

The Private Security Industry in Oregon

What does security services in the marijuana industry mean?



What is a private security professional? Is certification required?

An individual who performs, as their primary responsibility, any one or combination of private security services for consideration, regardless if the individual is armed or unarmed, wears a uniform or plain clothes, or is employed part or full time. This also includes individuals monitoring alarms. A private security professional is not authorized to independently contract with a business or entities to provide services as a private security professional.

Private security services*:

*Full definition is listed in ORS 181A.840

- Observing and reporting of any unlawful activity;
- Prevention of theft or misappropriation of any goods, money or other items of value;
- Protection of individuals or property, including but not limited to proprietary information, from harm or misappropriation;
- Controlling access to premises being protected;
- Providing canine services for the purposes of guarding or detection; or
- Authorized by the persons' employer as part of the person's employment, to take enforcement action by detaining or placing persons under arrest.

How this relates to the marijuana industry:

- Producer
- Processor
- Wholesale
- Laboratory
- Retail

If any of the above businesses in the marijuana industry have an individual that is employed or receiving consideration for the primary purpose of performing private security services as outlined to the left, they are required to be certified.

What is consideration? Consideration is something of value promised, given or done that has the effect of making an agreement to provide private security services.

In addition, any business employing at least one security professional, must designate an individual to perform the duties of an executive manager. This individual must apply for and obtain an executive manager license and act on behalf of the company or business in matters of certification and licensure. This executive manager has final responsibility for the company's or business's compliance with DPSST Private Security program.

You may employ a licensed executive manager or contract with a licensed executive manager. Another option is to hire a private security company that is in compliance with the law, to provide your private security needs.

Frequently, DPSST finds businesses out of compliance due to confusion on whether or not private security services are an individual's primary responsibility. If you have any questions, contact the program for clarification.

Examples:

If an individual is hired to transport and protect product or money from one location to another. The individual's primary responsibility is to protect the product or money while transporting. Certification is required.

If an individual is receiving consideration for staying on a grow site and their primary responsibility is to notify law enforcement if anyone attempts to gain access to the grow site. The individual's primary responsibility is to observe and report unlawful activity. Certification is required.

If an individual is hired to be a "bud tender" and their primary responsibility is to attend to consumers in their establishment regarding the sale of products and to physically (if necessary) escort off the premises any intoxicated, underage or unwelcome consumers. The expectation from their employer is to physically, if necessary, escort individuals off the premises. Certification is required.

If an individual is receiving consideration for monitoring the security alarm system for a premise and is required to contact law enforcement or a security company in the event of a breach. Certification is required.

How do I apply for certification or licensure?

The application packet submitted to the Department must include:

- Basic Application;
- Fingerprints*;
- Basic Training:
 - 12 hrs for alarm monitor
 - 14 hrs for unarmed,
 - 24 hrs for armed,
- Appropriate fees;
- Temporary Work Permit (if employed)

Basic training must be obtained from certified private security instructors. A list of instructors can be found on the DPSST Private Security website: www.oregon.gov/DPSST/PS

*** For more information on fingerprinting options please visit our website listed above.**

Applicants must meet the minimum standards for certification or licensure. Minimum standards include:

- Be at least 21 years of age*;
- Education;
- Training; and
- Moral Fitness - be of good moral fitness as determined by a background check, department investigation or other reliable sources. OAR 259-060-0300, 259-060-0310 and 259-060-320.

***DPSST requirement is 18 years of age to apply for unarmed professional certification however**

recognizes OLCC requires security providers working for a marijuana business to be 21 or older.

Compliance / Violations

Any law enforcement officer may issue a citation for a Class A violation for:

- Person providing private security services without proper certification
- Failure to carry certification card while performing security services

Administrative action, such as civil penalty, revocation of certification or licensure may be pursued for:

- Failure to complete training and apply for certification/licensure prior to beginning work;
- Businesses operating without a licensed Executive Manager;
- Employing private security providers who have not completed the training and application process; or
- Providing private security services without a valid certification or licensure or Temporary Work Permit

Questions ?

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