

BSIS REPORT

AUGUST 2023

LICENSING UPDATE

LICENSING UPDATES

The Alarm Company Operator Qualified Manager Exam Writing Workshops started in January 2023 and ended in June 2023. As a result, the Bureau will be implementing a new Alarm Company Qualified Manager Exam later this September. The Bureau is always looking for subject matter experts interested in volunteering their time and expertise to exam development. Workshops are conducted in-person or remotely and experts are compensated for the work they perform. Licensed Qualified Managers who are interested in learning more about becoming a subject matter expert, should visit <https://www.bsis.ca.gov/webapps/workshops> or email BSISWorkshops@dca.ca.gov.

The Licensing Section is developing an initial baton permit application and renewal application pursuant to [Assembly Bill \(AB\) 2515](#) (Holden). Effective January 1, 2024, the Bureau, instead of baton training facilities, will issue baton permits to qualified individuals.

Effective July 1, 2022, all alarm applications were mandated to be submitted online pursuant to [AB 830](#) (Flora, Chapter 376, Statutes of 2021). The Bureau looked at ways to simplify and streamline the online application process for applicants and licensees before the implementation of the law, which led to the successful implementation of online improvements in the BreEZe system. As a result, the Licensing Section is interested in enhancing online applications for the remaining company licensing types.

Additionally, Private Patrol Operator (PPO) applicants and licensees are no longer required to upload applications when applying or renewing online. Everything can now be done online through BreEZe. With these changes, the Bureau would like to remind applicants to please be sure to complete the Personal Identification forms when applying for an Alarm Company Operator (ACO) or PPO license and be certain to apply for the Alarm Company Qualified Manager Exam or Private Patrol Operator Qualified Manager Exam, which is required as part of the ACO and PPO if there is no licensed Qualified Manager listed on the ACO and PPO license. When these items are not completed, the applications are deficient, which can lead to delays in the application processing time.

STATISTICS

The Bureau met its licensing performance measure (application processing time) 100% of the time in fiscal year 2022-2023. Quarterly performance measures for licensing are available at https://www.dca.ca.gov/data/license_performance.shtml.

LICENSING DATA COMPARING FISCAL YEAR 2021-22 TO FISCAL YEAR 2022-23

License Type	FY 21-22 Apps Received	FY 22-23 Apps Received	Percentage Change	FY 21-22 Licenses Issued	FY 22-23 Licenses Issued	Percentage Change	FY 21-22 Licenses Renewed	FY 22-23 Licenses Renewed	Percentage Change	FY 21-22 License Population	FY 22-23 License Population	Percentage Change
Alarm Company Employee Registration	4,031	3,704	-8.11%	3,659	3,260	-10.90%	3,636	3,988	9.68%	15,945	14,713	-7.73%
Alarm Company Operator	110	157	42.73%	46	46	0.00%	795	726	-8.68%	1,652	1,585	-4.06%
Alarm Company Operator Branch	21	13	-38.10%	13	12	-7.69%	124	99	-20.16%	242	238	-1.65%
Alarm Company Qualified Manager	91	121	32.97%	34	47	38.24%	856	759	-11.33%	1,725	1,666	-3.42%
Baton Permit	4,476	3,721	-16.87%	4,436	3,683	-16.97%	N/A	N/A	N/A	35,434	36,717	3.62%
Firearm Permit	10,284	8,850	-13.94%	7,581	7,522	-0.78%	13,881	13,467	-2.98%	40,364	41,299	2.32%
Locksmith Company Operator	262	291	11.07%	184	227	23.37%	906	901	-0.55%	2,127	2,181	2.54%
Locksmith Employee Registration	275	332	20.73%	226	270	19.47%	632	684	8.23%	1,926	1,907	-0.99%
Locksmith Branch	8	6	-25.00%	5	6	20.00%	19	15	-21.05%	53	45	-15.09%
Private Investigator	326	387	18.71%	139	196	41.01%	3,469	3,275	-5.59%	7,252	6,960	-4.03%
Private Investigator Branch	27	19	-29.63%	15	10	-33.33%	53	76	43.40%	153	150	-1.96%
Private Patrol Operator	688	767	11.48%	301	333	10.63%	1,187	1,218	2.61%	2,682	2,790	4.03%
Private Patrol Operator Branch	122	145	18.85%	78	72	-7.69%	117	172	47.01%	390	401	2.82%
Proprietary Private Security Employer	241	220	-8.71%	112	89	-20.54%	198	256	29.29%	612	630	2.94%
Proprietary Private Security Officer	3,188	3,785	18.73%	2,340	2,740	17.09%	1,379	1,375	-0.29%	6,413	7,896	23.12%
Repossession Agency	30	26	-13.33%	13	12	-7.69%	108	103	-4.63%	225	214	-4.89%
Repossession Agency Employee	126	193	53.17%	103	150	45.63%	188	154	-18.09%	454	439	-3.30%
Repossession Agency Qualified Manager	35	45	28.57%	4	6	50.00%	107	119	11.21%	240	222	-7.50%
Security Guard	75,441	82,223	8.99%	65,586	70,910	8.12%	85,081	92,679	8.93%	301,440	312,743	3.75%
Training Facility (Baton)	26	24	-7.69%	15	9	-40.00%	62	69	11.29%	168	156	-7.14%
Training Facility (Firearm)	33	30	-9.09%	25	16	-36.00%	139	146	5.04%	342	320	-6.43%
Training Instructor (Baton)	36	28	-22.22%	14	21	50.00%	87	76	-12.64%	198	203	2.53%
Training Instructor (Firearm)	74	73	-1.35%	53	49	-7.55%	262	241	-8.02%	617	614	-0.49%
TOTAL	99,951	105,160	5.21%	84,982	89,686	5.54%	113,286	120,598	6.45%	420,654	434,089	3.19%

