

6-18 Tribal Unarmed and Armed Private Security

6-18-01 Purpose

The Colville Business Council has determined that in order to adequately protect the health, welfare and safety of the Tribes, residents of the Colville Reservation and those individuals conducting the business of private security within the Colville Reservation shall be regulated. In addition, the purpose of this chapter is to identify an entity within the tribal government to regulate, monitor and establish a certification processes for those wishing to operate as private security with the Colville Reservation.

6-18-02 Definitions

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(a) "Armed private security guard" means a private security guard who has a current firearms certificate issued by the Colville Tribe and is licensed as an armed private security guard under this chapter.

(b) "Armored vehicle guard" means a person who transports in an armored vehicle under armed guard, from one place to another place, valuables, jewelry, currency, documents, or any other item that requires secure delivery.

(c) "Chief" means the Colville Tribal Police Chief.

(d) "Classroom instruction" means training that takes place in a setting where individuals receiving training are assembled together and learn through lectures, study papers, class discussion, textbook study, or other means of organized formal education techniques, such as video, closed circuit, or other forms of electronic means, and as distinguished from individual instruction.

(e) "Council" means the Colville Business Council.

(f) "Department" means the Colville Tribal Police Department.

(g) "Department-certified trainer" means any person who has been approved by the department by receiving a passing score on a department-administered examination, to administer department-provided examinations and attest that training or testing requirements have been met.

(h) "Deputy Director" means the deputy director of the Office of Public Safety.

(i) "Director" means the director of the Office of Public Safety.

(j) "Employer" includes any individual, firm, corporation, partnership, association, company, society, manager, contractor, subcontractor, bureau, agency, service, office, or an agent of any of the foregoing that employs or seeks to enter into an arrangement to employ any person as a private security guard.

(k) "Firearms certificate" means the certificate issued by the chief.

(l) "Individual instruction" means training that takes place either on-the-job or through formal education techniques, such as video, closed circuit, internet, or other forms of electronic means, and as distinguished from classroom instruction.

(m) "Licensee" means a person granted a license required by this chapter.

(n) "Person" includes any individual, firm, corporation, partnership, association, company, society, manager, contractor, subcontractor, bureau, agency, service, office, or an agent or employee of any of the foregoing.

(o) "Primary responsibility" means activity that is fundamental to, and required or expected in, the regular course of employment and is not merely incidental to employment.

(p) "Principal corporate officer" means the president, vice president, treasurer, secretary, comptroller, or any other person who performs the same functions for the corporation as performed by these officers.

(q) "Private Security Company" means a person or entity licensed under this chapter and engaged in the business of providing the services of private security guards on a contractual basis.

(r) "Private security guard" means an individual who is licensed under this chapter and principally employed as or typically referred to as one of the following:

- (1) Security officer or guard, including fire watch and maintaining roadblocks;
- (2) Patrol or merchant patrol service officer or guard;
- (3) Armed escort or bodyguard;
- (4) Armored vehicle guard;
- (5) Crowd control officer or guard.

(s) "Qualifying agent" means an officer or manager of a corporation who meets the requirements set forth in this chapter for obtaining a license to own or operate a private security company.

(t) "Reservation" means the Colville Indian Reservation, which includes all territory within the exterior boundaries and all lands outside of the boundaries of the Reservation held in trust by the United States for Tribal members.

(u) "Sworn peace officer" means a person who is an employee of a Tribal, federal, state, county or a municipality and has law enforcement powers.

(v) "Tribe & Tribal" refers to the Colville Confederated Tribes.

(Amended 12/5/13, Certified 12/10/13, Resolution 2013-915)

6-18-03 Exemptions

The requirements of this chapter do not apply to:

(a) A sworn peace officer while engaged in the performance of the officer's official duties;

(b) A sworn correctional officer while engaged in the performance of their official duties;

(c) A sworn peace officer or correctional while employed by any person to engage in off-duty employment as a private security guard, but only if the employment is approved by the chief and the sworn peace officer does not employ, contract with, or broker for profit other persons to assist him or her in performing the duties related to his or her private employer.

(d) The Armored Car service on record of the Colville Tribal Casinos.

