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# Rules of Boards of Police Commissioners

## Division 20—St. Louis Board of Police Commissioners

### Chapter 3—Rules for Couriers

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## Title 17—BOARDS OF POLICE COMMISSIONERS

### Division 20—St. Louis Board of Police Commissioners

#### Chapter 3—Rules for Couriers

#### 17 CSR 20-3.015 Administration and Command of the Private Security Section

*PURPOSE: Under section 84.340, RSMo, the St. Louis, Missouri Board of Police Commissioners has the authority to regulate and license all private security personnel, serving or acting as such, in St. Louis. These rules establish procedures, training, requirements and license fees for those persons so employed in the security field.*

(1) Board of Police Commissioners. The St. Louis Board of Police Commissioners (also referred to as the board) is established by state statute and consists of five (5) members, four (4) of whom are appointed by the governor. The mayor of the City of St. Louis serves *ex officio*. The board has sole charge and control of the metropolitan police department of the City of St. Louis and of the licensing, regulation and discipline of all private security officers, private watchman and couriers in the City of St. Louis. Private detectives are licensed by the license collector's office of the City of St. Louis, not by the board of police commissioners. The board relegated that responsibility to the city license collector's office.

(2) Private Security Section. The private security section is responsible for the interviewing, investigating, processing, licensing, inspecting and supervising of all persons working or acting as licensed security officers or any other variety of titles in the City of St. Louis. The private security section is further responsible for issuing and transferring all such licenses, for reinstatements, for periodic inspection of license holders, for liaison with all suppliers of security personnel in the city, for maintenance of a personnel file on all applicants in the City of St. Louis and for publishing, within the department, information of all terminations of employment of security personnel. The private security section also conducts background investigations on private detective/investigator applicants as requested by the license collector's office. The decision to issue a license is made by the license collector's office.

(3) Private Security Personnel. The St. Louis Metropolitan Police Department Private Security Program has three (3) distinct clas-

sifications of personnel. A definition of each classification is listed as follows:

(A) Private security officer. A person employed with certain police powers (as defined in 17 CSR 20-3.065) to protect life or property on or in designated premises. The private security officer's powers exist only within the established property owned or leased by the contracting employer and to incidents occurring on the premises. The security officer may carry a firearm providing this individual is qualified (as defined in 17 CSR 20-3.055). Authorization to carry a firearm is designated on the badge/identification (ID) card. The private security officer, whether armed or unarmed, may carry a slapper, baton, nightstick, aerosol tear gas and handcuffs;

(B) Courier. A person employed to carry out the assignment of protecting and transporting property from one (1) designated area to another. The person shall be in an approved military style uniform. The courier has no power of arrest. The courier may carry a firearm provided this individual is qualified (as defined in 17 CSR 20-3.055), which is designated on the badge/ID card; and

(C) Private watchman. A person employed without police powers and without authorization to carry weapons or protective devices. This individual will perform the tasks of observation and reporting on or in a licensed premises or designated area. This may include patrolling the public street. The private watchman has a distinctive grey, military uniform. The private watchman has no power of arrest. Note: Only the private security officer and private courier classifications will be permitted to hold two (2) licenses. Each classification is licensed separately and functions as a distinct entity. (This licensing does not include the private watchmen classification.)

*AUTHORITY: section 84.340, RSMo 1986.\* Original rule filed April 8, 1988, effective July 11, 1988.*

*\*Original authority: 84.340, RSMo 1939.*

#### 17 CSR 20-3.025 Definitions

*PURPOSE: This rule standardizes the common terms unique to the private security field. The definitions will be the accepted interpretation for these prescribed rules.*

(1) Applicant—A person who applies for a courier license.

(2) Badge/identification (ID) card—A card that is issued to security personnel bearing a picture of and information about, the person to whom the card is issued.

(3) Cancellation—The inactivation of a license at the request of an employer.

(4) Firearm—Gun, double action .38 Special caliber revolver only.

(5) License—The document which is issued to each of the licensed security personnel by the board of police commissioners authorizing the holder to perform specific security duties in the City of St. Louis as designated by the license.

(6) Protective devices—The only approved instruments used for personal protection are slapper, baton, nightstick, aerosol tear gas and handcuffs.

(7) Revocation—The inactivating of a license by the board of police commissioners for just cause.

(8) Suspension—The temporary suspension of a license pending an administrative investigation determined by the board of police commissioners.

(9) Termination—The inactivating of a license through resignation, cancellation, expiration or revocation.

(10) Weapons—Instruments used as protective devices as listed in section (6), including a firearm, slapper, baton, nightstick, aerosol tear gas and handcuffs.

