



OLR RESEARCH REPORT

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QUESTIONS ON ARMED SCHOOL SECURITY

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You asked several questions related to school security and armed security guards. Your specific questions and answers follow. The answers to questions three through 10 were provided by the Department of Emergency Services and Public Protection (DESPP).

1. [CGS § 29-161h](#) refers to licensing of a corporation. Do either the statutes or case law define a school as a corporation?

We found no statute defining a school as a corporation. We also did a Westlaw search and found no case that defines a school as a corporation. We found two rather old cases related to school districts. Neither case defined a school district as a corporation. In *Hassett v. Carrol*, the court said school districts were not separate corporations themselves for all purposes of common school education, but their regulations in the conduct of the schools were generally subject to the ordinances of the towns where they were situated (*Hassett v. Carrol*, 1911 81A. 1013, 85 Con. 23, Am. Ann. Cas. 1913A, 333).

In *Hotchkiss v. Plunkett*, the court said a school district is a quasi-public corporation of a public nature, and its board of education cannot expend money except for purposes expressly authorized by statute (*Hotchkiss v. Plunkett* (1891) 22A 535, 60 Conn. 230).

2. CGS § 29-161h, which deals with licensing of a security service, states that “if the applicant is a corporation, association or partnership, the person making the application shall be an officer of the corporation or a member of the association or partnership...” Does the legislative history of the law indicate who would be considered officers or members of the corporation for purposes of this provision?

There was no discussion of this specific provision in the Senate or House debate or during the public hearing on the bill ([SB 70](#), which became [PA 04-192](#)).

3. What entities or persons can own a gun?

According to DESPP, “persons or corporate entities can own a gun under Connecticut law.”

4. What types of entities or persons can possess a gun?

According to DESPP, anyone not otherwise prohibited can purchase and carry a long gun. In order to purchase or carry a pistol or revolver, a person must qualify for and obtain a valid pistol permit.

5. What does a corporation have to do to own a gun, and what does it have to do to legally allow its employees to possess guns?

According to DESPP, in order to legally purchase a weapon, a corporation or other legal entity must designate an approved “armorer” authorized by the corporate entity to act on its behalf. Generally, this authority will be established through a letter, on corporate letterhead, indicating that the armorer has been designated as such and that the company would like the armorer to purchase the number and type of firearms desired for corporate use. The armorer must also be an eligible purchaser in order to obtain the firearms on the company’s behalf.

If a school employs security guards, it has to comply with the requirements set forth in [CGS § 29-161g](#), et. seq. This includes obtaining a professional DESPP license to conduct business as a private security company. Other requirements that pertain to law enforcement ([CGS § 29-161aa](#)), guard uniforms ([CGS §§ 29-161s](#) and [29-161r](#)), and fees ([CGS § 29-161n](#)) may apply. The school would also need to register with DESPP any employees working as security guards. Security guards must be at least age 18 (age 21 to be armed) and of good moral character. They must also obtain a security officer certification card, which entails completing an eight-hour course approved by the DESPP commissioner on certain topics, including

basic criminal justice, public safety, and basic first aid. In order to be armed, the employee must obtain both a (1) pistol permit and (2) blue card endorsement, which requires him or her to complete an additional eight hours in firearms training and safety. He or she must qualify on the weapon he or she will be carrying on the job. Armed security guards must also attend a yearly safety refresher course and qualify with their firearms annually.

6. Are employees of such corporations allowed to take the guns home when they finish their shift for the day? If so, are there insurance requirements?

According to DESPP, a corporation may allow an employee to use its firearms (handguns) only if the employee has a valid pistol permit. An employee who has a valid pistol permit would not be prohibited from taking the weapon home at the end of his or her shift if the company were to allow it.

[CGS § 29-161l](#) requires any applicant for a license as a security service to post a \$10,000 surety bond with the DESPP commissioner. In addition, as a condition of licensure, the applicant must provide a certificate of general liability insurance for at least \$300,000. But, under DESPP's custom, if the requesting agency is considered "proprietary" (i.e., the school's employees are only providing services at the school and for the school), both the insurance and bond requirements and the licensing fees may be waived.

7. If the guns are to be kept on the corporation's premises, must they be locked up in a certain way?

Yes, according to DESPP. [CGS § 29-37i](#) states as follows:

No person shall store or keep any loaded firearm on any premises under his control if he knows or reasonably should know that a minor (under age 16) is likely to gain access to the firearm without the permission of the parent or guardian of the minor unless such person (1) keeps the firearm in a securely locked box or other container or in a location which a reasonable person would believe to be secure or (2) carries the firearm on his person or within such close proximity thereto that he can readily retrieve and use it as if he carried it on his person.

[CGS § 53a-217a](#) establishes criminal penalties when a person violates CGS § 29-37i and a minor under age 16 obtains the firearm and injures or kills himself, herself, or someone else.

8. If a school wants to purchase a gun to give to an employee acting as a security guard, how would it go about procuring the gun?

See response to question number 5.

9. If a school allows the employee to take the gun home after his or her shift, are there any requirements pertaining to storing it in the employee's home?

See response to question number 7.

10. Are there any federal or state grants at stake if a school were to purchase guns for its employees to use?

According to DESPP, there may be, but the agency is not aware of any.

See OLR Report [2013-R-0044](#) for a discussion of armed security personnel in Arizona, California, Connecticut, and Virginia.

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