(Amended 12/5/13, Certified 12/10/13, Resolution 2013-915)

6-18-04 Security Guard License – Requirements

An applicant must meet the following minimum requirements to obtain a private security guard license:

- (a) Be at least eighteen years of age;
- (b) Be a citizen of the United States, a resident alien, or a member of a federally recognized tribe;
- (c) Not have been convicted of a crime in any jurisdiction, if the deputy director determines that the applicant's particular crime directly relates to his or her capacity to perform the duties of a private security guard, and the deputy director determines that the license should be withheld to protect the citizens of the Colville Reservation;
- (d) Be employed by or have an employment offer from a reservation licensed private security company or be licensed as a reservation private security guard;
- (e) Satisfy the training requirements established by the deputy director;
- (f) Submit a set of fingerprints;
- (g) Pay the required nonrefundable fee for each application; and
- (h) Submit a fully completed application that includes proper identification on a form prescribed by the deputy director for each company of employment.

6-18-05 Armed Private Security Guard License – Requirements

(a) An applicant must meet the following minimum requirements to obtain an armed private security guard license:

- (1) Be licensed on the reservation as a private security guard;
- (2) Be at least twenty-one years of age;
- (3) Have a current firearms certificate issued by the chief; and
- (4) Pay the fee established by the deputy director.

(b) An armed private security guard license may take the form of an endorsement to the security guard license if deemed appropriate by the deputy director.

6-18-06 Armed Private Security Guard License Authority – Registration of Firearms

(a) An armed private security guard license grants authority to the holder, while in the performance of his or her duties, to carry a firearm with which the holder has met the proficiency requirements established by the chief.

(b) All firearms carried by armed private security guards in the performance of their duties must be individually registered on the certificate issued by the deputy director.

6-18-07 Private security company license – Requirements, restrictions – Qualifying agent – Assignment or transfer of license

(a) In addition to meeting the minimum requirements to obtain a license as a private security guard, an applicant, or, in the case of a partnership, each partner, or, in the case of a corporation, the qualifying agent must meet the following requirements to obtain a license to own or operate a private security company:

(1) Possess three years' experience as a manager, supervisor, or administrator in the private security business or a related field approved by the deputy director, or be at least twenty-one years of age and pass an examination determined by the deputy director to measure the person's knowledge and competence in the private security business;

(2) Meet the insurance requirements of this chapter; and

(3) Pay any additional fees established by the deputy director.

(b) If the qualifying agent upon whom the licensee relies to comply with subsection (a) of this section ceases to perform his or her duties on a regular basis, the licensee must promptly notify the deputy director by certified or registered mail. Within sixty days of sending notification to the deputy director, the licensee must obtain a substitute qualifying agent who meets the requirements of this section. The deputy director may extend the period for obtaining a substitute qualifying agent.

(c) A company license issued pursuant to this section may not be assigned or transferred without prior written approval of the deputy director.

(d) No license to own or operate a private security guard company may be issued to an applicant if the name of the company portrays the company as a public law enforcement agency, or in association with a public law enforcement agency, or includes the word "police", as determined by the deputy director.

6-18-08 License Cards and Certificates – Issuance and Requirements

(a) The deputy director shall issue a private security guard license card to each licensed private security guard and an armed private security guard license card (or armed endorsement to the private security license) to each armed private security guard.

(1) The license card may not be used as security clearance.

(2) A private security guard shall carry the license card whenever he or she is performing the duties of a private security guard and shall exhibit the card upon request.

(3) An armed private security guard shall carry the license card whenever he or she is performing the duties of an armed private security guard and shall exhibit the card upon request.

(b) The deputy director shall issue a license certificate to each licensed private security employer.

(1) Within seventy-two hours after receipt of the license certificate, the licensee shall post and display the certificate in a conspicuous place in the principal office of the licensee.

(2) It is unlawful for any person holding a license certificate to knowingly and willfully post the license certificate upon premises other than those described in the license certificate or to materially alter a license certificate.

(3) Every advertisement by a licensee that solicits or advertises business shall contain the name of the licensee, the address of record, and the license number as they appear in the records of the deputy director.