*AUTHORITY: section 84.340, RSMo 1986.\* Original rule filed April 8, 1988, effective July 11, 1988.*

*\*Original authority: 84.340, RSMo 1939.*

#### 17 CSR 20-3.035 Licensing

*PURPOSE: Under section 84.340, RSMo, the St. Louis, Missouri Board of Police Commissioners has the authority to regulate and license all private security personnel, serving or acting as such, in St. Louis. These rules establish procedures, training requirements and license fees for those persons so employed in this industry.*

(1) General Procedures. Each applicant must appear in person at the office of the private

security section. Each applicant must complete an application form. S/he must provide all information requested in the application for a determination of his/her qualifications to hold a license as a courier. Each applicant must present a current letter (no older than ten (10) days) from the intended employer, where the proposed employer states an intention to hire the applicant. Prior to an application being processed by the private security section, a criminal history inquiry will be made through the St. Louis Police Department's computer terminal. If the inquiry reveals that the applicant has an open criminal arrest record, s/he will be required to obtain a certified final court disposition or a report from a circuit or prosecuting attorney. If the case is still open, the application process will not be completed until a final disposition is obtained.

(2) Standards. Each applicant for a license to work as a courier in the City of St. Louis shall meet the standards set by the board of police commissioners, which require that an applicant—

(A) Be a citizen of the United States, or legal resident-alien permitted to work in this country;

(B) Be at least twenty-one (21) years of age;

(C) Be able to read, write and understand the English language;

(D) Meet physical and mental standards established by the board of police commissioners;

(E) Not be licensed as a courier and a private detective at the same time;

(F) Be capable of understanding and performing the duties and responsibilities of a licensed courier within the scope of departmental policies and procedures;

(G) Must be in possession of an Honorable Discharge or a General Discharge Under Honorable Conditions, if s/he has served time on active or reserve duty in any of the Armed Forces of the United States. An Undesirable Discharge, a Discharge Under Dishonorable Conditions or a Discharge Other Than Honorable Conditions will disqualify the applicant;

(H) Be of good moral character;

(I) Have no felony convictions;

(J) Be able to pass a character investigation by this department;

(K) Satisfactorily complete the training program prescribed by the board of police commissioners;

(L) Pass a written examination based on the information given in the training course;

(M) Never have had a security license revoked by another jurisdiction for a criminal law violation;

(N) Not withhold any information which would determine fitness relevant to being licensed as a courier; and

(O) Be free of any type of chemical dependency.

(3) Issuance/Denial of License. When an applicant has successfully completed the requirements set by the board of police commissioners, the board will issue a license. An applicant may be denied a license for any of the following reasons:

(A) Failure to meet the standards in section (2);

(B) Falsifying information on any of the forms provided by the private security section to establish eligibility. Applicants who falsify those documents shall be ineligible to receive a courier license and cannot reapply for at least six (6) months from the date the false information was submitted;

(C) Failure to provide whatever additional information is deemed necessary in order to establish eligibility;

(D) The references, employment background records, or both, indicate a poor or unsatisfactory character or work record;

(E) Any facts or actions which make the applicant unsuitable or ineligible for licensing; and

(F) Resigned under investigation, resigned under charges or was discharged from the police force of the City of St. Louis.

(4) Notification of License Denial. Applicants and their employers, in event of license denial, will be given a written notification. Specific reasons will be given to an applicant who appears in person at the office of the private security section. Applicants may appeal, in writing, to the board of police commissioners within thirty (30) days of denial notification. The appeal should contain a brief rebuttal of the reasons for denial. The board of police commissioners will then notify the applicant, in writing, of its final decision in the matter.

(5) Restricted License. The board of police commissioners reserves the right to prohibit the holder of a license from carrying any firearms. Any such prohibition will be noted on his/her badge/identification (ID) card.

(6) Temporary License. If an applicant appears to meet the standards for licensing, the commander of the private security section may issue a temporary license. This permits

the applicant to work until a formal license is issued by the board.

(A) While working under a temporary license, the holder may not have a firearm or protective device upon or about his/her person.

(B) A holder of a temporary badge/ID card must wear the card at the breast of the outermost garment while on duty and must be attired in an approved military style uniform.

(C) A holder of a temporary license who transfers employment to another agency must return his/her temporary badge/ID card to the private security section for issuance of a new badge/ID card.

(D) A holder of a temporary license must return the temporary badge/ID card to the private security section at the time the formal license is issued.

(7) Secondary Employment License.

(A) A second license may be approved by the board of police commissioners and issued by the private security section to a courier who—

1. Works for a private entity (employer) and wants to take a second job working for a second private entity (employer); or

2. Is licensed to a security agency and desires also to work in a secondary job for a private employer.

A. A second license will not be issued to allow a courier to work at two (2) security agencies.

B. A courier desiring a second license must present a letter of permission from the first (primary) employer and a letter of intent to hire from the (secondary) employer.

