

Private Detectives and Guards

Detectives, private detectives, and investigators. In the State of Hawaii, the Board of Private Detectives and Guards licenses detectives, private detectives, and investigators. Detective agencies and private detective agencies must also be licensed.



Every detective agency must have a principal detective. Every detective agency must employ at least one principal detective. The principal detective is responsible for the direct management and control of the detective agency and its employees. Among other things, principal detectives must also insure that records of employees and information about training are kept.

Guards and guard agencies. The Board licenses guard agencies, licenses principal guards, and registers individual guard employees. Registered guard employees protect persons or property, preventing theft or the unlawful taking of goods, money, or other articles of value. Guards may be uniformed or nonuniformed and include those providing services to apartment associations, retail establishments, hotels, armored car services, financial institutions, public utilities, and hospitals. The law also applies to doormen/bouncers.

Every guard agency must have a principal guard. Every guard agency must employ at least one principal guard. The principal guard is responsible for the direct management and control of the guard agency and its employees. Among other things, principal guards must also insure that records of employees and information about training are kept.

Exemption for law enforcement officers. A guard registration is not required for active duty federal, state, or county law enforcement officers or personnel.

Among other things, private detective and guard agencies must...

- (1) Keep proper business records of client accounts and property in their possession or custody;
- (2) Include license numbers on any advertising;
- (3) Maintain surety bonds; and
- (4) Have uniforms, badges, identifications, and emblems approved by the Board of Private Detectives and Guards and the chief of police of the county in which they intend to operate.

Among other things, private detective and guard agencies shall not...

- (1) Divert, misappropriate, convert, or conceal client funds or property;
- (2) Provide false information to clients about surveillance or security projects;
- (3) Impersonate police officers or members of law enforcement agencies; or
- (4) Carry firearms, blackjacks, batons, nightsticks, chemical sprays, stun devices, or other weapons, unless specifically authorized (in writing) by the appropriate state agency or the chief of police of the appropriate county.

Penalties for unlicensed activity. Making a false report, divulging information, or engaging in unlicensed activity may result in fines, imprisonment, or injunctive relief.

What should you do? Read the laws and rules relating to the licensing/registration of private detectives and guards carefully. Including, Chapter 463 of the Hawaii Revised Statutes and Chapter 16-97 of the Hawaii Administrative Rules.

Information and links to the laws and rules can be found at:
hawaii.gov/dcca/pvl/boards/private

INTERESTED IN APPLYING FOR A PRIVATE DETECTIVE OR INDIVIDUAL GUARD LICENSE?

To apply for a private detective license, you must:

- Be at least 18 years of age
- Have a high school education or equivalent
- Have the equivalent of at least 4 years of full-time investigational work experience
 - Not suffer from a psychiatric or psychological disorder
- Not have been convicted of a crime which reflects unfavorably on the fitness of the individual to act as a private detective
- Possess a history of honesty, truthfulness, financial integrity, and fair dealing

The Board also requires training and experience in case investigation and documentation, ethics, privacy, use of force, and other related topics.

To apply for a principal guard license, you must:

- Be at least 18 years of age
- Have a high school education or equivalent
 - Not suffer from a psychiatric or psychological disorder
- Not have been convicted of a crime which reflects unfavorably on the fitness of the individual to act as a guard
- Possess a history of honesty, truthfulness, financial integrity, and fair dealing

The Board also requires training and experience in fire and evacuation procedures, incident investigation and documentation, screening, use of force, and other related topics.

To apply for an individual guard employee registration, you must:

- Be at least 18 years of age
- Have a high school education or equivalent
 - Not suffer from a psychiatric or psychological disorder
- Not have been convicted of a crime which reflects unfavorably on the fitness of the individual to act as a guard
 - Successful completion of 8 hours of classroom instruction with Board approved instructor/curriculum

For more information about licensing, go to: cca.hawaii.gov/pvl.

RESOURCES

The Department of Commerce and Consumer Affairs (DCCA), and its Regulated Industries Complaints Office (RICO), offer tools, tips and services you can use to check out an individual or business. Information is available by calling **1-844-808-3222** or online at cca.hawaii.gov/businesscheck. Please also dial 1-844-808-3222 (DCCA) to reach RICO for information about filing a RICO complaint or to report unlicensed activity. Or, visit RICO online at cca.hawaii.gov/rico.

RICO is the enforcement arm for over forty-five professional boards, commissions, and programs that are administratively attached to the Department of Commerce and Consumer Affairs. RICO receives complaints, conducts investigations, and prosecutes licensing law violations. RICO also prosecutes unlicensed activity through the issuance of citations and by filing civil lawsuits in the Circuit Courts. RICO works to resolve consumer complaints where appropriate and provides consumer education about various issues relating to licensing and consumer protection. RICO also administers the State Certified Arbitration Program (SCAP) for "lemon" motor vehicle claims.

This brochure is for informational purposes only and not intended for the purposes of providing legal advice. Information provided is subject to change.