(4) The licensee shall notify the deputy director within thirty days of any change in the licensee's officers or directors or any material change in the information furnished or required to be furnished to the deputy director.

6-18-09 Licensed Private Security Companies – Certificate of Insurance Required

A licensed private security company shall file and maintain with the deputy director a certificate of insurance as evidence that it has comprehensive general liability coverage of at least twenty-five thousand dollars for bodily or personal injury and twenty-five thousand dollars for property damage.

6-18-10 Training Requirements

(a) All security guard applicants must complete at least eight hours of pre-assignment training. The pre-assignment training must be in the topic areas established by the deputy director and may be classroom instruction or individual instruction, or both. The deputy director may waive the initial training for security guards already licensed who transfer from another company, if the security guard presents appropriate training records signed by a department-certified trainer from the previous company, or a signed affidavit that the individual has already completed the required training provided by his or her previous company, or was employed fulltime as a sworn peace officer within the last five years.

(b) Security guards licensed between January 1st and June 30th of any calendar year must receive eight hours of post-assignment training any time between the day following the issuance of their security guard license and January 1st of the year following. The post-assignment training topics will be established by the deputy director and may be classroom instruction or individual instruction, or both.

(c) Security guards licensed between July 1st and December 31st of any calendar year must receive eight hours of post-assignment training at any time between the day following the issuance of their security guard license and July 1st of the year following. The post-assignment training topics will be established by the deputy director and may be classroom instruction or individual instruction, or both.

(d) Following completion of the pre-assignment and post-assignment training, at least four total hours of annual refresher training shall be administered to security guards each subsequent year. The subsequent year begins, for refresher training purposes, the day following the last date the security guard is required to receive the eight hours of post-assignment training. One hour per year of annual refresher training may focus directly on customer service-related skills or topics and the remaining three hours per year of annual refresher training must focus on emergency response concepts, skills, or topics including but not limited to knowledge of site post orders or life safety.

(e) Employers must maintain records regarding the training hours completed by each employee. All such records are subject to inspection by the department. The training requirements and test results must be recorded and attested to by a department-certified trainer. Training records must contain a description of the topics covered, the name and signature of the trainer, and the name and signature of the security guard.

(f) All private security guards must have current CPR and First Aid cards and these training hours may not be a part of either pre or post-assignment training.

6-18-11 Required Notice of Certain Occurrences

(a) A private security employer shall notify the deputy director within thirty days after the death or termination of employment of any employee who is a licensed private security guard or armed private security guard by returning the license to the department with the word "terminated" written across the face of the license, the date of termination, and the signature of the principal or the principal's designee of the private security guard company.

(b) A private security employer shall notify the chief within seventy-two hours of information affecting a security guards continuing eligibility to hold a license under the provisions of this chapter.

(c) A private security guard employer shall immediately notify the department whenever an employee who is an armed private security guard discharges his or her firearm while on duty other than on a supervised firearm range.

6-18-12 Non-Tribal Licensees – Application – Fee

Any person from off the reservation that the deputy director determines has selection, training, and other requirements at least equal to those required by this chapter, and who holds a valid license, registration, identification, or similar card issued by the other entity, may apply for a private security guard license card or armed private security guard license card on a form prescribed by the deputy director. Upon receipt of a processing fee to be determined by the deputy director, the deputy director shall issue the individual a private security guard license card or armed private security guard license card.

6-18-13 Investigation of Applicants

(a) Applications for licenses required under this chapter shall be filed with the department on a form provided by the chief. The chief may require any information and documentation that reasonably relates to the need to determine whether the applicant meets the criteria.

(b) After receipt of an application for a license, the chief shall conduct an investigation to determine whether the facts set forth in the application are true and shall request that the Washington state patrol compare the fingerprints submitted with the application to fingerprint records available to the Washington state patrol. The Washington state patrol shall forward the fingerprints of applicants for an armed private security guard license to the federal bureau of investigation for a national criminal history records check. The chief may require that fingerprint cards of licensees be periodically reprocessed to identify criminal convictions subsequent to registration.

