The Universal Protection Service Criminal Law Training Manual represents core training regarding Criminal Law and Crime Prevention for each Security Professional, but by itself does not constitute complete and comprehensive training.

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# CRIMINAL LAW AND CRIME PREVENTION

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Review questions follow each unit.
Unit 1 – COURSE INTRODUCTION

GOAL: By the end of this unit, you’ll have an introduction to the basic concepts and principles of this training course.

TOPICS:

1. Introduction
2. Patrol General Orders

OBJECTIVES:

1. Understand what crime prevention entails.
2. Know your role in crime prevention.

1 – INTRODUCTION

A security operation is chiefly judged by how well it manages systems intended to minimize crime. This effort includes you, a security professional, knowing about the legal system and criminal offenses, how to recognize and identify crime and conditions conducive to crime and how you perform important crime prevention measures.

In the Universal Protection Service shopping center Site Operation Mission, the paragraph on crime prevention is the longest of all paragraphs:

“To diminish criminal activity through visible deterrence based upon effective patrol; by detection and disruption of criminal acts and plans; by response to, interaction with and investigation of criminal incidents; by causing the apprehension of suspects of crimes and by identifying and minimizing any activities, situations or conditions conducive to crime or that would encourage the presence of criminal elements; and through coordination with public agencies.”

If all of that sounds like a lot to do, it is! Deterring crime and driving down the number of criminal incidents at shopping centers, which are sprawling, designed for easy access to the public and on which valuables, from motor vehicles to jewelry, are continually present demands a “full court press” effort by the entire security operation and each of its security professionals.

Criminal laws are defined in state statutes. You should be familiar with how these laws are defined, so you will recognize criminal incidents as they are happening through a variety of phases, so you will respond safely and lawfully, so you will accurately identify criminal offenses and report upon them for statistical analysis that drives crime deterrence measures.

Criminal offenses differ across states/jurisdictions, so follow-up study of the criminal offense statutes for your State/jurisdiction regarding commonly encountered crimes is important and recommended.

Knowing how you perform vital crime prevention duties as part of your site operation and as a security patrol team member is important for serving your client and mall community.
2 – PATROL GENERAL ORDERS

Patrol General Orders are summarized statements of policy, procedures, rules, best practices and guidance for judgment. Security professionals are expected to perform consistent with these general orders.

Patrol General Orders regarding Criminal Laws include:

1. Security professionals shall prioritize personal safety and the safety of others over other priorities during criminal incident response.

2. Security professionals shall develop knowledge regarding the definition and nature of criminal offenses, as described in state statutes, which commonly occur on shopping centers.

3. Security shall know how to recognize crimes occurring in the field, matching observations to the elements of the offense, and pre-crime activities.

4. Security professionals shall name crimes accurately for security reporting purposes.

5. Security professionals shall know and perform crime prevention duties, through patrolling, incident response and crime prevention programs, as applicable.
COURSE INTRODUCTION – REVIEW QUESTIONS

1. What are the factors that help security operations minimize crime?

2. What are the five Patrol General Orders?
Unit 2 – THE LEGAL SYSTEM AND CRIMINAL OFFENSES

GOAL: By the end of this unit, you will be familiar with the basic elements of the law as it relates to shopping center security.

TOPICS:

1. Sources of Law
2. The Legal System, the Criminal Justice System, and You

1 – SOURCES OF LAW

The purpose of law is social control, a method of influencing people to behave in certain ways. Laws are written codes serving this purpose. There are various sources of law, meaning the authority from which the various laws originate, what governing body writes the laws and enacts the laws.

Statutory law, which is written and enacted by Congress, State legislatures or local authorities, includes the two sources of law most pertinent to your role as a security professional:

- **Criminal law** – Defined in statutes which describe offenses for which the government can prosecute and punish by incarceration, fines or both. Violating one of these laws is what we commonly mean by “committing a crime.”

- **Civil law** – Legal action taken by one private person to resolve a dispute with another private person; also, actions taken by or against private entities (companies, for instance). Civil law is what we commonly think of as someone suing – bringing a lawsuit against – another.

Additional sources of law include:

- **Constitutional law** – The United States constitution and the constitutions of each State establish the structure of governance and provides standards upon which U.S. District and Supreme Courts (State and Federal) make decisions.

- **Case law** – The decisions that are issued by the court system, based upon the courts’ interpretation of the constitution, clarify what statutes mean and how these apply to specific circumstances and facts. Case law decisions influence the enforcement of both criminal and civil laws, ongoing.

- **Additional statutory law sources** – Administrative law and regulatory law, allows for public regulatory agencies to be created (administrative) and enact regulations (regulatory).

The remainder of this training course has to do with criminal law, the written State statutes which define what a criminal offense is and the elements of such.
2 – THE LEGAL SYSTEM, THE CRIMINAL JUSTICE SYSTEM, AND YOU

The Legal System is the entire structure within our society that enacts, interprets and enforces laws of all the sorts described above. Part of the overall legal system is the Criminal Justice System, which the complex system of Federal, State and local courts, law enforcement and corrections comprise.

We deal mostly with law enforcement and, next, with courts (thankfully, very much less frequently). Our primary liaison from law enforcement is the police officers we partner with to fight crime. When we deal with attorneys, lawsuits and court depositions and testimony, we are dealing with people who work with the courts.

In your role as a security professional, you are not part of law enforcement or the court system, as you know. However, your ability to work in effective partnership with the police, attorneys and the courts is vital to the professional performance of your duties.

Many times, these legal and law enforcement professionals are grateful (and relieved!) at the professional performance of our security operations and security professionals. By performing security duties, helping prevent crime and assisting criminal prosecution with professional security response and reporting, you support the overall goal of law, to influence people to behave in certain ways, for the corner of the World that you serve: your shopping center and its community of shoppers, tenant employees, other guests and, most importantly, your client.
THE LEGAL SYSTEM AND CRIMINAL OFFENSES –

REVIEW QUESTIONS

1. What are the two sources of statutory law that are most pertinent to your role as a security professional?

2. How do security professionals support the overall goal of law?
Unit 3 – CRIMINAL OFFENSES

GOAL: By the end of this unit, you will know about the elements involved in a criminal offense.

