



**DEPARTMENT OF CONSUMER AFFAIRS  
BUREAU OF SECURITY AND INVESTIGATIVE SERVICES**

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## **BSIS STAFF REPORT**

**February 2022**

### **LICENSING UPDATE**

#### **LICENSING UPDATES**

The Bureau's Licensing Program management team and staff continue to encourage applying online for faster processing. Online processing can be up to 2 weeks faster than that of paper processing. It is also recommended that applicants/licensees send any questions via email instead of calling the Bureau for a faster response. Lastly, the Bureau recommends including an email address when prompted in the application to receive email updates. A new efficiency has been created to send an email notification to all initial applicants who include their email addresses when applying to be informed of licensure issuance. More email notifications for an application or license status change will be added in the future.

#### **LICENSING FISCAL YEAR DATA 2018/2019 COMPARED TO FISCAL YEAR DATA 2020/2021/ BEFORE AND DURING THE PANDEMIC**

See attached chart with relevant data on page 2.

**LICENSING FISCAL YEAR DATA 2018/2019 COMPARED TO FISCAL YEAR DATA 2020/2021  
BEFORE AND DURING THE PANDEMIC**

License Type	FY 18-19 Apps Received	FY 20-21 Apps Received	Percentage Change	FY 18-19 Licenses Issued	FY 20-21 Licenses Issued	Percentage Change	FY 18-19 Licenses Renewed	FY 20-21 Licenses Renewed	Percentage Change
Alarm Company Employee Registration	4,833	4,634	-4%	4,171	4,064	-3%	4,435	4,195	-5%
Alarm Company Operator	124	122	-2%	94	47	-50%	858	833	-3%
Alarm Company Operator Branch	90	40	-56%	53	33	-38%	64	93	45%
Alarm Company Qualified Manager	94	109	16%	68	31	-54%	862	824	-4%
Baton Permit*	3,648	3,312	-9%	3,648	3,411	-6%	-	-	-
Firearm Permit	10,720	12,844	20%	8,354	7,866	-6%	11,807	14,426	22%
Locksmith Company Operator	224	267	19%	220	169	-23%	888	954	8%
Locksmith Employee Registration	335	293	-13%	264	224	-15%	854	837	-2%
Locksmith Branch	12	24	100%	11	17	55%	8	12	50%
Private Investigator	529	344	-35%	322	212	-34%	3,897	3,604	-8%
Private Investigator Branch	84	32	-62%	50	31	-38%	49	61	24%
Private Investigator Qualified Manager*	401	223	-44%	255	170	-33%	-	-	-
Private Patrol Operator	668	666	0%	334	294	-12%	1,050	1,158	10%
Private Patrol Operator Branch	117	101	-14%	72	77	7%	146	153	5%
Private Patrol Qualified Manager*	387	351	-9%	105	202	92%	-	-	-
Proprietary Private Security Employer	201	145	-28%	115	48	-58%	245	256	4%
Proprietary Private Security Officer	2,923	1,911	-35%	2,341	1,183	-49%	1,283	1,500	17%
Repossession Agency	41	42	2%	43	36	-16%	122	104	-15%
Repossession Agency Employee	340	145	-57%	194	112	-42%	269	200	-26%
Repossession Agency Qualified Manager	29	51	76%	16	10	-38%	156	7	-96%
Security Guard	66,581	65,054	-2%	60,664	57,818	-5%	84,455	89,518	6%
Training Facility (Baton)	21	22	5%	8	14	75%	61	66	8%
Training Facility (Firearm)	40	35	-13%	30	28	-7%	137	140	2%
Training Instructor (Baton)	25	27	8%	12	19	58%	71	77	8%
Training Instructor (Firearm)	63	73	16%	38	43	13%	229	237	3%
<b>TOTAL</b>	<b>92,530</b>	<b>90,867</b>	<b>-2%</b>	<b>79,482</b>	<b>75,959</b>	<b>-4%</b>	<b>111,944</b>	<b>119,255</b>	<b>7%</b>