(c) The chief shall solicit comments from the chief law enforcement officer of the county and city or town in which the applicant's employer is located prior to issuance of a private security guard license.

6-18-14 Licenses Required – Use of Public Law Enforcement Insignia Prohibited – Penalties – Enforcement

(a) Any person who performs the functions and duties of a private security guard on the reservation without being licensed in accordance with this chapter, or any person presenting or attempting to use as his or her own the license of another, or any person who gives false or forged evidence of any kind to the deputy director in obtaining a license, or any person who falsely impersonates any other licensee, or any person who attempts to use an expired or revoked license, or any person who violates any of the provisions of this chapter is guilty of a Class B offense.

(b) A person is guilty of a Class A offense if he or she performs the functions and duties of an armed private security guard on the reservation unless the person holds a valid armed private security guard license issued by the deputy director.

(c) It is a Class A offense for a private security company to hire, contract with, or otherwise engage the services of an unlicensed armed private security guard knowing that he or she does not have a valid armed private security guard license issued by the deputy director.

(d) It is a Class A offense for a person to possess or use any vehicle or equipment on the reservation displaying the word "police" or "law enforcement officer" or having any sign, shield, marking, accessory, or insignia that indicates that the equipment or vehicle belongs to a public law enforcement agency.

(e) It is a Class A offense for any person who performs the functions and duties of a private security guard to use any name that includes the word "police" or "law enforcement" or that portrays the individual or a business as a public law enforcement agency.

(f) It is the duty of all law enforcement officers of the Tribe to enforce the provisions of this chapter.

6-18-15 Enforcement Against Persons Not Subject to Tribal Criminal Jurisdiction

The Colville Confederated Tribes may bring an action for a civil penalty against any person who is alleged to have engaged in an activity which violates any provision of this Chapter and who is not subject to Tribal criminal jurisdiction. The Colville Confederated Tribes may bring an action for forfeiture of any articles of use in activities prohibited under this Chapter. Such penalty and forfeiture actions shall be brought under the procedures established in Chapter 2-3 of this Code. Any person violating the provisions of this Chapter shall be subject to exclusion from the Reservation under the applicable Chapter of this Code.

6-18-16 Transfer of License

A licensee who transfers from one company to another must submit a transfer application on a form prescribed by the deputy director along with a transfer fee established by the deputy director.

6-18-17 Unprofessional Conduct

The following conduct, acts, or conditions constitute unprofessional conduct:

- (a) Knowingly violating any of the provisions of this chapter or the rules adopted under this chapter;
- (b) Practicing fraud, deceit, or misrepresentation in any of the private security activities covered by this chapter;
- (c) Knowingly making a material misstatement or omission in the application for a firearms certificate;
- (d) Not meeting the qualifications set forth in this chapter;
- (e) Failing to return immediately on demand a firearm issued by an employer;
- (f) Carrying a firearm in the performance of his or her duties if not the holder of a valid armed private security guard license, or carrying a firearm not meeting the provisions of this chapter while in the performance of his or her duties;
- (g) Failing to return immediately on demand any uniform, badge, or other item of equipment issued to the private security guard by an employer;
- (h) Making any statement that would reasonably cause another person to believe that the private security guard is a sworn peace officer;
- (i) Divulging confidential information that may compromise the security of any premises, or valuables shipment, or any activity of a client to which he or she was assigned;
- (j) Assigning or transferring any license issued pursuant to the provisions of this chapter;
- (k) Failure to maintain insurance; and
- (l) Failure to have a qualifying principal in place.

6-18-18 Display of Firearms While Soliciting Clients

No licensee, employee or agent of a licensee, or anyone accompanying a licensee, employee, or agent may display a firearm while soliciting a client.

6-18-19 Authority of Director

The director or the director's designee has the following authority in administering this chapter:

- (1) To adopt, amend, and rescind rules as deemed necessary to carry out this chapter;
- (2) To adopt standards of professional conduct or practice; and
- (3) To establish a uniform system of fees to support the administration of this chapter.