(B) A St. Louis Police Department computer inquiry will be made on each courier applying for a secondary license. If this inquiry reveals an open arrest record within the previous year, s/he will be required to obtain a certified copy of the final court disposition or a report from the circuit or prosecuting attorney. If the case is still open, the secondary license process will not be completed until final disposition is obtained.

(8) License Renewals. A courier's license is valid for one (1) year from date of issue and it must be renewed in the month it expires.

(A) A St. Louis Police Department computer inquiry will be made on each courier renewing his/her license. If this inquiry reveals an open arrest record within the previous year, s/he will be required to obtain a certified copy of the final court disposition or a report from a circuit or prosecuting attorney. If the case is still open, the renewal process will not be completed until final disposition is obtained.

(B) A courier wishing to renew his/her license must report to the private security section in the month the license expires, bringing—

1. The license which is about to expire;
2. A letter from his/her employer requesting renewal;
3. The badge/ID card; and
4. The fee for the renewal.

(C) If firearms-qualified, the courier wishing to receive a license, must schedule for requalification through an approved firearms course.

(D) A license not renewed during the month it was issued automatically expires unless the holder has applied to the commander of the private security section and received an extension of time.

(9) License Transfer. A license holder may work only for the company, agency or business entity named on the license. A license holder who changes employers must make sure that the new employer is named on the license. In order to transfer a license from one (1) employer to another, the license holder must appear in person at the private security section and—

(A) Bring a current dated letter (no more than ten (10) days prior to application) from the new employer, addressed to the board of police commissioners, outlining the duties of the new job and requesting the transfer of license;

(B) Bring in license and badge/ID card;

(C) Pay the fee established for processing transfers;

(D) The license holder will receive a new badge/ID card and license to the new company; and

(E) A St. Louis Police Department computer inquiry will be made on each courier transferring his/her license. If this inquiry reveals an open arrest record within the previous year, s/he will be required to obtain a certified copy of the final court disposition or a report from the circuit or prosecuting attorney. If the case is still open, the transfer process will not be completed until final disposition is obtained.

(10) License Reinstatements. A licensed courier who resigns may apply for reinstatement of his/her license under the following requirements and procedures:

(A) Application must be made within three (3) months of the resignation date;

(B) The applicant must have resigned while his/her license was in good standing;

(C) The applicant must appear at the private security section with a currently dated

letter from an employer requesting reinstatement;

(D) The applicant should pay the fee established for processing license reinstatements; and

(E) A St. Louis Police Department's computer inquiry will be made on each courier reinstating his/her license. If this inquiry reveals an open arrest record within the previous year, s/he will be required to obtain a certified copy of the final court disposition or a report from the circuit or prosecuting attorney. If the case is still open, the reinstatement process will not be completed until final disposition is obtained.

*AUTHORITY: section 84.340, RSMo 1986. \* Original rule filed April 8, 1988, effective July 11, 1988.*

*\*Original authority: 84.340, RSMo 1939.*

#### 17 CSR 20-3.045 Personnel Records and Fees

*PURPOSE: This rule indicates which records must be maintained for licensed security personnel and the establishment of fees.*

(1) Personnel Records. The private security section will maintain the personal records of each license holder. This record, and all information pertaining to the individual, shall be the property of the private security section. Applicants and license holders are personally responsible for immediately notifying the private security section of any change in name, address, telephone number or employer.

(2) Fees. The board of police commissioners will establish, from time-to-time, a set of fees for various services provided by the private security section. The schedule of fees is posted in the private security section office. Fees are not returnable, except on the day they are paid.

*AUTHORITY: section 84.340, RSMo 1986. \* Original rule filed April 8, 1988, effective July 11, 1988.*

*\*Original authority: 84.340, RSMo 1939.*

#### 17 CSR 20-3.055 Training

*PURPOSE: This rule requires candidates for licensing to attend training classes. Applicants who have been approved for licensing by the board of police commission-*

*ers are required to attend and complete a program of basic training.*

(1) Exemptions. Applicants with prior law enforcement experience or accepted training shall be required to successfully complete only the firearms qualification.

(2) Length and Content. The training period consists of seven (7) hours. Within that period three (3) hours are devoted to firearms training, responsibility and liability. Classroom activities consist of selected police subjects and departmental regulations.

(3) Absences. Candidates for licensing who remain away unexcused from any class sessions may be disqualified or required to arrange attendance at a future class.

(4) Firearms Qualification. On the firing range an applicant must display the ability to safely and properly handle his/her revolver and must achieve a score at or above the standard established by the board of police commissioners.