\*Not subject to renewal

**LICENSING DATA FOR FY JULY 1, 2021 – DECEMBER 31, 2021:**

<b>License Type</b>	<b>Apps Received</b>	<b>Apps Approved</b>	<b>Apps Deficient</b>	<b>% of Deficient</b>
<b>Security Guard</b>	30,791	30,483	308	1.00%
<b>Firearm Permit</b>	3,480	3,309	171	4.91%
<b>Baton Permit</b>	1,650	1,621	29	1.76%
<b>Private Patrol Operator</b>	198	39	159	80.30%
	148	3	145	97.97%
<b>PPO Branch</b>	36	28	8	22.22%
<b>Training Facility Firearm</b>	21	0	21	100.00%
<b>Training Facility Baton</b>	8	0	8	100.00%
<b>Training Facility Firearm Instructor</b>	28	1	27	96.43%
<b>Training Facility Baton Instructor</b>	5	1	4	80.00%
<b>Private Patrol Qualified Manager</b>	149	50	99	66.44%
	102	11	91	89.22%
<b>Proprietary Private Security Officer</b>	1,099	1,093	6	0.55%
<b>Proprietary Private Security Officer Employer</b>	64	27	37	57.81%
<b>Alarm Company Employee</b>	1,784	1,778	6	0.34%
<b>Alarm Company Operator</b>	12	1	11	91.67%
	26	10	16	61.54%
<b>Alarm Company Branch</b>	8	2	6	75.00%
<b>Alarm Company Qualified Manager</b>	36	2	34	94.44%
	13	3	10	76.92%
<b>Locksmith Employee</b>	106	106	0	0.00%
<b>Locksmith Company</b>	90	1	89	98.89%
<b>Locksmith Company Branch</b>	3	1	2	66.67%
<b>Repossessor Agency Employee</b>	54	15	39	72.22%
<b>Repossessor Agency</b>	5	0	5	100.00%
<b>Repossessor Agency Qualified Manager</b>	6	0	6	100.00%
	1	1	0	0.00%
<b>Private Investigator</b>	62	5	57	91.94%
	73	1	72	98.63%
<b>Private Investigator Branch</b>	10	4	6	60.00%
<b>Private Investigator Qualified Manager</b>	82	69	13	15.85%
	66	2	64	96.97%

## **SUMMARY OF BREEZE CHANGES**

### **December 2021**

BMO – 413: Applicants who enter their email address when they apply for an initial application will now receive an email notifying them when they have been issued a license.

### **January 2022**

BMO – 1777: New reinstatement fees added for company license types. Specifically, a reinstatement fee will be charged when suspending and reinstating a license for not having an active entity status with the Secretary of State and/or Franchise Tax Board.

BMO – 1829: Online initial firearms permit application updated to explain that applicants must pass the assessment prior to applying to associate their permit with their security guard registration.

## **OUTREACH**

The Bureau Chief, Lynne Andres, and Licensing Deputy Chief, Gloriela Garcia, presented as guest speakers at the Alarm Company Association conference on December 3, 2021.

## **ENFORCEMENT UPDATE**

### **DISCIPLINARY REVIEW UNIT (DRU)**

The Disciplinary Review Unit (DRU) is comprised of two Associate Governmental Program Analysts (AGPA), two Staff Services Analysts (SSA), three Program Technician II's (PTII), one Office Technician (OT) and one Staff Services Manager I (SSMI). DRU staff receive and review all Criminal Offender Record Information (CORI) including rap sheets, subsequent arrest notifications, subsequent dispositions (conviction information) and firearm prohibits from the California Department of Justice (DOJ). Application denials to date are as follows:

<b><u>Denial Type (July1, 2021-January 18, 2022)</u></b>	<b><u>Total</u></b>
Application Denials (criminal convictions)	1270
Firearm Permit Denials (DOJ Prohibited)	223
<b>Total Denials:</b>	<b>1,493</b>

## **CASE MANAGEMENT (CM)**

Case Management is comprised of four Associate Governmental Program Analysts (AGPA) who manage and facilitate all cases referred to the Attorney General's (AG) Office for appeals, denials and formal discipline. Case management analysts also monitor licensees who are placed on probation. Cases currently pending include Accusations to revoke licenses, Statement of Issues denying a license, citation appeals, firearm revocation appeals and firearm assessment appeals. To date there are 278 BSIS cases pending at the AG's Office; 160 of those cases are firearm assessment appeals. With the signing of SB 607 (Min), applicants who were previously denied a firearms permit for failing the assessment and still have an appeal pending can now withdraw their appeal and retake the assessment if it has been more than 180 days since they failed the assessment. BSIS and the AG's Office are working with these appellants on their options.

## **COMPLAINT INTAKE/COMPLAINT RESOLUTION**

Complaint Intake and Complaint Resolution is comprised of three Staff Services Analysts (SSA), one Management Services Technician (MST), one Associate Governmental Program Analyst (AGPA) and one Staff Services Manager I (SSMI). Currently, the average number of days for Complaint Intake staff to initiate a complaint is 3 days from receipt. Complaint Resolution staff currently have 261 pending cases, 135 of which are Incident Reports. Current fiscal year to date, staff have negotiated \$36,335 in savings for California consumers.