6-18-20 Inability to Practice by Reason of a Mental or Physical Condition – Statement of Charges – Hearing – Sanctions – Examinations – Presumed Consent

(a) If the chief believes a license holder or applicant may be unable to perform as a private unarmed or armed security person with reasonable skill and safety to the public by reason of a mental or physical condition, a statement of charges shall be served on the license holder or applicant and notice shall also be issued providing an opportunity for a hearing before the director. The hearing shall be limited to the sole issue of the capacity of the license holder or applicant to practice with reasonable skill or safety. If the director determines that the license holder or applicant is unable to practice with reasonable skill and safety for one of the reasons stated in this subsection, the director shall impose such sanctions as are deemed necessary to protect the public.

(b) In investigating or adjudicating a complaint or report that a license holder or applicant may be unable to practice with reasonable skill or safety by reason of a mental or physical condition, the chief may require a license holder or applicant to submit to a mental or physical examination by one or more licensed or certified health professionals designated by the director. The cost of the examinations ordered by the department shall be paid by the department. In addition to any examinations ordered by the department, the licensee may submit physical or mental examination reports from licensed or certified health professionals of the license holder's or applicant's choosing and expense. Failure of the license holder or applicant to submit to examination when directed constitutes grounds for immediate suspension or withholding of the license, consequent upon which a default and final order may be entered without the taking of testimony or presentations of evidence, unless the failure was due to circumstances beyond the person's control. A determination by a court of competent jurisdiction that a license holder or applicant is mentally incompetent or mentally ill is presumptive evidence of the license holder's or applicant's inability to practice with reasonable skill and safety. An individual affected under this section shall at reasonable intervals be afforded an opportunity to demonstrate that the individual can resume competent practice with reasonable skill and safety to the public.

(c) For the purpose of this section, an applicant or license holder governed by this chapter, by making application, practicing, or filing a license renewal, is deemed to have given consent to submit to a mental, physical, or psychological examination if directed in writing by the department and further to have waived all objections to the admissibility or use of the examining health professional's testimony or examination reports by the deputy director on the ground that the testimony or reports constitute hearsay or privileged communications.

6-18-21 Unprofessional Conduct or Inability to Practice – Penalties

Upon a finding that a license holder or applicant has committed unprofessional conduct or is unable to practice with reasonable skill and safety due to a physical or mental condition, the deputy director may issue an order providing for one or any combination of the following:

- (a) Revocation of the license;
- (b) Suspension of the license for a fixed or indefinite term;
- (c) Restriction or limitation of the practice;

- (d) Requiring the satisfactory completion of a specific program of remedial education or treatment;
- (e) Monitoring of the practice by a supervisor approved by the director;
- (f) Censure or reprimand;
- (g) Compliance with conditions of probation for a designated period of time;
- (h) Withholding a license request; or
- (i) Other corrective action.

Any of the actions under this section may be totally or partly stayed by the director. All costs associated with compliance with orders issued under this section are the obligation of the license holder or applicant.

6-18-22 Reciprocity Agreements

The deputy director has the authority to negotiate reciprocity agreements with other entities allowing licensed security officers from the Tribe to work in those other areas.

6-18-23 Minimum Pre-Assignment Training and Testing Requirements

Pre-assignment training must consist of eight hours of training.

(a) At least four hours of the training must take place in an organized and formal setting. The remaining four hours of training can be continued in the organized and formal setting or it can be individual instruction.

(b) The pre-assignment organized and formal training must be from the following listed subjects. These training topics are the source of the questions in the pre-assignment examination issued by the department.

(1) Basic principles

- (i) Basic role of the security guard;
- (ii) Tribal licensing laws;
- (iii) Observation;
- (iv) Proper actions, reactions;
- (v) Homeland security - terrorism and surveillance.

(2) Legal powers and limitations

- (i) Citizens arrest;
- (ii) Authority to detain, question, or search a private citizen;
- (iii) Authority to search or seize private property;
- (iv) Use of force;
- (v) Avoiding liability.

(3) Emergency response.

- (i) How to define what is or is not an emergency situation;
- (ii) Response to fires;
- (iii) Response to medical emergencies;
- (iv) Response to criminal acts;
- (v) Bomb threats.

(4) Safety and accident prevention.

