

KEN HECHLER  
Secretary of State

MARY P. RATLIFF  
Deputy Secretary of State

BARBARA STARCHER  
Deputy Secretary of State

RICHARD S. STEPHENSON  
Deputy Secretary of State

Telephone: (304) 345-4000  
Corporations. 342-8000



STATE OF WEST VIRGINIA  
SECRETARY OF STATE

Charleston 25305

WILLIAM H. HARRINGTON  
Chief of Staff

RICH O. HARTMAN  
Director, Administrative Law

DONALD R. WILKES  
Director, Corporations

VIRGINIA SKEEN  
Special Assistant

(Plus all the volunteer  
help we can get)

NOTICE OF AGENCY ADOPTION

RULE TITLE: Interpretations of WV Code §30-18 Relating to  
Licensing of Private Detectives and Security Guards

RULE TYPE: Interpretive

The attached rule constitutes the official rule adopted by the  
Secretary of State's office on August 27, 1986 and filed with the  
Secretary of State.

A handwritten signature in cursive script, appearing to read "Ken Hechler", written over a horizontal line.

Ken Hechler  
Secretary of State

FILED

1986 AUG 27 PM 5:13

OFFICE OF THE SECRETARY OF STATE

FILED

1986 JUL 17 PM 3:21

PROPOSED  
WEST VIRGINIA INTERPRETIVE RULES  
SECRETARY OF STATE  
SERIES 11

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

TITLE: Interpretations of WV Code §30-18 relating to Licensing of Private Detectives and Security Guards

---

Section 1. General

1.1 Scope -- These interpretive rules relate to the provisions of WV Code §30-18 governing the licensing of private detectives and security guards both individual and firm.

1.2 Authority and related code citations -- WV Code §30-18 et seq.; §29A-1-2(c).

1.3 Filing Date --

1.4 Effective Date --

Section 2. Qualifications for Licensure

2.1 WV Code §30-18-1 requires a license to engage in the business of private investigation or watch guard or patrol service.

2.2 The education and experience requirements as stated in WV Code §30-18-2 are: "Every such applicant shall establish to the satisfaction of the secretary of state that such applicant, if he be a person, or, in the case of a firm, partnership or corporation, at least one member of such firm, partnership or corporation, has been regularly employed as a detective or shall have been a member of any United States government investigative service, a sheriff or member of a city or state police department, for a period of not less than three year's, or shall have had at least one year's training in investigative work at an accredited college or university or licensed private detective agency."

2.3 It is the interpretation of the secretary of state that three years' experience as a security guard, watchman or patrolman regularly employed by any of the agencies or organizations listed in WV Code §30-18-2 meets the statutory requirements for licensure, provided the applicant seeks licensure to engage in security, watch or patrol service only and not investigative service.

---

2.4 It is the interpretation of the secretary of state that one year's training at an accredited college or university shall be at least 30 semester hours credit in investigative studies.

2.5 It is the interpretation of the secretary of state that one year's training at a <sup>two</sup> licensed private detective agency shall mean at least thirty ~~five~~ <sup>(32)</sup> hours of work per week for fifty (50) weeks and that the training is documented by the licensed detective agency administering the training. The licensed agency shall swear or affirm, under the penalties of false swearing, to the time the applicant has been employed, the skills acquired by the applicant and to the competency of the applicant.

2.6 West Virginia Code §30-18-2 provides for one year's training be done with a licensed agency. It is the interpretation of the secretary of state that agency shall mean a firm, partnership, association, corporation or other combination or group of two or more persons having obtained from the Office of the Secretary of State a firm license. One year's training under an individual who does not have a firm license does not qualify as one year's training pursuant to §30-18-2.

### Section 3. Renewal

3.1 WV Code §30-18-3 and §30-18-4 requires that all licenses be valid for a period of one (1) year.

3.2 It is the interpretation of the secretary of state that when a license expires prior to the receipt by the secretary of state of a completed renewal application, the applicant shall be considered as a new applicant and shall follow the procedures for initial application for a private investigator's license.

FILED

WEST VIRGINIA INTERPRETIVE RULE 1986 JUL 17 PM 3: 21  
SECRETARY OF STATE  
CHAPTER 30-18  
SERIES 11

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

TITLE: Interpretations of WV Code 30-18 relating to Licensing  
of Private Detectives and Security Guards

---

	<u>page</u>
Section 1 General	1
Section 2 Qualifications for Licensure	1
Section 3 Renewal	2

1986 AUG 21 10 2 25



August 12, 1986

The Honorable Ken Hechler  
Secretary of State  
State of West Virginia  
State Capitol  
Charleston, WV 25305

Re: Private Detective  
Proposed Rules

Dear Sir:

I recently spoke to Bill Harrington of your staff concerning the proposed rule amendments. As you state in your letter, "this is not the real answer" but may be of some intermittent value. The following are my comments:

- 2.3 - Experience with a corporate/company security department should also qualify an individual. A person employed in such a capacity receives much more experience in security and crime prevention than a police officer.
- 2.4 - "investigative studies" should be defined as course work in criminal justice or police science.
- 2.5 - I believe "32" hours is considered full-time.
- 3.2 - I applaud this regulation. Perhaps those who have continued to operate without a license can be dealt with effectively.

We must start recognizing the fact that "security and private investigation" is a field, a specialization, unto itself. A person with simply policeman or patrol experience has not had the background to start a security or private investigative agency. I feel this is a serious misinterpretation by laymen.

I look forward to discussing this matter further.

Sincerely,

T. William Signorelli, CPP  
President

5407 MacCorkle Ave. S.E. Charleston, WV 25304  
(304) 343-1234



Dear Sir:

I received your communication to Mr. Signorelli and I wish to state that I concur with his recommendations.

Very Truly yours,

Earl W. Dyer

August 12, 1986

**SECURITY  
AMERICA**

The Honorable Ken Hechler  
Secretary of State  
State of West Virginia  
State Capitol  
Charleston, WV 25305

Re: Private Detective  
Proposed Rules

Dear Sir:

I recently spoke to Bill Harrington of your staff concerning the proposed rule amendments. As you state in your letter, "this is not the real answer" but may be of some intermittent value. The following are my comments:

- 2.3 - Experience with a corporate/company security department should also qualify an individual. A person employed in such a capacity receives much more experience in security and crime prevention than a police officer.
- 2.4 - "investigative studies" should be defined as course work in criminal justice or police science.
- 2.5 - I believe "32" hours is considered full-time.
- 3.2 - I applaud this regulation. Perhaps those who have continued to operate without a license can be dealt with effectively.

We must start recognizing the fact that "security and private investigation" is a field, a specialization, unto itself. A person with simply policeman or patrol experience has not had the background to start a security or private investigative agency. I feel this is a serious misinterpretation by laymen.

I look forward to discussing this matter further.

Sincerely,

*B. J. J.*

T. William Signorelli, CPP  
President

5407 MacCorkle Ave. S.E. Charleston, WV 25304  
(304) 343-1234