

Regulations of Connecticut State Agencies

TITLE 29. Public Safety & State Police

Agency

Department of Public Safety

Subject

PART I

Inclusive Sections

§§ 29-161-1—29-161-5

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PART I

Private Detective and Private Detective Agency

Sec. 29-161-1. Definitions

As used in sections 29-161-1 to 29-161-5, inclusive, of the Regulations of Connecticut State Agencies, “department” means the Department of Public Safety.

(Adopted effective June 29, 2007)

Sec. 29-161-2. Requirements for licensing as a private detective or private detective agency

(a) An applicant for licensing as a private detective or private detective agency or the person applying on behalf of an association, corporation or partnership for licensing as a private detective agency shall be not less than twenty-five (25) years of age and of good moral character. Such applicant shall have had at least ten (10) years of full-time employment as a state or municipal police officer, or at least five (5) years of full-time employment as a licensed private detective or investigator, operator of a detective agency, detective or investigator with a federal, state or local law enforcement agency or as a municipal fire investigator.

(b) An application by an individual or by an association, corporation or partnership shall be made on forms prescribed by the commissioner and in the manner provided by section 29-155 of the Connecticut General Statutes. The application fee provided in section 29-155c of the Connecticut General Statutes, payable to the Department of Public Safety with a cashier’s check, money order or by such other method as the commissioner may prescribe, shall accompany the application. In addition, an applicant shall return all completed state and federal fingerprint cards, together with the appropriate fee per set, which shall be paid with a cashier’s check or money order payable to the Department of Public Safety, or by such other payment method as the commissioner may prescribe. All supporting documentation that is required to be provided with such application shall be submitted to the department not later than sixty (60) days after the date that the application is filed.

(c) In addition to the items provided in subsection (b) of this section, an applicant shall provide the following documentation:

(1) Motor vehicle operator’s records for the previous three years from any state in which the applicant resided during that period and a copy of the applicant’s current motor vehicle operator’s license;

(2) Copy of his or her DD-214 or other reliable documentation of military service, with reenlistment codes, if applicable;

(3) Credit bureau report prepared no more than six (6) months before the date of application for an individual applicant;

(4) Copy of a high school diploma, General Equivalency Degree (GED), college transcript or college degree, or proof of training as a private detective or private investigator, such as course transcripts or certificates;

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- (5) Proof of citizenship or the right to work in this country;
 - (6) If applicable, proof of employment as a private detective or private investigator, including length of service, title or titles held, duties performed in each position held, date of retirement or other separation from employment and the reason for separation from the employment. For the purposes of this subdivision, such proof may include, but shall not be limited to, statements from current or former employers;
 - (7) If the applicant is an individual or an association, corporation or partnership, information regarding whether the applicant is or has been licensed by Connecticut or another state. For applicants previously or currently licensed in another state, verification from the state licensing agency stating the applicant's name, type of license held, duration of license and proof that the license was or is in good standing;
 - (8) If the applicant is a corporation, proof of incorporation in Connecticut or authority to do business in Connecticut as a foreign corporation, issued by the Connecticut Secretary of the State's office;
 - (9) If the applicant is an association, corporation or partnership, such information as is required by section 29-155 of the Connecticut General Statutes; and
 - (10) Four letters of character reference drafted and signed by the authors shall be sent directly to the Special Licensing and Firearms Unit by the authors. Letters shall include the authors' addresses and telephone numbers and, where available, e-mail addresses. The Special Licensing and Firearms Unit shall not consider form letters or letters from the applicant's spouse, parents or other immediate family members.
- (d) Oral interviews shall be scheduled once applications are complete.

(Adopted effective June 29, 2007)

Sec. 29-161-3. Requirements for registration of employees

- (a) A private detective or private detective agency shall only use registered employees in fulfilling contracts with clients.
- (b) An application for registration of an employee shall be made on forms prescribed by the commissioner, and in the manner and accompanied by the fee provided by section 29-156a of the Connecticut General Statutes. In addition, an applicant shall return completed state and federal fingerprint cards, together with the appropriate fee per set per employee, which shall be paid with a cashier's check or money order payable to the Department of Public Safety, or by such other payment method as the commissioner may prescribe. An applicant shall also provide proof of each employee's citizenship or right to work in this country.

(Adopted effective June 29, 2007)

Sec. 29-161-4. Records retention requirements

A private detective or private detective agency shall maintain business records for not less than three (3) years. For the purposes of this section, business records shall include, but shall not be limited to, records regarding licensing as a private detective or private

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detective agency, contracts with clients, investigative reports and personnel records.

(Adopted effective June 29, 2007)

Sec. 29-161-5. Civil penalties

(a) Civil penalties in amounts ranging from \$500 to \$5,000 may be assessed against a licensee, corporate officer or association or partnership member of the licensee for any violation of sections 29-153 to 29-161, inclusive, of the Connecticut General Statutes including, but not limited to, the specific offenses described as follows:

- (1) Failure to state trade name or corporation name;
- (2) Failure to provide 30-day written notice to the department of changes in liability insurance or the surety bond posted;
- (3) Failure to allow the department to inspect, review or copy records that are the subject of a complaint;
- (4) Failure to display the license certificate or copies thereof in a conspicuous location within the business office and suboffices;
- (5) Failure to display the licensee identification card issued by the department when engaged in the activities of the licensed business;
- (6) Failure to register nonuniformed investigators, operators or agents with the department;
- (7) Failure to provide five-day written notice to the department of the termination of a registered employee;
- (8) Failure to issue an identification card to nonuniformed investigators, operators or agents;
- (9) Failure to provide five-day written notice to the department of the location of a suboffice;
- (10) Engaging in fraudulent or deceitful conduct or making deliberate misrepresentations as to any material fact;
- (11) Failure to comply with records retention requirements; or
- (12) Engaging in any misconduct that would constitute a basis for a license to be suspended or revoked, as provided in section 29-158 of the Connecticut General Statutes.

(b) Civil penalties in amounts ranging from \$500 to \$5,000 may be assessed against a nonuniformed investigator, operator or agent of a licensee for any violation of sections 29-153 to 29-161, inclusive, of the Connecticut General Statutes including, but not limited to, the specific offenses described as follows:

- (1) Failure of a nonuniformed investigator, operator or agent to carry an identification card; or
- (2) Unauthorized release of information.

(c) Civil penalties in amounts ranging from \$500 to \$5,000 may be assessed against a licensee, corporate officer or association or partnership member of the licensee or a nonuniformed investigator, operator or agent of a licensee for any violation of sections 29-153 to 29-161, inclusive, of the Connecticut General Statutes including, but not limited to,

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falsification of records submitted to the department.

(d) Civil penalties in amounts ranging from \$500 to \$5,000 may be assessed against any person for any violation of sections 29-153 to 29-161, inclusive, of the Connecticut General Statutes including, but not limited to, operating without a license.

(Adopted effective June 29, 2007)