(A) An applicant who displays an inability to handle a revolver safely and properly will be disqualified from carrying a sidearm.

(B) An applicant who does not attain the minimum score on the firing range will be given two (2) additional opportunities to qualify. The retest time will be determined by the department armorer.

(5) Unarmed Courier License. An applicant who does not wish to have an armed license or who cannot attain the minimum required score on the firing range may be issued a restricted license allowing him/her to work as an unarmed licensed courier.

(6) Training Fee. A nonrefundable training fee established by the board of police commissioners must be paid before an applicant is enrolled in a training session.

(7) Oath. Prior to issuance of his/her license, the applicant must swear to uphold the following:

*I DO SOLEMNLY SWEAR that I am a citizen of the United States, or legal resident alien; that I will faithfully support the Constitution of the United States, the Constitution and Laws of the State of Missouri, and the Charter and City Ordinances of the City of St. Louis; that I have never been discharged from the police force of the City of St. Louis; that I have never been convicted of a felony; that I have no physical or mental disability or habit that disqualifies me from performing*

*the duties of a Courier; that I will wear such dress, badge/ID card or emblem as the Board of Police Commissioners from time-to-time may designate; that I will, to the best of my skill and ability, diligently and faithfully, without partiality or prejudice, discharge my duties according to the Constitution and Laws of the State of Missouri and Charter and Ordinances of the City of St. Louis; that I will strictly obey all lawful orders and regulations of the Board of Police Commissioners of the City of St. Louis, the Chief of Police, or any officer placed by them over me; that I will not cease to perform my duties until my resignation is accepted by the Board of Police Commissioners; that I will not become a member of, or affiliate myself with, any organization of any kind or character whatsoever, membership which will or may impose upon me obligations inconsistent with the full performance of my duties as a Courier, or inconsistent with the oath herein taken to carry out the orders of the Board of Police Commissioners and to comply with its lawful orders, rules and regulations, or which will or may, in any degree interfere with the performance of my duties as a licensed Courier.*

*AUTHORITY: section 84.340, RSMo 1986.\* Original rule filed April 8, 1988, effective July 11, 1988.*

*\*Original authority: 84.340, RSMo 1939.*

**17 CSR 20-3.065 Authority**

*PURPOSE: This rule establishes the rights of a licensed courier. These rights are in effect only while the licensed courier is performing his/her duty of protecting and transporting property from one designated area to another.*

(1) Authority. The licensed courier has the authority to bear a firearm during the time s/he is assigned to protect and transport property from one (1) designated area to another.

(A) The courier has the authority to conduct his/her activity on the public thoroughfares of the City of St. Louis;

(B) While performing this activity, s/he must be in a military style uniform; and

(C) If firearms-qualified, s/he must wear an exposed weapon as defined in 17 CSR 20-3.105.

*AUTHORITY: section 84.340, RSMo 1986.\* Original rule filed April 8, 1988, effective July 11, 1988.*

*\*Original authority: 84.340, RSMo 1939.*

**17 CSR 20-3.075 Duties**

*PURPOSE: This rule states private couriers are expected to perform certain duties. They have responsibilities to their employers as well as the citizens of St. Louis. The courier also has the duty to assist and cooperate with the St. Louis police officers.*

(1) Duties. It is the duty of every licensed courier to—

(A) Observe and obey these regulations and to obey all lawful orders of any commissioned St. Louis police officer in all matters involving the need for police services;

(B) Cooperate with St. Louis police officers in the performance of their duties.

1. In any situation where police are present, the judgment of the officer(s) shall prevail. They are responsible for the proper handling and reporting of the incident in accordance with departmental policies;

2. Failure to cooperate with a St. Louis police officer may be cause for disciplinary action against a courier; and

3. Failure to assist a law enforcement agency or to aid in prosecution of a crime may be cause for disciplinary action against a courier; and

(C) Notify the St. Louis Police Department when an incident has involved a courier. To furnish all pertinent facts and evidence to any police officer(s). A report of the incident will then be made by the police in the same manner as in other arrests.

*AUTHORITY: section 84.340, RSMo 1986.\* Original rule filed April 8, 1988, effective July 11, 1988.*

*\*Original authority: 84.340, RSMo 1939.*

**17 CSR 20-3.085 Uniforms**

*PURPOSE: This rule prescribes the uniforms to be worn by licensed couriers.*

(1) The board of police commissioners ruled that by January 1, 1990 no courier uniforms will resemble those of the St. Louis police officers. The light blue shirt with dark blue jacket and trousers will not be duplicated. In addition, a company shoulder patch will be mandatory on all shirts, coats and jackets of private security personnel.