TOPICS:

1. About Criminal Offenses Statutes
2. Categories of Crime
3. Elements of a Criminal Offense
4. Mental State
5. Physical Acts
6. Aggravating and Mitigating Factors
7. Inchoate Offenses
8. Lesser Included Offenses

1 – ABOUT CRIMINAL OFFENSES STATUTES

A legal term offense means breaking any criminal or non-criminal law.

A criminal offense means breaking a criminal law (a criminal statute within a criminal code) which can be punished by incarceration (imprisonment or confinement in a jail or penitentiary) as well as a fine.

Criminal offenses are classified as either a felony or a misdemeanor. Felonies are the more serious crimes and misdemeanors are crime less serious than felonies. Most states consider felonies and misdemeanors as follows:

- Felony – Any crime committed with a maximum penalty of death or incarceration in a state correctional facility for over one year.
- Misdemeanor – Any crime committed with a maximum penalty of incarceration of up to one year.

Felonies and misdemeanors are both classified further. When you see terms in the criminal code such as “First degree felony” or “second degree misdemeanor” or “Class A misdemeanor” these are terms of further classification of seriousness of offense and vary by State/jurisdiction.

In addition to incarceration, penalties can include fines.

Sometimes when you read a statute that begins by describing a misdemeanor crime, there will be aggravating factors listed that will constitute a felony, if committed. For instance, the statute might state if the basic elements of the misdemeanor were committed but additionally the accused wore a mask or...
possessed a weapon or seriously injured a person, then the offense is considered worse, often qualifying as a felony rather than a misdemeanor.

Just because a person could be charged with a given crime, it does not mean that they will. Police and prosecutors have decision-making abilities to charge a person with a less serious crime even if more serious crime charges were possible.

Why is this important – felonies versus misdemeanors, aggravating factors?

In the performance of your duties as a security professional, you may encounter an instance in which circumstances necessitate that you arrest someone, performing an arrest by private person. Many states’ arrest by private persons statutes, which define what factors must be present for a private person (which security professionals are) to effect an arrest, list different elements of legal cause depending upon whether the crime committed is a felony or a misdemeanor. Your powers to arrest lawfully may depend upon you knowing the difference in your state/jurisdiction.

Lessons to be taken away from all this information about felonies versus misdemeanors and ordinance violations versus criminal offenses are:

- Don’t be eager to arrest.
- A careful reading of the criminal laws of your state/jurisdiction is important before you effect an arrest as a private person.
- If you are uncertain about what crime has been committed, do not effect an arrest but contact police instead.
- When identifying a crime for reporting purposes, consult with police if you are unsure.

2 – CATEGORIES OF CRIME

Various methods exist that organize criminal offenses by type. Here are three commonly described categories:

- **Crimes against Persons** – These crimes are directed at a person and typically cause potential physical harm. Examples include: assault, battery and murder.
- **Crimes against Property** – These crimes target property and typically result in loss through theft or damage. Examples include: criminal damage to property, theft, retail theft and robbery.
- **Crimes against Public Order** – These crimes are disruptive to the normal operations of society. Examples include: disorderly conduct and public intoxication.

The way states organize crimes in criminal codes differ. Reporting methods, such as the FBI’s Uniform Crime Report, also feature crime categorization methods.

Additional, commonly seen crime categories include:

- Computer crimes.
- White collar crimes.
- Sex crimes.
- Drug crimes.
- Serious crimes.
- Government function crimes.

When completing security incident reports, you may also use a system of categorizing crimes consistent with reporting guidelines in your Post Orders or as a feature of a computer incident management system.

Pay attention to these reporting guidelines and use them accurately. Meaningful crime statistics depend upon you doing so.

3 – ELEMENTS OF A CRIMINAL OFFENSE

Each criminal offense consists of a list of elements. These elements are comparable to definitions or, in a sense, ingredients.

If a proper, specified combination of these elements occurs during an incident then a reasonable person might believe that a crime has been committed.

If a person or persons reasonably can be believed to have committed these elements during an incident, then that person or persons might be arrested and charged with the crime.

Officers of the law – police officers or attorneys – will likely then investigate by gathering physical evidence and statements from people, including victims, witnesses and even the person charged with the crime. The reason for the investigation will be to verify that the elements of the crime – those same written in the law – actually occurred and were committed by the person charged.

Later, in court if the case is tried, a level of believability of information must be presented “beyond a reasonable doubt” in order to determine that the specified actions did occur, that they match the description of the crime in the criminal code and that the person charged with the crime did in fact commit those actions.

From the moment the first officer arrives on the scene until the time that a judge or jury decide innocence or guilt, evidence and testimony are compared to that formula – the elements of the offense – in very, very precise ways.

It is very important to know your state’s/jurisdiction’s elements of offenses for crimes you commonly will deal with. Why is this important? Were you to effect an arrest for a crime, you need to know that the crime occurred in fact. For a crime to have occurred in fact, the elements of offense must have happened. Also, knowing the elements of offense of commonly encountered crimes is important for you to write an accurate security incident report.

The basic elements of an offense include two categories:

- **Mental State** – called mens rea, the mental state that is necessary for culpability of a crime
4 – MENTAL STATE

Criminal acts are more than just physical actions. A person must have a specified mental state to accompany physical actions in order for physical actions to be criminal. The person must intend the action, or know the likely effects of an action, or have acted with a significant disregard for persons or property, or have acted or failed to act despite that a reasonable person would have known better.

A person who did not intend to commit a criminal act, did not know the effect of what they were doing and were not acting in a way that disregarded safety or about which they “should have known better”, would not be considered to have committed the elements of a criminal act. There would be no mental state accompanying the physical actions.

A person who is judged incapable of understanding the significance of his action – perhaps due to mental incapability or young age – would not be considered to have committed an offense. Such conditions are often written into statutes.

The most specific and more often difficult to prove mental state is intent. Knowledge is a step down from intent. Next is recklessness and then negligence. Depending upon the criminal code, the mental state might be called by a different title or be defined somewhat differently. The following are intended as general examples, commonly encountered in criminal statutes.

