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STATE REPRESENTATIVE ★ 21ST ASSEMBLY DISTRICT

AB 904

Assembly Committee on Criminal Justice and Public Safety
Wednesday, February 9, 2022

This bill was brought to me by a gentleman in my district who owns and operates a private police company. His employees work as private security guards at local businesses and take on the role of protecting property and employees. Unfortunately, this industry has experienced instances where companies are simply bad actors and do not comply with the law, thus causing stress on the industry and compromising safety of the public. You will hear more about that from testimony later on.

Under current law, when a private security company is acting outside the law, or is a “bad actor”, the Department of Safety and Professional Services (DSPS) is charged with investigating complaints against that company. However, DSPS was not given an enforcement mechanism and oftentimes unlicensed companies who violate the law are not prosecuted.

AB 904 allows local law enforcement to investigate unlicensed private security companies, and requires them to report any alleged violations to DSPS. DSPS must then submit a report to the Legislature each year detailing the complaints that have been received regarding private security persons, private detectives, and private detective agencies and how the department responded and what action they took. Prior to 1995 this is how complaints were handled.

Occasionally a private security company will fail to submit a license application for the private security guards who they employ - unbeknownst to the employee. This bill requires the employee submit their application personally and would allow them to seek and receive a reimbursement from their employer for the license fee.

Finally, AB 904 addresses ambiguity in the law relating to concealed carry permit holders working as private security guards. Under current law, a concealed carry permit holder is able to carry while on duty as an armed security guard. Current law assumes that the permitted person is competent to protect him/herself and their company’s clients. The bill requires that if a private security guard is going to carry a firearm while on duty (whether they are specified as an armed security guard or not), they must complete the DSPS firearms training.

This bill has been vetted by law enforcement groups and written in coordination with private security companies who believe that the law needs to be changed in order to ensure that the public is properly protected.



Members of the Assembly Committee on Criminal Justice and Public Safety,

I would like to offer my support for AB 904, which allows local law enforcement to investigate private security companies who have been accused of being bad actors or breaking the law. Prior to a change in the law in 1995, local law enforcement had this responsibility. I believe that going back to the way it was done prior to 1995 is necessary to ensure that private security companies are following the law and supporting local law enforcement. When a private security company employs unlicensed security officers, for example, that puts the public at risk.

While DSPS plays a role in licensing private security companies, they do not have the ability or capacity to investigate and recommend punishment for all private security companies across Wisconsin. It is in the best interest of local law enforcement to ensure that violations are handled correctly and quickly so that the public and clients of private security companies do not see an interruption in protection.

The other part of this bill ensures that whether a private security officer is hired as an armed or unarmed security officer, that if they choose to carry a concealed weapon as protection, they must take the DSPS firearm training. This is the same training that an armed private security officer must take. I believe that even if someone is not considered an armed security officer and are still carrying a concealed weapon to protect his or herself, that person should go through the proper training so that if an incident does occur, they are properly trained to handle the situation. While they had to take a class to receive their concealed carry permit, that does not cover the necessary training needed to properly protect oneself or others in a situation that security officers commonly find themselves in.

AB 904 is a good step in the right direction, and I encourage you to consider its passage.

Patrick Mitchell
President
Wisconsin Chiefs of Police Association