(2) All couriers should be aware of the following guidelines:

(A) All couriers are required to wear a uniform which, at a minimum, shall consist of trousers or skirt, shirt or blouse and uniform cap;

(B) All couriers wearing blue uniform trousers or skirts, shirts or blouses and jackets similar to those worn by the St. Louis Police Department must have their company shoulder patch affixed to either the left or right sleeve, approximately one inch (1") below the shoulder seam, clearly distinguishing them from a St. Louis police officer;

(C) The badge/identification card issued by the private security section of the St. Louis Metropolitan Police Department will be worn on the breast of the outermost garment while on duty and performing a bona fide security function for an employer;

(D) Security personnel may wear a company badge or emblem as devised by their employer. These badges and emblems bear the name of the employer and identify the individual as a courier. The name police will not be used on the badge or emblem;

(E) A company shoulder patch may be worn on either the right or left sleeve approximately one inch (1") below the shoulder seam;

(F) No buttons, insignia or decoration which are marked in any way with the St. Louis Metropolitan Police Department imprint may be worn by licensed couriers; and

(G) The use of company vehicles for security purposes must conform with the established rules governed under city ordinance. The name police will not be displayed on the vehicles.

*AUTHORITY: section 84.340, RSMo 1986.\* Original rule filed April 8, 1988, effective July 11, 1988.*

*\*Original authority: 84.340, RSMo 1939.*

**17 CSR 20-3.095 Equipment**

*PURPOSE: The St. Louis Board of Police Commissioners issues equipment to the licensed couriers. This equipment remains the property of the police department and the courier is responsible for its maintenance and care.*

(1) Equipment Issue. At the conclusion of the training period and upon final approval by the board of police commissioners, each courier shall receive from the private security section one (1) badge/identification (ID) card, one (1) license and one (1) courier's manual. These items are and remain departmental property. They must be returned to the private security section by any courier who resigns, is suspended or has his/her license revoked.

(2) Equipment Responsibility. Each licensee deposits a fee for the department-issued badge/ID card and license. The fee is refundable to any courier when his/her period of service ends; provided, that the license is not revoked. During employment it is the responsibility of the courier to care for and safeguard this departmental property.

(A) After the cost has been determined all issued items of departmental property lost, stolen, damaged or destroyed must be replaced by the licensee.

(B) The loss of any item must be immediately reported to the private security section. No formal police report is required. The courier then becomes responsible for appearing at the private security section to obtain and pay for a replacement.

(C) Careless handling of departmental property may be subject to disciplinary action.

(3) Badge/ID Card. The badge/ID card which is issued by the private security section to a licensed courier is an easily recognized symbol of authority and responsibility.

(A) The badge/ID card, which is stamped with an issue date and an expiration date, will also state whether the holder may be armed or must work unarmed.

(B) This badge/ID card must be worn over the breast on the outermost garment. It must be returned to the private security section upon resignation, suspension or revocation of the license.

(C) Tampering, defacing or altering of this card is subject to disciplinary action or revocation.

*AUTHORITY: section 84.340, RSMo 1986.\* Original rule filed April 8, 1988, effective July 11, 1988.*

*\*Original authority: 84.340, RSMo 1939.*

### 17 CSR 20-3.105 Weapons

*PURPOSE: The St. Louis Board of Police Commissioners authorizes a courier to carry a firearm in the performance of his/her duties. There are limitations and responsibilities as indicated.*

(1) Limitations On Carrying Weapon. A courier licensed by the St. Louis Board of Police Commissioners may be permitted to carry on his/her person an authorized firearm while traveling in either direction by the most direct route (without deviation, not to exceed one (1) hour, or both) between his/her residence and place of assignment; provided, s/he is—

- (A) In uniform;
- (B) Firearms-qualified; and
- (C) Wearing a valid badge/identification card issued by this department.

(2) Couriers who are authorized to carry their firearms to and from their place of residence have no authority to use their firearms during that travel period.

(3) The authorization to carry a firearm may be revoked if a courier discharges or uses his/her revolver and it is determined to be unjustified. Each incident will be decided on a case-by-case basis with the circumstances surrounding the use being the primary factors under consideration.

(4) Inspection and Registration. All firearms used by private couriers must be inspected by the department armorer and must be registered and on file in the private security section.

(A) Only one (1) approved firearm may be carried on duty.

(B) Couriers must carry double action .38 Special caliber revolvers. The carrying of any other caliber weapon, including automatics, derringers, .357 Magnums and shotguns, is prohibited.

(C) The firearm shall be exposed and worn on a belt at the waist. No other methods, such as a shoulder holster, ankle holster and the like, shall be permitted.

(D) Couriers are required to annually requalify with their firearms during the month of license renewal.