Intent

This state of mind means that the physical action in question was specifically what the subject meant to do.

Sample Legal Definition:

“A person intends, or acts intentionally or with intent, to accomplish a result or engage in conduct described by the statute defining the offense, when his conscious objective or purpose is to accomplish that result or engage in that conduct.”

Example: A person specifically wishes to kill another and so aims a gun at that person and shoots him. He intended to kill the victim.

Knowledge

This state of mind means that, although the subject might not have specifically intended the effect of his action, he should have reasonably known that the effect would likely result.

Sample Legal Definition:

“A person knows, or acts knowingly or with knowledge of, when he is consciously aware that such result (described in the statute) is practically certain to be caused by his conduct.”
Example: A person did not intend to kill another but wanted to hurt him and so aims a gun at that person and shoots him. He should have known that killing the victim was a likely result.

**Recklessness**

This state of mind means that, although the subject might not have intended the effect of his action or known that the effect would likely result, he was acting with such active disregard for safety of people or property that his actions were unreasonable.

Sample Legal Definition:

“A person is reckless or acts recklessly, when he consciously disregards a substantial and unjustifiable risk that circumstances exist or that a result will follow, described by the statute defining the offense; and such disregard constitutes a gross deviation from the standard of care which a reasonable person would exercise in the situation.”

Example: A person (who doesn’t want to hurt anyone) runs down a street shooting his gun in the air and doesn’t realize that he’s shot a man looking out an upper story window. He didn’t mean to shoot anyone, but he behaved with an unreasonable disregard for peoples’ safety.

**Negligence**

This state of mind means that, although the subject might not have intended the effect of his actions or known that the effect would likely result, and even though he was not actively disregarding safety, there were however a reasonable care that the subject did not employ although this care was his responsibility.

Sample Legal Definition:

“A person is negligent, or acts negligently, when he fails to be aware of a substantial and unjustifiable risk that circumstances exist or a result will follow, described by the statute defining the offense; and such failure constitutes a substantial deviation from the standard of care which a reasonable person would exercise in the situation.”

Example: A person leaves his loaded gun on his front porch and a juvenile picks it up and accidentally shoots someone. The owner of the gun didn’t mean to hurt anyone and did not actively do so with a wanton disregard for safety, but he should have used a greater standard of care concerning his gun for which he was responsible.

Why is this important? As you read the definition of criminal offenses for your state/jurisdiction, look for the mental states: a person commits (the given offense) when he intentionally...; a person commits (the given offense) when he recklessly...” The mental states are as important to the offense having been committed as the physical acts.

An exception to a required mental state is a type of violation featuring “absolute liability.” Some statutes specifically state that an action performed, absent an accompanying defined mental state, constitutes an offense.
Example Criminal Offense Mental State

Here is an example criminal offense:

“A person commits battery if he intentionally or knowingly without legal justification and by any means, (1) causes bodily harm to an individual or (2) makes physical contact of an insulting or provoking nature with an individual.”

In the above example, two mental states are specified: “intentionally or knowingly”. Either one will satisfy this Statute.

5 – PHYSICAL ACTS

The Physical Act is the action that defines a criminal offense in combination with the specified mental state. The act can also be an “omission” or a failure to act that serves as an element of the offense.

The action is very simple in some instances, whereas in other instances a variety of conditions must also be met. Sometimes, the physical act is a “result” that can come about by any means.

Example Criminal Offense Physical Act

The sample criminal offense below specifies physical actions with accompanying conditions.

“A person commits battery if he intentionally or knowingly without legal justification and by any means, (1) causes bodily harm to an individual or (2) makes physical contact of an insulting or provoking nature with an individual.”

In the above sample, the physical act is “causes bodily harm to an individual” or “makes physical contact of an insulting or provoking nature with an individual.” It specifies that these actions can be “by any means.” So the physical act is any action (such as punching or kicking or throwing something that hits a person) that “by any means” results in “bodily harm to an individual” as long as the action is committed “without legal justification.”

Qualifications: And, Or, But

As stated above, criminal laws are very specific. A careful reading is always necessary. Pay attention to words such as And, Or, But and other qualifying words. These words in criminal laws are vital to understanding what actually constitutes the elements of the offense.

For example, here are two examples of a fake criminal offense, Illegal Striking.

- Example 1 – A person commits Illegal Striking when he intentionally punches an individual or stamps upon his foot.
- Example 2 – A person commits Illegal Striking when he intentionally punches an individual and stamps upon his foot.

Let’s say example 2 is the law in your state/jurisdiction. You respond to an incident in which a subject is stamping upon another individual’s foot. Is the subject committing Illegal Striking? A quick reading of
Example 2 Illegal Striking might leave you thinking so; however, if you read more closely and see the word “and,” you realize the subject must ALSO punch the individual. The one word difference between example 1 and example 2 makes the elements of the offense much different.

This would matter if you believed it necessary to affect an arrest. Also, this matters when you complete an incident report: you need to describe how all the elements of the offense were committed.

6 – AGGRAVATING AND MITIGATING FACTORS

An **aggravating factor** is some additional element that, if present, increases the severity of the crime, often raising the level of seriousness often from misdemeanor to felony. You will see aggravating factors frequently present in criminal laws.

A **mitigating factor** is some additional condition that, if present, lessens the severity of the crime. Sometimes, mitigating factors are sometimes present in criminal laws.

7 – INCHOATE OFFENSES

When someone takes steps toward the commission of a crime, but doesn’t actually complete all the elements of that crime, that in itself may constitute a criminal act. Such incomplete steps to committing a crime are called **inchoate offenses**. Inchoate means “begun but not completed.” Solicitation, Conspiracy and Attempt are examples of inchoate offenses.

- **Solicitation** - When someone solicits a criminal offense, that person asks another to commit or participate in a crime.
- **Conspiracy** - When someone conspires to commit a criminal offense, he has reached an agreement with another person to do so – two or more are involved.
- **Attempt** - When someone attempts a crime, significant actions are taken to commit the crime but the planned event does not fully occur.

