipment the employee is authorized or mandated to carry, will also be conducted.

No defensive equipment or weapons may be possessed or used without company approved training.

A minimum proficiency level will be documented by written and, where appropriate demonstrative testing. The minimum proficiency level will be in accordance with state laws, industry standards, and those required by the certifying entity.

All training shall be documented. Training records shall be maintained for a period of no less than 5 years following separation of employment.

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Amendments or Changes to this Policy are subject to the approval by signature of the Universal Protection Service CEO and the Chairman of the Board.
EMPLOYEE ACKNOWLEDGEMENT: UNIVERSAL USE OF FORCE POLICY

I, ________________________________________, hereby acknowledge that

(Print name legibly)

I have read and have been provided a copy of the Universal Use of Force Policy. I fully understand and agree to comply with the provisions and requirements therein. I further understand that any violation of this policy may result in disciplinary action up to and including termination of employment.

Employee Signature: ______________________________________________________

Date: __________

Facilitator Name: ______________________________________________________

Facilitator Signature: ____________________________________________________

Job Title: ________________ Date: __________

PLACE THIS DOCUMENT INTO THE EMPLOYEE TRAINING FILE

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