SUMMARY OF BREEZE SYSTEM CHANGES

- BMO 3611 – This change allows all license types to renew as early as 120 days prior to expiration. Previously, it was 90 days.
- BMO 3027 – This change updated the PPO initial and renewal online application designs to streamline the processes, similar to the alarm industry online-only application.
- BMO 2856 – This change updated verbiage on the PPO initial online application to clearly outline required documents that need to be attached.
- BMO 3025 – This change allows the PPO licensee to order a duplicate certificate (large or small wall certificate) and pay for the fees online.

OUTREACH

On March 6, 2023, Bureau Chief Jensen attended the California Association of Licensed Private Investigators' legislative day in Sacramento and answered questions from attendees on a wide range of topics.

Both Chief Jensen and Assistant Chief Stodolski have been speaking at several security guard events regarding the proposed Use of Force regulations pursuant to [AB 229](#) (Holden, Chapter 697, Statutes of 2021), scheduled to go into effect before the end of the year.

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 IIs (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 prohibitions from the California Department of Justice (DOJ).

Application denials to date are as follows:

<u>Denial Type (July 1, 2022 – June 30, 2023)</u>	<u>Total</u>
Application Denials (criminal convictions)	2708
Firearm Permit Denials (DOJ Prohibited)	213
Total Denials:	2921

CASE MANAGEMENT

Case Management is comprised of four AGPAs who manage and facilitate all cases referred to the Attorney General's Office (AGO) for appeals, denials, and formal discipline. Case Management analysts also monitor licensees who are placed on probation. Cases currently pending include accusations to begin the disciplinary process, statement of issues to deny a license, citation appeals, firearm revocation appeals, and firearm assessment appeals. To date, there are 121 cases from the Bureau pending at the AGO. Of the total, 12 cases are remaining firearm assessment appeals.

COMPLAINT INTAKE/COMPLAINT RESOLUTION

Complaint Intake and Complaint Resolution is comprised of four SSAs, one Management Services Technician (MST), one AGPA, and one SSMI. Currently, the average number of days for Complaint Intake staff to initiate a complaint is two days from receipt. Complaint Resolution staff currently have 295 pending cases, 116 of which are Incident Reports. In the current fiscal year to date, staff have negotiated \$110,256 in savings for California consumers.

ENFORCEMENT

The Bureau's Enforcement Unit is comprised of eight AGPAs, one MST, two Special Investigators and an SSMI. The AGPAs investigate complaints and conduct inspections of Bureau licensees. The average caseload for Enforcement AGPAs is 63 complaints and 18 active inspections. Currently, the average number of days to investigate a complaint from initiation to closure is 85 days.

The Enforcement Unit continues to investigate allegations of unlicensed activity. To date, 41% of pending investigations are for unlicensed activity and 40% of the citations issued this fiscal year have been for unlicensed activity.

Complaints FY 22-23		
Private Patrol Operator	1,244	43%
Security Guard	921	31%
Alarm Company Operator	248	8%
Private Investigator	174	6%
Repossessor Agency	105	4%
Locksmith Company	88	3%
Proprietary Private Security Employer	61	2%
Training Facility Firearm	16	0.5%
Firearm Permit	44	1.5%
Proprietary Private Security Officer	18	0.6%
Alarm Company Employee	6	0.2%

Unlicensed Activity Citations FY 21-22		
Private Patrol Operator	28	68%
Security Guard	14	34%
Alarm Company Operator	3	7%
Locksmith Company	3	7%
Private Investigator	1	2%

Unlicensed Activity Citations FY 22-23		
Private Patrol Operator	22	61%
Security Guard	9	23%
Alarm Company Operator	1	3%
Locksmith Company	2	5%
Private Investigator	1	3%

POLICY AND ADMINISTRATION UPDATE

STAFFING UPDATE

The Bureau has 77.9 permanent full-time positions (in addition to temporary staff). As of July 1, 2023, the Bureau had a 29.5% vacancy rate, which equates to 23 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 3.7 months at the end of fiscal year (FY) 21-22 and is projected to be at 3.5 months at the end of FY 22-23. At the end of FY 24-25, the Bureau will be at 0.7 months.