- (i) Hazardous materials;
- (ii) Accident reporting.

(5) Report writing.

- (i) Elements and characteristics of a report.

(c) All private security guard applicants, after receiving pre-assignment training and prior to receiving their license or registration card, must successfully complete an exam designed and provided by the department to demonstrate understanding and retention of the information learned in the training course on the subjects listed in above. The exam shall consist of multiple choice questions. All applicants must answer all questions correctly on the pre-assignment training exam or questions incorrectly answered must be reviewed to ensure the applicant's understanding and then initialed by both the applicant and the trainer verifying knowledge of the correct answer(s).

6-18-24 Minimum Post-Assignment Training Requirements and Training Topics

Post-assignment training must consist of eight hours of training in any topics contained in this section. These topics may also be used in the annual refresher training. Training requirements are described at the end of this section.

(a) The topic areas that must be used for post-assignment training are as follows:

(1) Basic role of private security guards.

- (i) Security awareness;
- (ii) Private security guards and the criminal justice system;
- (iii) Information sharing;
- (iv) Crime and loss prevention.

(2) Legal aspects of private security

- (i) Evidence and evidence handling;
- (ii) Use of force;
- (iii) Court testimony;
- (iv) Incident scene preservation;

- (v) Tribal and federal laws;
 - (vi) State and local laws.
- (3) Security officer conduct.
- (i) Ethics;
 - (ii) Honesty;
 - (iii) Professional image.
- (4) Observation and incident reporting.
- (i) Observation techniques;
 - (ii) Note taking;
 - (iii) Report writing.
- (5) Principles of communications.
- (i) Interpersonal skills;
 - (ii) Verbal communication skills;
 - (iii) Building relationships with law enforcement;
 - (iv) Customer services and public relations;
 - (v) Workplace violence.
- (6) Principles of access control.
- (i) Enter and exit control procedures;
 - (ii) Electronic security systems.
- (7) Principles of safeguarding information.
- (i) Proprietary and confidential.
- (8) Emergency response procedures.
- (i) Critical incident response (e.g., natural disasters, accidents, human caused events).
- (9) Evacuation processes.
- (10) Life safety awareness.
- (i) Safety hazards in the workplace/surroundings;
 - (ii) Emergency equipment placement;
 - (iii) Fire prevention skills;

(iv) Hazardous materials;

(v) Occupational safety and health requirements (e.g., TOSHA related training, blood borne pathogens, etc.).

(11) Job assignment.

(i) Assignments and tasks;

(ii) Patrol.

(b) The required post-assignment training records must be attested to by a licensed certified trainer and retained by the company. The post-assignment training records must include the following information:

(1) Security guard name and signature;

(2) Training topics covered;

(3) Number of training hours received;

(4) Date training was completed;

(5) Certified trainer attesting to the training.

(c) Electronic records and signatures are permitted. The post-assignment training records are not required to be submitted to the department, but must be available upon request from the company for three years.

(d) Security guard companies are required to maintain complete detailed training records. The training records must include the name and signature of the department certified trainer attesting to the training provided.

(e) Transferring security guards may provide a copy of their training records to another security guard company. Security guard companies may accept the records as proof that the security guards have completed the required post-assignment training and not repeat post-assignment training.

6-18-25 Certification of Private Security Training Trainers

An individual must successfully score at least eighty-five percent on the agency principal examination to become a certified trainer. Individuals who fail to obtain an eighty-five percent score will be required to wait a minimum of seven days before reexamination. There is no limit on the number of certified trainers an individual private security guard company may have certified.

6-18-26 Firearms Certification – Licensing Requirement

(a) Any licensed private security guard desiring to be licensed as an armed private security guard by the department shall, as a precondition of being licensed as an armed private security guard, obtain a firearms certificate from the chief.

(b) An application for armed license must be submitted to the deputy director within 90 days following issuance of a firearms certificate by the chief. If application is not submitted within that time period, the

firearms certificate will be deemed lapsed by the deputy director and shall not serve as the basis for an armed license.

(c) The firearms certificate may be obtained by successfully completing the basic 16 hour private security firearms certificate course. The department maintains a list of certified instructors.