8 – LESSER INCLUDED OFFENSES

A lesser included offense means that the complete elements of the offense of a given crime are some of the elements of the offense for a more serious crime. For example, theft is a lesser included offense of robbery. A person committing robbery commits theft with the additional elements of by force or intimidation to accomplish the robbery.

When you choose the classification of an incident report, you should select the more severe crime and do not need to additionally note the lesser included offense. Which crime the person is later charged with, prosecuted or convicted of does not change the crime for your reporting purposes.
CRIMINAL OFFENSES – REVIEW QUESTIONS

1. What are examples of crimes against persons?
2. What are the two categories that make up the basic elements of an offense?
3. What does the “term” recklessness mean?
4. An Aggravating Factor is some additional element that?
Unit 4 – IDENTIFYING CRIMINAL OFFENSES

GOAL: By the end of this unit, you will be able to identify a broad variety of criminal offenses.

OBJECTIVES:
1. Understand the purpose of this training unit.
2. Know the meaning of the topics covered by this training unit.
3. Understand how this training unit relates to your role as a Security Professional.

TOPICS:
1. Online Resource for Criminal Offense Study
2. Generic Criminal Offense Descriptions

1 – ONLINE RESOURCE FOR CRIMINAL OFFENSE STUDY

Here are valuable online resources to help you learn more about specific criminal offenses. The online site FindLaw features these two tools.

View all criminal charges – Crimes A to Z

This webpage lists all types of crime in alphabetical order. When you click on a crime title, you will see a thorough description of that criminal offense. These are not state-specific but provide a good overview of what constitutes crimes.

http://criminal.findlaw.com/criminal-charges/view-all-criminal-charges.html

State Criminal Codes and Brows State Criminal Law by Topic

This webpage provides two means to view state-specific criminal offenses.

On the top half of the page are listed all 50 states and the District of Columbia. Clicking on one of these, takes you to the criminal code for the selected state/jurisdiction.

On the bottom half of the page are listed crimes by topic (e.g., assault and battery laws, burglary laws, etc.). Click on a topic and you will see the list of all 50 states and the District of Columbia, again, on the top half of the page. However, now when you click on the name of a state/jurisdiction, you will be shown are overview of that crime topic specific to the selected state/jurisdiction with a link to the actual state criminal statute included.

http://statelaws.findlaw.com/criminal-laws.html

NOTE: Over time, links on webpages become obsolete if the site linked to changes. If you find this is the case, use a search engine to locate your state statutes posted online.

Using these two tools, you should be able to access in depth information specific to your state for all crimes commonly encountered at your property.
2 – GENERIC CRIMINAL OFFENSE DESCRIPTIONS

When you read criminal offense statutes, you will notice how precisely they are worded. Really, you can’t say the offense accurately “in other words.” The precisely phrased words are the law. The titles of criminal laws vary considerably state to state as do the descriptions of what constitutes a given crime. So be sure when you read the definition of a given criminal law that it is of your state/jurisdiction.

For purposes of giving a general idea of what the titles of commonly encountered criminal offenses mean, generic descriptions are provided below. These descriptions are not actual laws, just learning guides. The actual laws are present in the criminal code of your state/jurisdiction. Do not base your actions upon the descriptions below, but only upon what you read in the criminal code of your state/jurisdiction.

- **Criminal Damage to Property** - Destroying, defacing or degrading another person’s property without permission. This is sometimes called vandalism.
- **Theft/Larceny** - Intentionally depriving someone of his property, usually by taking something of value without consent.
- **Retail Theft** - Taking or concealing merchandise from a store with the intent of not paying for it and walking past the last point of purchase or out of the store.
- **Retail Theft Over** - Committing an act of retail theft and the value of the property is over an amount defined in the statute. Often this makes the theft a felony rather than a misdemeanor in many states.
- **Theft Over** - Committing an act of theft and the value of the property is over an amount defined in the statute.
- **Theft of Auto** - Committing theft and the thing of value stolen is an automobile.
- **Criminal Trespass to Real Property** - Entering onto land without consent of the landowner or person with legal control of the land. At a shopping center, where the public is invited, a posted notice to not enter an area would have to be ignored and bypassed; or a person would have to have been told to depart property by a representative of the land-owner or person leasing part of the property and then failed to do so or returned shortly after (ejected); or a person would have to have been told not to re-enter the property and then did so (banned).
- **Disorderly Conduct** - Acting in a way that alarms and disturbs another or provokes a breach of the peace. Many specific acts are often described as additionally constituting disorderly conduct (e.g., activating a fire alarm improperly, making a bomb threat).
- **Criminal Damage to Motor Vehicle** - Destroying, defacing or degrading another person’s property without permission and the property is a motor vehicle.
- **Burglary** - Unlawfully entering a closed structure (such as a house, office or storage area) with the intent of stealing or some other crime.
- **Burglary to Motor Vehicle** - A act of burglary and the “enclosed structure unlawfully entered” is a motor vehicle.
- **Public Intoxication** - Being under the influence of alcohol (or, sometimes, other intoxicating substances) past a legal limit.
- **Assault** - Putting another person in the imminent apprehension of receiving a battery. Typically, this consists of threatening to cause imminent physical harm or trying to do so (swing at someone but miss). In some states, assault means the same as battery.
- **Aggravated Assault** - Committing an assault by a deadly weapon.
- **Battery** - Intentionally touching someone in a harmful or offensive manner without consent. For instance, punching someone in such a way is considered assault. This often includes throwing something that strikes the person. In some states, this is called assault.
- **Aggravated Battery** - Committing battery using a weapon or object used as a weapon or causing serious injury by the battery. In some states, this is called aggravated assault.
- **Drug Possession** - Having on one’s person or within one’s control an unlawful weapon.
- **Robbery** - Using force or the threat of force to take property from another person.
- **Armed Robbery** - Committing robbery using a weapon, such as a firearm or knife, or threatening to use a weapon or implying the use or possession of such weapon while committing a robbery.
- **Hit and Run Accident Leaving Scene** - While driving a motor vehicle, striking a person or other vehicle and then leaving the scene without providing identification or remaining at the scene awaiting police depending upon what is specified in statute. (This may appear in the state’s vehicle code instead of criminal code.)
- **Unlawful Possession of Weapon** - Illegally having on one’s person or within one’s control a weapon. What is considered a weapon is defined in statutes.
- **Bomb Threat** - Communicating a false alarm that an explosive device is present in a place. Sometimes a form of disorderly conduct.
IDENTIFYING CRIMINAL OFFENSES – REVIEW QUESTIONS