## **ENFORCEMENT**

The BSIS Enforcement Unit is comprised of nine Associate Governmental Program Analysts (AGPA), one Management Services Technician (MST), two Special Investigators and a Staff Services Manager I (SSMI). The AGPAs investigate complaints and conduct inspections of Bureau licensees. The average caseload for Enforcement AGPAs is 38 complaints and 25 active inspections. Currently, the average number of days to investigate a complaint from initiation to closure is 60 days. Enforcement continues to be active in investigating allegations of unlicensed activity. To date, 42% of pending investigations are for Unlicensed Activity and 46% of the citations issued this fiscal year have been for Unlicensed Activity.

<b>Complaints FY20-21</b>		
Security Guard	1042	40%
Private Patrol Operator	580	23%
Private Investigator	244	9%
Firearm Permit	180	7%
Alarm Company Operator	177	7%
Repossessor Agency	89	3%
Locksmith Company	87	3%
Proprietary Private Security Employer	34	1%
Proprietary Private Security Officer	22	1%
Training Facility Firearm	18	1%
Alarm Company Employee	15	1%

<b>Unlicensed Activity Citations FY19-20</b>		
Security Guard	17	39%
Private Patrol Operator	15	34%
Locksmith Company	5	11%
Alarm Company Operator	4	9%
Private Investigator	3	7%

<b>Unlicensed Activity Citations FY20-21</b>		
Private Patrol Operator	25	60%
Security Guard	6	14%
Alarm Company Operator	5	12%
Locksmith Company	2	5%
Private Investigator	2	5%

## **POLICY AND ADMINISTRATION UPDATE**

### **STAFFING UPDATE**

The Bureau has 72.4 permanent full-time positions (in addition to temporary staff). As of January 28, the Bureau is at an 9.6% vacancy rate, which equates to 7 vacant positions. Management is working to fill all positions as soon as possible.

### **BUDGET UPDATE**

The fund condition identifies the Bureau's fund reserve at 4.2 months at the end of fiscal year (FY) 20-21 and is projected to be at 3.5 months at the end of FY 21-22. At the end of FY 23-24, the Bureau will be at -0.2 months, which means the Bureau will be insolvent.

<b>Table 1 - BSIS Fund Condition</b>				
	PY 2020-21	CY 2021-22	BY 2022-23	BY+2 2023-24
Beginning Balance	\$7,331,000	\$6,456,000	\$5,434,000	\$3,295,000
Total Revenues & Transfers	\$15,957,000	\$17,535,000	\$16,496,000	\$16,143,000
Expenditures	\$16,832,000	\$18,557,000	\$18,635,000	\$19,700,000
Fund Balance	\$6,456,000	\$5,434,000	\$3,295,000	-\$262,000
Months in Reserves	4.2	3.5	2.0	-0.2

## **LEGISLATIVE UPDATE**

### **2021 Enacted Legislation**

#### **1. [AB 107 \(Salas, Chapter 693, Statutes of 2021\)](#)**

This law requires the Bureau to issue a temporary license to an applicant that is married to, or in a domestic partnership, or other legal union with an active duty member of the military who is assigned to a duty station in California if the meet a specified set of eligibility criteria, effective July 1, 2023. Further, this law requires the Department of Consumer Affairs to submit an annual report to the Legislature containing specified information relating to the professional licensure of veterans, servicemembers, and their spouses and requires DCA to publish information pertinent to all licensing options available to military spouses on its home page.

**Status update:** DCA's Office of Information Services (OIS) will be taking the lead on creating temporary licenses for each of the Bureau's license types. The Bureau is in the process of developing a streamlined application process for temporary licenses.

2. [AB 229 \(Holden, Chapter 697, Statutes of 2021\)](#)

This law:

- Expands the Power to Arrest (PTA) and training in the carrying and usage of firearms to include “appropriate use of force” topics, effective January 1, 2023. The Bureau will work with POST to develop the course outline. Makes “Weapons of Mass Destruction and Terrorism Awareness” an elective course only, effective January 1, 2023.
- Repeals the requirement for Private Investigators seeking a firearms permit to complete the power to arrest training, effective January 1, 2023.
- Clarifies that an armed security guard must be an employee of a private patrol operator (PPO) or an employee of the state or a political subdivision thereof.
- Requires PPOs to submit a written report describing the circumstances of the discharge of any firearm or any altercation, as specified, including an altercation that resulted in any type of first aid or medical attention and any physical use of force while on duty, and clarifies the reports shall be submitted within seven business days.
- Authorizes the Bureau to deny, suspend, or revoke a license for any use of force in violation of standards prescribed by the bureau by regulation, effective January 1, 2023.
- Increases the fine amount for a violation of Business and Professions Code section 7583.2 (f) (submission of written report) from \$1,000 for the first violation and \$2,500 for subsequent violations to \$5,000.
- Authorizes, rather than requires, PPOs to provide a copy of the PTA training manual to their employees.