(5) Discharge of Firearms. A courier may not discharge a firearm in the performance of his/her duties (other than for practice or training at a firing range or similar authorized location) except when reasonably necessary to protect him/herself or another from death or serious bodily harm; or when a suspect resists to a degree that poses a threat to the life or body safety of the couriers or others.

(6) Shots Fired Report. A courier, upon firing his/her weapon, shall notify the nearest police district and have an official police report prepared. The reporting officer will see that a copy of the police report is forwarded to the commander of the private security section.

(7) Safety First Rules for Gun Handling. The licensed courier is responsible at all times for his/her weapon whether in or out of his/her possession. The following rules must be learned and obeyed:

(A) All weapons must be treated with caution and respect due a loaded gun. Most accidents occur with a weapon thought to be unloaded;

(B) The weapon should be checked for ammunition each time it is handled;

(C) The barrel and action must be clear of obstruction before using the weapon;

(D) The weapon must be kept in good working condition;

(E) The weapon should not be drawn or pointed at any person unless the situation justifies this action;

(F) When the weapon is unattended, it must be safe from children and curious people; and

(G) Ammunition carried on duty must be new factory-service ammunition. No reloads or wad cutter ammunition is permitted.

(8) Nonlethal Weapons. Couriers may only carry the following nonlethal defensive weapons or equipment:

(A) Leather pocket baton or slapper;

(B) Aerosol tear gas dispenser; and

(C) Baton or nightstick.

*AUTHORITY: section 84.340, RSMo 1986.\* Original rule filed April 8, 1988, effective July 11, 1988.*

*\*Original authority: 84.340, RSMo 1939.*

### 17 CSR 20-3.115 Field Inspection

*PURPOSE: The St. Louis Board of Police Commissioners has delegated to the members of the St. Louis Metropolitan Police Department the responsibility for the inspection of licensed couriers.*

(1) Standards of Conduct. Couriers are required to conduct themselves at all times in a manner reflecting the highest standards of professional behavior. Any conduct on the part of a courier which, in the judgment of a commissioned officer of this department, may be harmful to the good order, discipline or reputation of this department, or which may involve the integrity of this department, may be punished by oral or written reprimand, suspension for a designated period of time or permanent revocation of license.

(2) Field Inspections. All couriers are subject to inspection by officers from the St. Louis Metropolitan Police Department. The purpose of this inspection is to insure that the license-holder has been in compliance with the provisions of this rule. This inspection will determine that the license holder—



(A) Has in his/her possession a proper badge/identification (ID) card issued by the St. Louis Board of Police Commissioners;

(B) Is wearing a full uniform when carrying an exposed firearm; and

(C) Has not disregarded or deviated from the manual.

(3) Failure to Cooperate. Failure by any license holder to cooperate with a commissioned member of the St. Louis Police Department in the inspection procedures will constitute grounds for disciplinary action.

(4) Arrest of License Holder. During an inspection, if a license holder is arrested for a felony, a misdemeanor or an infraction involving moral turpitude or license violation, the holder's badge/ID card will be seized and forwarded to the private security section of the St. Louis Police Department with a copy of the arrest report. The license holder is to be informed that s/he is suspended and not to continue to work until the matter is resolved by the private security section. If arrested for a felony violation, a formal suspension number will be obtained in the normal manner. The private security section will conduct any necessary investigation or make notification to the jurisdictional agency.

*AUTHORITY: section 84.340, RSMo 1986.\* Original rule filed April 8, 1988, effective July 11, 1988.*

*\*Original authority: 84.340, RSMo 1939.*

**17 CRS 20-3.125 Complaint/Disciplinary Procedures**

*PURPOSE: The St. Louis Board of Police Commissioners has established rules of conduct and the procedures for the investigation of and the discipline for breaches of these rules.*

(1) Complaints. Investigation of complaints against licensed couriers will be handled by the private security section. The results of the investigation will be forwarded in the form of a report with recommendations through the chain of command to the board of police commissioners. The board will render a judgment concerning disciplinary action. The individual concerned, and his/her employer, will be informed by the private security section of all decisions made by the board of police commissioners.

(2) Reprimands. In instances of misconduct not sufficiently serious to merit suspension or revocation of a license the license holder may

be reprimanded orally or in writing. Any violation of the provisions in these rules may be grounds for a reprimand. Reprimands will be a factor considered upon a licensee's application for a renewal of license or upon the occasion of any later disciplinary action. There is no appeal from a reprimand.

(3) Suspension. In instances where a courier is arrested for a felony, the commander or watch commander of the district or any officer acting in that capacity will suspend the courier.

(A) In instances where a courier is arrested for a crime or ordinance violation, not a felony and depending on the situation, the commander or watch commander of the district or any officer acting in that capacity has the choice of suspending the courier or contacting the commander of the private security section, who will determine whether or not the courier is to be suspended. If unable to contact the commander of the private security section, the report of the incident will be forwarded to the private security section at the earliest opportunity.