1. What is the definition of Disorderly Conduct?
2. What is the definition of Retail Theft Over?
3. What is the definition of Aggravated Assault?
4. What is the definition of Criminal Damage to Property?
5. What is the definition of Theft/Larceny?
6. What is the definition of Retail Theft?
7. What is the definition of Theft Over?
8. What is the definition of Theft of Auto?
9. What is the definition of Criminal Trespass to Real Property
10. What is the definition of Criminal Damage to Motor Vehicle?
11. What is the definition of Battery?
12. What is the definition of Burglary?
13. What is the definition of Public Intoxication?
14. What is the definition of Assault?
15. What is the definition of Aggravated Battery?
16. What is the definition of Drug Possession?
17. What is the definition of Robbery?
18. What is the definition of Armed Robbery?
19. What is the definition of Hit and Run Accident Leaving the Scene
20. What is the definition of Unlawful Possession of a Weapon?
21. What is the definition of a Bomb Threat?
Unit 5 – CRIME DETECTION AND RECOGNITION

GOAL: By the end of this unit, you will know ways to detect and recognize criminal activity.

TOPICS:
1. Crime Detection Practices
2. Crime Recognition Practices

1 – CRIME DETECTION PRACTICES

Some crimes are easy to detect and recognize while others are not. Criminals would like to commit crimes without anyone realizing what’s occurred at least until later. So, in many instances efforts are taken to conceal criminal activity and, also, to quickly flee the scene of the crime.

- Crimes that feature violence against a person or disorderly behaviors are often easy to spot while they are happening. A violent crime may feature an obvious physical conflict occurring. Disorderly Conduct, by nature in many instances, is alarming and disturbing or provokes a breach of the peace.

- Often, after committing a violent or serious crime, the suspect will flee (although certainly not always). Robbery, in the form of purse snatching, is an example of this.

- Property crimes, such as vandalism and theft, are often discovered well after the event.

- Crimes sometimes happen in stages or over a course of time at least so far as the criminal performing actions that lead to the moment of commission of the crime and then performing actions to get away undetected. Organized Retail Theft is an example of this.

In all instances, however, in order for a crime to be detected and recognized, someone besides the criminal must be nearby, observe what occurred or is occurring, recognize what occurred or is occurring as a crime and report the event.

As a security professional, your duties include detecting and recognizing crime. Here are some practices to help you do this.

Patrol Quality

How well you perform security patrolling is key. An intentional and active security patrol effort by you means you will focus on places that crime is known to occur or more likely to occur.

- Base your patrol focus upon information identifying the patterns and trends of criminal incidents on and around your property.

OBJECTIVES:
1. Understand the purpose of this training unit.
2. Know the meaning of the topics covered by this training unit.
3. Understand how this training unit relates to your role as a Security Professional.
- Maintaining an active patrol means you will cover more ground and be able to more frequently check these hot spot locations.
- Maintaining your patrol assignment is important. The patrol plan for your property was devised with crime detection and prevention in mind.

Awareness

Patrol with your mind in the appropriate awareness level, relaxed and alert (yellow zone from the Zones of Awareness model). Being appropriately aware helps you notice sometimes subtle indications that a criminal act is occurring or about to occur. Noticing a person’s suspicious behavior or actions indicative of a crime method are examples.

DLR – Doesn’t Look Right

Pay attention to anytime you think something Doesn’t Look Right (DLR) – suspicious situations, activity or behavior. Even though you might not immediately recognize what’s wrong, pause and observe (without being unsafe). Don’t walk on thinking, “It’s probably nothing.” Many criminals have been observed preparing to commit a crime or in the act of doing so by someone who thought, “That doesn’t look right,” but didn’t say anything about it until after the crime happened while being interviewed by police.

2 – CRIME RECOGNITION PRACTICES

Knowledge of Criminal Methods

Knowing the elements of specific criminal offenses is important. However, knowing what methods are used to commit these crimes is important, too. You may know what constitutes an auto theft, but also knowing how criminals behave as they look for a car they wish to steal, watch the area for anyone to see or interrupt their crime, gain entry to the car and what type of car(s) they wish to steal are vital details to recognize an auto-theft as it’s about to happen or is happening. In this example, information about auto theft methods can be learned from reading previous security incident reports and from information provided by police liaisons.

Pre-crime and Lead-in Events

Pre-crime activity consists of criminals planning the execution of their crimes. Many crimes are well-planned. A standard crime planning profile of activities has been developed and can include the phases below.

- **Surveillance** – The mall might be visited and watched by subject(s) to assess strengths and weaknesses of the building and monitor activities. Subjects will watch security operations, observe areas related to arriving, departing and the crime itself; and may even do so from off property.

- **Getting information** – Subject(s) make inquiries to key people to gain knowledge to aid planning. Sometimes the information may be distinctly operational like asking for facility locations and routes. Another form of information gathering is assessing the camera system.
Tests of security – Subject(s) might perform actions to observe responses, especially of security personnel. This could include acting suspiciously to see how observant personnel are and in what matter they respond, or walking into restricted areas, etc.

Acquiring supplies – This can happen off property but may happen at the mall, especially if acquiring the supplies includes stealing IDs, keys or manuals or other information/equipment to help navigate obstacles to the plan.

Suspicious people who don’t belong – Security personnel recognize better than any other mall personnel who “fits in” at the mall and who doesn’t. Suspicious demeanors and behaviors should trigger a conscious alert in security personnel. Of course, suspicious people can be reported by anyone – security personnel should always treat such reports seriously.

Dry runs – Often before the actual event, subject(s) will walk through the event. This behavior is sometimes conspicuous. Multiple dry runs are often conducted, or portions of the dry run repeated.

Deploying assets/getting into position – This is the last chance to alert law enforcement before the actual event. Equipment and subjects must get into place. Wearing a trench coat and carrying a backpack is a very simple method of deploying assets. Very nervous behavior or very detached behavior combined with unusual activity can be signs of a subject getting into position.