**Status update:** The Bureau is in the process of developing the new Powers to Arrest and Appropriate Use of Force Trainings.

3. [AB 830 \(Flora, Chapter 376, Statutes of 2021\)](#)

This law:

- Amends the definition of “alarm agent,” “alarm system,” and “alarm company operator” in the Alarm Company Act.



- Requires alarm industry applications for a license, registration, certification, or permit to be submitted electronically, effective July 1, 2022.
- Clarifies that the Bureau cannot investigate, hear, or adjudicate violations of Business and Professions Code section 7592.9 regarding local use permits.
- Removes the requirement to submit a photograph with the personal identification form for alarm industry applicants.
- Prohibits a firearms training instructor from self-certifying initial and renewal application requirements, specifying that they need to be completed another Bureau-certified instructor.
- Authorizes an ACE to carry on their person, while on duty, a digital copy of their registration or temporary application.
- Amends alarm agreement requirements, specific to the alarm agent, alarm agent applicant, or individual who solicited or negotiated the agreement and conforms the "right-to-cancel" provision of the alarm agreement to the California Civil Code.
- Authorizes the Bureau to automatically suspend a license that is not in good standing with the Secretary of State, Franchise Tax Board, or both, and authorizes the Bureau to reinstate the license once the license is in good standing and upon payment of the reinstatement fee. (Impacts all Bureau industries.)
- Authorizes the Bureau to charge a fee for an alarm company operator licensee who wishes to reinstate their license if it has been automatically suspended for failing to provide proof of insurance.

**Status update:** The Bureau has submitted the request for BreEZe changes needed for the Alarm Industry to submit all applications online effective July 1, 2022.

#### 4. [AB 1096 \(Luz Rivas, Chapter 296, Statutes of 2021\)](#)

The term "alien" was previously used in various California Codes to refer to a person who is not a citizen or national of the U.S. This law revises the term "alien" to instead refer to these persons using other terms that do not contain "alien." In the PI Act, PSS Act and Alarm Company Act the term is changed to "immigration."

**Status update:** The Bureau has updated various publications including the Firearms Training Manual to reflect the changes required in this law.

5. [SB 607 \(Min and Roth, Chapter 367, Statutes of 2021\)](#)

This law:

- Requires Department of Consumer Affairs boards and bureaus to waive the licensing fees for an applicant who is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in this state under official active duty military orders and holds a current license in another state, district, or territory of the United States in the profession or vocation for which the applicant seeks a license, effective July 1, 2022.
- Authorizes the Bureau to automatically revoke a firearm permit if the permit holder is prohibited from possessing, receiving, or purchasing a firearm pursuant to state or federal law.
- Requires a firearms permit applicant to pass the firearm assessment in order for their application to be complete and clarifies that an applicant that fails the assessment is not entitled to appeal the assessment results.
- Requires a firearms permit applicant to pass the firearm assessment within the six months preceding the date the application is submitted to the Bureau.
- The bill allows an applicant who fails the assessment to complete another assessment no earlier than 180 days after the results of the previous assessment are provided to the Bureau.

**Status update:** The Bureau worked with PSI to make all necessary changes to the Firearms Assessment process. Applicants must now take and pass the assessment prior to filing an Application for Firearms Permit.

**UPDATE ON ENACTED OR PENDING REGULATIONS**

1. Private Investigator Fee Increase (SB 385) – Section 639 of Division 7 of Title 16 of the California Code of Regulations
2. Firearms Qualification Card Training - Section 632 of Division 7 of Title 16 of the California Code of Regulations
3. Badge, Patch, and Cap Insignia Criteria – New Sections to be added to Division 7 of Title 16 of the California Code of Regulations

4. AB 229 - Course of Firearm Training, Skills Training Course for Security Guards, and Skills Training Course for Proprietary Private Security Officers – Sections 635, 643, and 645 of Division 7 of Title 16 of the California Code of Regulations
5. Disciplinary Guidelines – Private Patrol Operators – Section 610 of Division 7 of Title 16 of the California Code of Regulations