(B) Whenever a licensed courier is suspended it will be required that the courier surrender his/her badge/identification (ID) card until a decision is made for its return by the commander of the private security section or a disposition is rendered by the board of police commissioners.

(C) Where no warrant is issued, no cause for discipline is apparent, or both, the courier's return to duty is to be determined by the commander of the private security section.

(4) Revocations. A license may be revoked by order of the board of police commissioners for any violations of the rules.

(5) Notification/Appeal. Whenever the license of a courier is suspended or revoked by the board of police commissioners, the private security section shall notify the licensee in writing of the action. The licensee shall have ten (10) days from the date of posting notice to request a review of the disciplinary action. The request shall be directed in writing to the commander of the private security section. The request shall state additional supporting facts in his/her defense, rebuttal of the board of police commissioner's decision, or both.

(A) The commander of the private security section may meet with the licensee and discuss his/her request for review, shall conduct a further investigation of the disciplinary case, or both.

(B) The commander, within thirty (30) days of appeal, shall render a decision affirm-

ing or reversing the original disciplinary action. The commander shall then send his/her decision and report to the board of police commissioners for final action.

(C) Judgments and decisions of the board concerning appeals in disciplinary matters are final.

(6) Disciplinary Action, Punishment, or Both.

(A) The board of police commissioners retains final authority in all disciplinary matters, including reinstruction, verbal reprimand, written reprimand, suspension and revocation.

(B) Licensed couriers, whether on or off duty, are subject to disciplinary action for violations of these rules. Offenses may include, but not be limited to, the following:

1. Conviction of a felony, misdemeanor or city ordinance;
2. Intoxication or drinking on duty;
3. Possession or illegal use of narcotic or potent drugs (controlled substance);
4. Assumption of police authority when not on duty;
5. Conduct contrary to the public peace and welfare;
6. Interference with any police officer engaged in the performance of his/her duties;
7. Overbearing or oppressive conduct during the performance of duty;
8. Failure to obey a reasonable order by an officer of the St. Louis Metropolitan Police Department;
9. Any conduct or actions which might jeopardize the reputation or integrity of the St. Louis Metropolitan Police Department or its members;
10. Failure to comply with the restrictions of a firearm, while traveling in either direction, without deviation between their residences and places of assignment by the most direct route (not to exceed one (1) hour);
11. Carrying any weapon other than a .38 Special caliber revolver while performing the duties of a courier;
12. Failure to have a weapon inspected by the department armorer, not having a record of this weapon on file with the private security section, or both;
13. Carrying more than one (1) authorized revolver on duty;
14. Failure to wear a valid badge/ID card issued by this department on the breast of the outermost garment of courier uniform, while on duty;
15. Serving or acting as a licensed courier for any agency or other business entity other than the one listed on his/her badge/ID card;

16. Failure to conform to uniform requirements;

17. Working as a licensed courier while under suspension;

18. Carrying or using a firearm while performing the duties of a licensed courier when not firearms-qualified;

19. Any conduct constituting a breach of security or confidence;

20. Neglect of duty;

21. Failure to notify the private security section when and of arrested on any charge;

22. Failure to aid in prosecution;

23. Defacing or altering the badge/ID card; and

24. Carrying unauthorized nonlethal weapons, protective devices, or both.

(7) Categories of Discipline. The board of police commissioners retains final authority in all disciplinary matters, including reinstatement and firearms-training, verbal reprimand, written reprimand, suspension and revocation. Judgments and decisions of the board are final.

(8) When a license is ordered revoked by the board of police commissioners, the badge/ID deposit fee will be forfeited to the board. Licensed couriers who are under investigation by this department for any alleged violations of any rules will be allowed the discretionary resignation for their commission and in these instances will have the badge/ID deposit fee refunded, provided all department-issued equipment is surrendered in the private security section.

(9) Individuals who resign while under investigation will not be considered for a license in the future.

*AUTHORITY: section 84.340, RSMo 1986.\* Original rule filed April 8, 1988, effective July 11, 1988.*

*\*Original authority: 84.340, RSMo 1939.*

### 17 CSR 20-3.135 Drug Testing

*PURPOSE: By regulation, the St. Louis Board of Police Commissioners shall prescribe all individuals who apply for a certification as an armed courier or who wish to renew certification as a courier to submit to drug testing.*

(1) Applicability. The following shall apply to all individuals seeking certification in any category of armed courier, as well as to all individuals seeking renewal or reinstatements of certification:

(A) Any individual seeking certification as an armed courier or any individual seeking reinstatement of certification, shall submit to urinalysis testing before certification is granted, renewed or reinstated. This testing shall be for the purpose of determining the presence or absence of illegal drugs. Refusal to comply with this requirement shall result in the denial of certification, renewal of certification or reinstatement of certification as an armed courier;

(B) If the results of an individual's urinalysis test are positive, that is indicative of the presence of illegal drugs in the sample, the following penalties shall apply:

1. If the individual is an applicant for initial certification, s/he shall be denied certification and shall not be permitted to reapply for a period of one (1) year;

2. If the individual is an applicant for renewal of certification, his/her certification shall be suspended and shall not be renewed for a period of one (1) year; and

3. If the individual is an applicant for reinstatement of certification, reinstatement shall be denied for a period of one (1) year;

(C) Urinalysis testing pursuant to this rule shall consist of a drug screen test and, if the test results are positive, a confirmatory test. The drug screen test shall be the Enzyme Multiplied Immunoassay Test (EMIT) which detects the following:

1. Marijuana (Cannabinoids THC);
2. Phencyclidine (PCP);
3. Amphetamines;
4. Barbiturates;
5. Cocaine;
6. Propoxyphene;
7. Opiates;
8. Benzodiazepines; and
9. Methadone;

(D) The confirmatory testing method to be used shall be Gas Chromatography Mass Spectroscopy (GCMS). No applicant shall be denied certification, renewal of certification or reinstatement of certification on the basis of a positive result on the EMIT test, unless that result is first confirmed by GCMS;

(E) Samples for urinalysis testing shall be taken at the times and locations designated by the St. Louis Board of Police Commissioners for this purpose. Samples shall be analyzed at a laboratory facility designated by the St. Louis Board of Police Commissioners;

(F) The expense of the drug test shall be borne by the individual requesting armed certification or renewal as an armed courier. All expenses associated with urinalysis testing shall be borne by the individual seeking certification, renewal of certification, or reinstatement of certification as an armed courier;

(G) A portion of each sample taken pursuant to this rule shall be preserved and upon request to be made available to the applicant from whom it was taken for the purpose of contesting the results of the analysis performed pursuant to subsections (1)(C)–(E) of this rule. The expenses of any analysis made by an applicant for the purpose of contesting the results shall be borne entirely by the applicant; and

(H) Any request made by an applicant for the preserved portion of a sample must be made within thirty (30) days of the applicant's receipt of notification of denial of certification, renewal or reinstatement because of failure to pass urinalysis testing.

(2) Laboratory and Testing Procedures. The private courier may employ the laboratory of his/her choice for analysis of specimens; provided, that the laboratory is reputable and is operating within the statutes, laws, ordinances or guidelines established by Missouri and any county or municipality of this state to govern or control those facilities; and further that the laboratory complies with all of the provisions of this rule as follows:

(A) Examinee must not be permitted to bring any clothing or personal effects into the collection area;

(B) Laboratory facilities used for the collection of samples must be both sanitary and sterile (that is, free of discarded paper products from previous collections as well as all other debris of any type and free of any substances which could be used to alter a urine specimen);

(C) The collection process must include procedures to adequately insure:

1. That the specimen is correctly identified as coming from the donor/examinee;

2. That the specimen cannot be altered or tampered with after it has been collected;

3. That there is a documented chain of custody with respect to the sample;

4. That laboratory results are accurately identified with the particular specimen on which the analysis has been performed;

5. That procedures are instituted to rule out a positive analysis based upon the presence of over-the-counter or prescription drugs in the urine of the examinee;

6. That procedures are instituted to rule out positive analysis based upon the presence of contraband drugs in the urine which presence could have been derived in a manner other than by direct ingestion or intravenous injection; and

7. That procedures are instituted to insure the confidentiality of laboratory results and that positive results are made known only





to those individuals, institutions, corporations, governmental agencies or other entities or their agents who have been granted the privilege of disclosure under the terms and conditions of this agreement only for the purpose of carrying out the sole intent of this rule;

(D) All laboratory results must bear the signature of an authorized representative of the testing facility;

(E) Laboratory results must be delivered via the United States mail, postage prepaid, to the Metropolitan Police Department, Private Security Section;

(F) The laboratory/collection site must have a litigation package which includes records that show:

1. Chain of custody;
2. Collaboration file;
3. Screen results;
4. Confirmation results; and
5. Chromatograms; and

(G) The board of police commissioners or its designee reserves the right to approve any collection service, process, laboratory or procedure regarding drug testing procedures before any results will be recognized for the purposes of this rule.

*AUTHORITY: section 84.340, RSMo 1986.\*  
Original rule filed April 16, 1990, effective June 28, 1990. Amended: Filed June 30, 1992, effective Feb. 26, 1993.*

*\*Original authority: 84.340, RSMo 1939.*