Lead-in Activity is activity that leads up to a criminal act, or is part of a criminal act or happens right after a criminal act. Security professionals with knowledge of Lead-in Activity may recognize that a crime is occurring that might have otherwise gone undetected or unrecognized.

Lead-in Activity will not necessarily consist of every element below but can include:

1. In place – Subjects are in or near the location where the crime is about to occur which, in conjunction with the Lead-in Activities listed below, can aid recognition of what is about to occur.

2. With partners – If two or more subjects are participating in the crime, they will be likely present together on property at some time prior to the crime occurring and, therefore, might be observed together.

3. Having tools or equipment – Some crimes require special equipment, even as simple as a foil lined bag for retail theft, or a weapon. Any tool or equipment offers an opportunity for a Video Patrol Officer to detect.

4. Coordinating efforts – Subjects might be seen meeting together to plan. These activities can tend to “stick out” compared to normal customers’ activities. If one person is acting suspiciously and meets another person who is acting suspiciously, this is a strong indicator.
5. **Avoiding detection or Identification** – Subjects will attempt to avoid detection or identification. This might include planning to conduct the crime in a more secluded area of the mall property or might include distractions, attempted concealment or even wearing a mask or hood.

6. **Counter surveillance** – Subjects will often spend time “watching for who is watching” in their efforts to avoid detection and to select an appropriate moment to execute the crime.

7. **Selecting a target** – For some crimes, a target or victim must be selected soon before or just moments before the execution of the crime. This is true regarding robberies, for instance.

8. **Watching the target** – Sometimes, the subject will watch the target or victim prior to crime occurring. This could include following a person if the person is moving, watching a store or a person in the store.

9. **Failed or practice attempts** – Subjects will sometimes attempt the crime or some portion of it and either fail altogether, lose nerve, perform poorly or simply be practicing.

10. **Distracting/confusing the target** – Distracting a target or victim, attempting to confuse the target or victim are commonly employed preludes to the actual commission of the crime.

11. **Execution of the act** – Often Rapid, Specific and Intense – Some crimes are executed in a sudden flurry of activity that can be dramatic, readily observed, but brief in duration.

12. **Leaving the scene** – Departure immediately after the criminal act can also be rapid, but not always is.
CRIME DETECTION AND RECOGNITION –

REVIEW QUESTIONS

1. What are the 12 Lead in Activities discussed in Unit 5?
2. What are the seven Pre-Crime Activities discussed in Unit 5?
3. What is the definition of the Surveillance phase of pre-crime activity?
4. What is the definition of the Dry Run phase of pre-crime activity?
5. What is the definition of the Coordinating Efforts element of Lead-in Activity?
6. What is the definition of the Execution of the Act element of Lead-in Activity?
7. What are the three Security Professional Practices discussed in Unit 5?
Unit 6 – CRIME PREVENTION TECHNIQUES AND PROGRAMS

GOAL: By the end of this unit, you will be familiar with various techniques and programs to prevent crime.

OBJECTIVES:
1. Understand the purpose of this training unit.
2. Know the meaning of the topics covered by this training unit.
3. Understand how this training unit relates to your role as a Security Professional.

TOPICS:
1. High Visibility, Intentional Patrolling
2. Surveillance and Interactions
3. Requesting Police Presence or Response
4. Alerting Potential Victims
5. Identifying Crime Hazards
6. Reviewing Incident Information
7. Liaison with Police and Others
8. Crime Prevention Programs
9. Code of Conduct Interactions

1 – HIGH VISIBILITY, INTENTIONAL PATROLLING

A highly visible, uniformed, professional security presence is the essential crime prevention tool. The patrol plan designed to maximize the security presence for crime prevention, accurately maintaining patrol assignments, using effective patrol techniques, focusing patrol efforts on crime hot spots based upon current incident statistics, maintaining appropriate awareness and applying crime detection practices combine to deter criminal activity.

2 – SURVEILLANCE AND INTERACTIONS

Upon detecting a suspicious person, security professionals should coordinate surveillance. Depending upon the circumstances, you may want the suspicious person to know or not know that he is being watched. For instance:

- If the person is acting in a way indicative of possible organized retail crime (ORC), you may wish to observe him unnoticed in order to determine if additional people present are involved.
- If the person is acting in a way indicative of possible vehicle crime, you may wish him to know he has been observed and his vehicle information likely recorded, perhaps the police already called.

Interacting briefly with a suspicious person is a means to deterring crime. As always, make personal safety your first concern when doing so. Such interactions can take a couple forms.

Interacting on what seems like a customer service basis has a deterrent effect while reducing conflict and possible escalation. The suspicious person may feel uneasy, having been contacted by security, even if it was just an offer to help find a store.
Interacting with a suspicious person can be more overt, also. You may ask the person questions, including about his purpose on property. This type of interaction requires some skill. Keep these things in mind:

- There is a higher potential for conflict and escalation during this type of interaction. Make safety your first concern.
- Remember, you never know all the circumstances of any incident or interaction. This being so, call upon a backup officer prior to interacting.
- Be sure you can articulate a reasonable set of suspicious circumstances were you to be asked to justify your actions. The suspicious circumstances should be based upon suspicious behavior. This is to avoid claims of unlawful discrimination.
- Unless a person is under arrest by you, do and say nothing that would make him reasonably perceive he cannot disregard you and freely walk away.
- Do not ask a person for his identification. Doing so increases conflict, potential escalation and may contribute to a reasonable perception that the suspicious person cannot walk away freely. If you feel identification of the suspicious person is important, call for police assistance prior to interacting.
- Do not ask a suspicious person to accompany you anywhere, for instance, for questioning. Such a request contributes, again, to the perception he is not free to walk away and raises conflict.
- Do not touch the person and certainly do not restrain him unless you are arresting him lawfully.
- If a person is suspicious and will not talk to you, your recourse is to eject the person from the property, contact police for assistance or both.
- If you do not eject, let the suspicious person know that his continued presence on property will be watched. You can do this by calling out to other security professionals his description within his hearing or by talking with video patrol officers while interacting so he knows CCTV is present.
- Rather than make accusatory statements, ask open-ended questions in a conversational tone. Follow up on the suspicious person’s replies with request for additional details. The purpose of this is to tax the person’s ability to fabricate answers on the spot. Someone telling the truth need only remember what actually is. Someone making up answers has to think harder and faster. Watch for inconsistencies in replies and an unnatural difficulty in answering. Realize, however, that this will tend to increase conflict and the potential for escalation. So, keep an appropriate distance, have a back-up officer present. As soon as you realize your initial suspicions have intensified due to the person’s replies and behavior, end questioning and eject the person from property, call for police assistance or both, depending upon circumstances.