(d) The armed private security applicant must obtain a separate certification for each weapon they will utilize in their duties.

(d) It shall be the responsibility of the employer to insure that the armed private security guard demonstrates proficiency standards on an annual basis with each firearm that he/she is certified to use. Proficiency standards shall be set by the chief.

6-18-27 Firearms Certification – Training Course Requirements

(a) A firearms certificate will be issued to any eligible applicant who has satisfactorily completed an approved program of at least sixteen hours of instruction and testing prescribed by the chief for this purpose and conducted by a certified private security firearms instructor. Such program shall include:

(1) Classroom instruction which, through established learning objectives, addresses:

(i) Legal issues regarding the use of deadly force;

(ii) Decision making regarding the use of deadly force;

(iii) Safe firearms handling;

(iii) Firearms retention techniques; and

(iv) Basic tactics in the use of deadly force.

(2) A written examination based upon the aforementioned learning objectives;

(3) A skills test wherein the applicant is required to demonstrate satisfactory proficiency in safe firearms handling; and

(4) A range qualification course wherein an applicant is required to demonstrate requisite proficiency with each firearm the applicant will use in their duties.

(5) A minimum score of 70% must be obtained in each of the listed categories, written-skill-qualification.

(b) A firearms certificate shall be issued in the name of each successful applicant and forwarded to the respective employing company.

6-18-28 Firearms Certification – Expiration and Renewal

(a) Any firearms certificate issued by the chief shall expire on the expiration date of any armed security guard license issued by the deputy director.

(b) By renewing the armed private security guard license with the department, the principal partner or principal owner for the private security guard company is making declaration that the armed security guard has met the requirements for annual proficiency with the firearms for which he/she is certified.

(c) Proof of annual proficiency must be kept in the employee's file within the private security company.

6-18-29 Private Security Firearms Instructor – Certification and Renewal – Exemptions

- (a) A private security firearms instructor certificate shall be issued by the deputy director when the applicant has successfully passed the certification course as mandated by the chief. This course will contain the following elements and examinations:
- (1) Classroom instruction which, through established learning objectives, addresses:
 - (i) Legal issues regarding the use of deadly force;
 - (ii) Decision making regarding the use of deadly force;
 - (iii) Safe firearms handling;
 - (iii) Firearms retention techniques; and
 - (iv) Basic tactics in the use of deadly force.
 - (2) The safe handling of firearms including:
 - (i) Holstering and drawing a handgun;
 - (ii) Unloading and loading a handgun, rifle and shotgun;
 - (iii) Stances for each weapons system;
 - (iv) Storing of each weapons system; and
 - (v) Proper maintenance of each weapon system.
 - (3) A range qualification course wherein an applicant is required to demonstrate requisite proficiency with each firearm the applicant will use in their duties.
 - (4) The applicant must pass the written, safe handling and range qualification exams with a minimum score of 85%.
- (b) The certification must be renewed yearly and expires one year from the date of issuance. The renewal process consists of:
- (1) Passing a written exam with a minimum score of 85% covering the following subjects:
 - (i) Legal issues regarding the use of deadly force;
 - (ii) Decision making regarding the use of deadly force;
 - (iii) Safe firearms handling;
 - (iii) Firearms retention techniques; and
 - (iv) Basic tactics in the use of deadly force.
 - (2) Satisfactorily demonstrating the safe handling of firearms including:
 - (i) Holstering and drawing a handgun;
 - (ii) Unloading and loading a handgun, rifle and shotgun;

- (iii) Stances for each weapons system;
- (iv) Storing of each weapons system; and
- (v) Proper maintenance of each weapon system.

(3) Completing the range qualification with a minimum score of 85%.

(c) The following persons are exempt

(1) Current Tribal law enforcement, Natural Resource enforcement and correctional firearms instructional staff who pass the private security firearms instructor written exam with a minimum score of 85%.

(2) Former Tribal law enforcement, Natural Resource enforcement and correctional firearms instructional staff are allowed to utilize the renewal process for their initial instructional certification.

(Adopted 2/7/13, Resolution 2013-85)