Table 1 - BSIS Fund Condition *					
	PY 2020-21	PY 2021-22	CY 2022-23	BY 2023-24	BY+1 2024-25
Beginning Balance	\$ 7,331	\$ 6,964	\$ 5,036	\$ 5,603	\$ 3,687
Total Revenues & Transfers	\$ 15,957	\$ 15,647	\$ 17,021	\$ 17,075	\$ 17,063
Expenditures	\$ 16,832	\$ 17,575	\$ 16,454	\$ 18,991	\$ 19,522
Fund Balance	\$ 6,456	\$ 5,036	\$ 5,603	\$ 3,687	\$ 1,228
Months in Reserves	4.4	3.7	3.5	2.3	0.7

**Information as of FY 2022-23 FM 11 Expenditure/Revenue Projections.*

LEGISLATIVE UPDATE

2023 Legislation

1. [Assembly Bill \(AB\) 1244 \(Holden\)](#)

This law:

- Requires a qualified manager under the act to hold a current and valid qualified manager's certificate issued by the director and would require the director to issue a qualified manager's certificate to a person who meets the requirements of the act, as applicable.

- Establishes requirements for renewing a qualified manager certificate, and would establish application, examination, renewal, and delinquency fees for a qualified manager certificate, which would be deposited in the Private Security Services Fund.
- Requires branch office certificates and qualified manager certificates to be posted in a specified manner.
- Includes conforming and other non-substantive changes.

Status update: This bill was re-referred to the Senate Committee on Appropriations on June 20, 2023. The bill is set for hearing on August 14, 2023.

2. [Senate Bill \(SB\) 544 \(Laird\)](#)

This law:

- Amends existing law to remove indefinitely the teleconference requirements that a state body post agendas at all teleconference locations, that each teleconference location be identified in the notice and agenda of the meeting or proceeding, and that each teleconference location be accessible to the public.
- Requires the state body to post an agenda on its internet website and, on the day of the meeting, at any physical meeting location designated in the notice of the meeting.
- Prohibits the notice and agenda from disclosing information regarding any remote location from which a member is participating and define “remote location” for this purpose.
- Establishes that members of the public shall be entitled to exercise their right to directly address the state body during the teleconferenced meeting without being required to submit public comments prior to the meeting or in writing.
- Requires a state body, upon discovering that a means of remote participation required by the bill has failed during a meeting and cannot be restored, to end or adjourn the meeting in accordance with prescribed adjournment and notice provisions, including information about reconvening.
- Requires a state body to provide a means by which the public may remotely hear audio of the meeting, remotely observe the meeting, or attend the meeting by providing on the posted agenda a teleconference telephone number, an internet website or other online platform, and a physical address for at least one site, including, if available, access equivalent to the access for a member of the state body participating remotely.
- Requires a member of a state body who attends a meeting by teleconference from a remote location to disclose whether any other individuals 18 years of age or older are present in the room at the remote location with the member and the general nature of the member’s relationship with any such individuals.

Status update: This bill was heard in the Assembly Government Organization Committee on July 12, 2023. The author agreed to take amendments that would add a sunset date and require a quorum of members would need to be present at one physical location for 50% of the meetings each year. The amendments are expected to be in print soon.

3. [Senate Bill 802 \(Roth\)](#)

This law:

- Requires a board to notify the applicant in writing within 30 days after a decision is made to deny an application for licensure based solely or in part on the applicant's criminal conviction, as specified.

Status update: This bill was referred to Assembly Committee on Business and Professions on May 4, 2023. The bill's first hearing was set for July 11, 2023, but was canceled at the request of the author.

UPDATE ON ENACTED OR PENDING REGULATIONS

- A proposed rulemaking for the Power to Arrest Training and Appropriate Use of Force was noticed on July 13, 2023. Public comments must be received by the Bureau by September 6, 2023. The proposed rulemaking is available at https://www.bsis.ca.gov/about_us/laws/prop_regs.shtml.
- Bureau staff is beginning the rulemaking process to increase fees to the ceiling across all license types to address upcoming budget shortfalls.