3 – REQUESTING POLICE PRESENCE OR RESPONSE

As noted above, police may be requested when you suspect criminal activity is being planned. Be familiar with pre-crime and lead-in factors described in this training course. Articulate these to police when explaining to them the nature of your suspicions.
Depending upon the nature of the suspicious activity and what crime you suspect, notifying police may be urgent for you to do. If you suspect a serious crime is being planned or may be about to occur, notify police immediately.

4 – ALERTING POTENTIAL VICTIMS

Communication is a vital crime prevention tool. For instance, if you suspect organized retail crime (ORC) suspects are present on property, notify ORC target stores immediately. If a retail theft has just been reported, ask dispatch to contact store selling similar items and provide alert details. If you seem someone performing an action that exposes him to crime, interact in a courteous manner and explain your concern. An example would be a tenant employee walking with a bank bag in hand and easily visible.

5 – IDENTIFYING CRIME HAZARDS

Crime hazards are conditions or circumstances conducive to crime. Look out for these and take appropriate action when you detect a crime hazard. Here are some examples:

- Lighting issues – If light bulbs are out or an area is under-lit, report this immediately.
- Tenant corridor doors open – An open tenant space corridor door is a means of entry and subsequent exit from a store space that a criminal can use and remain undetected.
- Valuables left in parked cars in plain view – Electronics, purses, bags or brief cases – anything of value – left in view in a parked car invites burglary. If the car owner cannot be located, exterior patrol may keep a special watch on the vehicle.
- Unattended valuables – Anytime you see a purse, merchandise or other unattended valuable – even if the owner has stepped away momentarily – this represents a crime opportunity. Keep watch until the owner returns, if feasible, unless you determine this is a lost item, whereupon follow procedures.
- Suspicious objects - Keep in mind that unattended parcels, back-packs, etc., can be suspicious objects indicative of improvised explosive devices. Encountering a suspicious object of this sort necessitates contacting police
- Targeted vehicle makes/models – Knowing which motor vehicles have recently been targeted for theft or burglary enables you to look for these on patrol and watch them if found present in the parking area.
- Tenant employees openly carrying bank bags – A tenant employee carrying a bank bag in hand in a visible manner is an opportunity for someone to snatch the bag and run.
- Visibility barriers – Any feature that blocks view so that someone could hide undetected is a possible crime hazard if the area blocked from view offers opportunities for criminal acts. For instance, if the area surrounding an exterior corridor exit that tenant employees use when leaving is blocked from view by trees or bushes, etc., this poses a crime hazard. More information about such hazards is presented in the upcoming CPTED (crime prevention through environmental design) unit of this course.
6 – REVIEWING INCIDENT INFORMATION

Crime statistics reveal patterns and trends of current criminal activity, both on site and nearby. The security patrol plan can be adjusted to emphasize higher profile areas. Your personal patrol performance should be based upon this information, also. Know what types of crimes have recently occurred, where and when they have happened, by what method and what the target is (e.g., type of vehicle).

Police will share information about nearby crime patterns and trends through a strong police liaison program. Other agencies (e.g., loss prevention departments) are sources of additional information. Your Security Director can brief you regarding information gathered from these sources.

7 – LIAISON WITH POLICE AND OTHERS

As indicated above, information shared between crime prevention organizations – your security department, local police, loss prevention departments – is invaluable in knowing what crime prevention steps to take, from adjusting patrol coverage to instituting directed patrol assignments. Your Security Director likely oversees liaison activities with these other organizations and will share important information with you.

8 – CRIME PREVENTION PROGRAMS

A variety of crime prevention programs may be utilized at your site operation, as needed. Programs typically target a particular aspect of crime prevention, such as Lock Take Hide, which encourages vehicle owners to lock parked vehicles, take the keys and hide valuables in the vehicle out of sight. Other programs may be crime notification methods to alert tenants to suspected retail criminals present and outreach programs, through which the security operation presents crime prevention practices to tenant employees on topics ranging from preventing retail crime to active shooter response.

9 – CODE OF CONDUCT INTERACTIONS

Some crimes are crimes against order, such as disorderly conduct. Some crimes are opportunistic, meaning that the person committing the crime didn’t come to the shopping center for the purpose of committing the crime but, being inclined to commit crimes, took advantage of a present opportunity. Still other crimes arise from present conditions such as may be the case with fights (assault and/or battery) occurring because people or groups of people on property are inherently antagonistic to one another.

Underlying each of the examples above is the fact that, in order for the crime to occur, the person(s) committing it have to be on property for a while, often lingering about and often behaving in violation of the Code of Conduct. Therefore, active enforcement of the Code of Conduct tends to have a couple crime deterrence effects:

Code of Conduct interactions inform the violators that they have been detected, are being watched and that an active security patrol is present.
CRIME PREVENTION TECHNIQUES AND PROGRAMS –

REVIEW QUESTIONS

1. What are the nine crime prevention techniques discussed in Unit 6?

2. Crime hazards are conditions or circumstances conducive to crime. What are the eight crime hazards discussed in Unit 6?
Unit 7 – CPTED

GOAL: By the end of this unit, you will know about CPTED, and the five principles thereof.

TOPICS:
1. Introduction to CPTED
2. The Five CPTED Principles
3. Summary

1 – INTRODUCTION TO CPTED

It’s easy to agree that the buildings and places we live in and visit have a direct effect on how we feel and how we act. There are plenty of places we go that make us feel a certain way, including safe, or unsafe. And, of course, our jobs as Security Professionals includes a need to make our properties safe, and to make customers, tenants and employees feel safe. Sometimes, it seems there is no difference between being safe and feeling safe.

That’s why studies have produced something called Crime Prevention Through Environmental Design, or “CPTED” (pronounced sep’ted). One of the founders of this school of thought, Dr. C. Ray Jeffery, said, “The proper design and effective use of the built environment can lead to a reduction of fear and the incidence of crime and to an improvement in the quality of life.”

As a Security Professional, there are many things you may observe and report on that can affect how visitors feel about the property and even how safe the property is from crime. Understanding the basics of CPTED can extend your ability to help make the property safer in areas you might not have seen before.

This unit will introduce the basic ideas behind CPTED. There are five principles that guide how we apply CPTED to properties. As we review each of the principles, we will also look at specifically what this means to your work. While you may not be able to design the property to take advantage of these principles, in your daily work you can still use them to spot trouble and to report necessary repairs or recommended improvements.

2 – THE FIVE CPTED PRINCIPLES

Natural Surveillance

Natural Surveillance can best be described with a simple phrase: “see and be seen”. Anything visible in the surrounding area, either natural or man-made, that affects a person’s perception of the area and
their level of safety (actual or perceived) falls into this category. Examples of Natural Surveillance concerns include:

- The design and placement of physical features (windows, walls, doors, etc.)
- The lighting of entrances, exits, walkways, and other public spaces
- The size, density, and placement of trees, shrubs, or other natural terrain
- The location, size, and number of signs in an area
- The design and placement of curbs, speed bumps, planters, parking barriers, etc.

What does this mean to you at work?

As you patrol inside and outside the property, pay special attention to what you can and can’t see. Identify potential concerns by reviewing what has happened in that area and “forecasting” what could happen. Ask yourself questions to project what could occur:

- Has the property or stores put up so many signs on the doors that you and the customers can’t see who is outside?
- Are the parking lot lights turned on at the right time, are enough lights working, and do they provide a feeling of safety?
- Are the bushes in the parking areas obstructing the view of drivers approaching intersections that could lead to accidents?
- You may be able to make immediate changes to things like signs, but many of these obstructions created either by the design of the property or how it’s maintained may just be things to report to your Director for action by Management.

**Access Management**

Access Management is defined as the physical guidance of visitors coming and going from a space. Both real barriers, such as fencing, doors, and landscaping, and symbolic barriers such as lighting, can be used.

Proper access management sends users to the safest way in and out of buildings, parking areas, or pedestrian walkways and deters users away from areas they should not be in. A legitimate user’s perception of safety increases when entrances, exits, and access paths are clearly marked and well lit. When visitors have to travel dark, long corridors into the property, they just don’t feel safe.

What does this mean to you at work?

Throughout your patrol, look at what barriers are created around the property. Remember that barriers can be created by almost anything: landscaping, lighting, structures, trees, or parked cars, just to name a few. Notice open doors in truck courts that could invite visitors to areas where they do not belong. Look at where cars enter and leave the property and where visitors enter and leave the facilities. Ask yourself “forecasting” questions about these areas:

- Do the signs clearly help visitors find their destination or just confuse them?
- Do visitors “lose” their cars because there is no useful signage in the parking lots?
Does the property signage help visitors find restrooms, stores or other locations?
Are planters or other obstacles restricting access to property entrances?

Many of the access management issues you discover may not be things that you can correct yourself. If not, you should identify the issues to your Director, and include any suggestions for improvement that you may have based on your experience. Just as importantly, you can tailor your patrol and your own knowledge to help make up for problems like signs.

**Territoriality**

Territoriality suggests that visitors want to care for and protect spaces for which they are responsible. The extent to which they protect their territory depends on the size of the space, their responsibility for the space, and their ability to provide adequate care for the property. A well-maintained space that appears to be “owned” will tend to encourage acceptable behavior while discouraging illegitimate or disruptive users. As a Security Professional, you are the visible “owner” of your property, and take responsibility for its safety.

What does this mean to you at work?

Territoriality is one of your most important tools. When you find that juveniles are hanging out in one area, you have identified the fact that they have claimed the territory for their own. Of course, you can move them on, but consider what might be done to prevent the same situation from recurring? Perhaps management could move benches, relocate smoking areas, change the lighting, and post signs. It is critical that space used by customers not be taken over by another group; doing so deprives businesses of their ability to serve customers.

**Physical Maintenance**

The repair, replacement, and general upkeep of the facility allows for the continued use of a space for its intended purpose. Shopping center managers emphasize the cleanliness of their properties, simply because they know that makes for a safer place that visitors want to visit.

What does this mean to you at work?

Physical maintenance fits right in with what you will be doing on patrol. Reporting spills, graffiti, and other maintenance needs is a critical part of a Security Professional’s role. You can contribute by picking up small bits of litter, protecting spill areas, and simply straightening up furniture. Working closely with maintenance and housekeeping, particularly in reporting temporary or even long-term problems, helps to improve the property’s appearance of safety.

**Order Maintenance**

One of the primary purposes of a Security Professional is to maintain order at the property, and we know that if we didn’t, customers would not feel safe and business would suffer.

What does this mean to you at work?
Order maintenance may not seem to have much to do with the physical building itself, but is still a critical part of CPTED’s social aspect. Preserving peace and quiet, reducing large groups, imposing the Code of Conduct and generally helping visitors to behave considerately contributes greatly to the safety and perception of safety of the property.

3 – SUMMARY

These basic CPTED concepts and applications may seem like nothing more than a common-sense way of looking at security and safety—and you’re right! It isn’t very difficult to see that the way buildings are built, operated and maintained have a great impact on how visitors act in them, and how they feel about being in them. You can contribute to a positive experience by simply looking around you and recognizing what can have this impact. The principles of CPTED, abbreviated here, are just a way of recognizing that there is some reason behind this common sense, and to give you some idea of how some of these simple things fit into a larger picture.
CPTED – REVIEW QUESTIONS

1. What does CPTED stand for?
2. What are the five CPTED Principles?
3. What does Territoriality suggest?
4. Explain what Natural Surveillance is?