

## CHAPTER 7878

### MINNESOTA RACING COMMISSION

### SECURITY OFFICERS

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#### 7878.0100 DEFINITIONS.

Subpart 1. **Scope.** For purposes of this chapter, the following words and phrases have the meanings given to them unless another intention clearly appears.

Subp. 2. **Appointing authority.** "Appointing authority" means the holder of a Class A, Class B, or Class D license issued by the commission.

Subp. 3. **Appointment.** "Appointment" means an official declaration by the appointing authority that it has engaged an individual as a security officer.

Subp. 4. **Basic course.** "Basic course" means a course for training security officers prior to the assumption of their official duties.

Subp. 5. **BCA.** "BCA" means the Minnesota Bureau of Criminal Apprehension.

Subp. 6. **Commission.** "Commission" means the Minnesota Racing Commission.

Subp. 7. **Continuing education.** "Continuing education" means refresher training for security officers.

Subp. 7a. **Division.** "Division" means the Division of Gambling Enforcement in the state Department of Public Safety.

Subp. 8. **Firearms course.** "Firearms course" means a training course that includes instruction in the legal limitations on the use of deadly force conducted by a person who has completed a firearms instructor's course recognized by the Peace Officer Standards and Training Board.

Subp. 9. **First aid course.** "First aid course" means the Red Cross Multimedia Course (Basic).

Subp. 10. **POST Board.** "POST Board" means the Minnesota Peace Officer Standards and Training Board.

Subp. 11. **Security officer.** "Security officer" means a person whose principal duty is the protection of persons or property at a racetrack licensed by the commission.

**Statutory Authority:** *MS s 240.23*

**History:** 9 SR 2527; 11 SR 2201; 16 SR 1800

#### 7878.0110 MINIMUM SELECTION STANDARDS.

Subpart 1. **Applicant must meet selection standards.** A person eligible to be licensed by the commission as a security officer must be an employee of a Class A, B, or D licensee and shall meet the following minimum selection standards prior to being appointed a security officer. The appointing authority may certify that the applicant has already completed certain of these standards and provide documentation to that effect pursuant to subpart 2. In all cases, the security officer must:

A. be a citizen of the United States;

B. complete a comprehensive written application;

C. submit to a thorough background search by the BCA to disclose the existence of any criminal record or conduct which would adversely affect the performance of the security officer's duties;

D. not have been convicted of a felony in Minnesota (or in any other state or federal jurisdiction which would have been a felony if committed in Minnesota), or criminal theft, or a pari-mutuel horse racing or gambling crime;

E. provide fingerprint cards to the commission;

F. undergo a thorough medical examination conducted by a licensed physician to determine that the individual is free from any physical defect which might adversely affect his or her performance as a security officer;

G. undergo an evaluation made by a licensed psychologist to determine that the individual is free from any emotional or mental condition that might adversely affect his or her performance as a security officer; and

H. pass an oral examination conducted by the appointing authority to demonstrate the existence of communication skills necessary to perform the duties and functions of a security officer.

**Subp. 2. Documentation subject to review by commission.** The appointing authority shall maintain documentation the commission deems necessary to show compliance with this chapter. The documentation is subject to periodic review by the commission and shall be made available upon request.

**Statutory Authority:** *MS s 240.08; 240.10; 240.19; 240.23*

**History:** *9 SR 2527; 16 SR 1800*

### 7878.0120 LICENSING OF SECURITY OFFICERS.

**Subpart 1. Notice of intent.** The appointing authority shall notify the commission of its intention to employ a security officer prior to his or her first day of employment. Notification shall be made on a form prescribed by the commission, along with an affirmation that the prospective appointee has met all the selection standards in part 7878.0110, subpart 1.

**Subp. 2. Applicant shall apply for Class C license.** If the prospective appointee does not already possess a Class C license as a security officer, he or she shall apply for such a license on a form prescribed by the commission. The applicant and the appointing authority shall affirm that the individual is eligible to be licensed as a security officer. The applicant shall also submit the license fee required by subpart 4.

**Subp. 3.** [Repealed, 11 SR 2201]

**Subp. 4. License fee.** The license fee for a Class C security officer's license is \$15.

**Statutory Authority:** *MS s 240.08; 240.10; 240.19; 240.23*

**History:** *9 SR 2527; 14 SR 2008; 16 SR 2684*

### 7878.0130 BASIC COURSE.

**Subpart 1. Applicant shall successfully complete basic course.** No security officer may be licensed unless the officer or his or her appointing authority furnishes proof to the commission that the prospective licensee has successfully completed a basic course which includes at least 40 hours of instruction in the following subject areas:

- A. Minnesota criminal statutes;
- B. Minnesota horse racing statutes;
- C. criminal procedure;
- D. rights of individuals (constitutional law);
- E. human behavior;
- F. security operations and procedures;
- G. first aid;
- H. cardio pulmonary resuscitation (CPR);
- I. defense tactics;
- J. report writing; and
- K. testifying.

**Subp. 2. Commission may waive requirements.** Participation or continued instruction in a particular subject area listed in subpart 1 must be waived by the commission if the individual shows satisfactory evidence that he or she is licensed or eligible to be licensed by the POST Board.

Subp. 3. **Appointing authority shall maintain information.** The appointing authority shall be responsible for maintaining and making available to the commission pertinent information on courses of instruction and persons employed as security officers.

**Statutory Authority:** *MS s 240.24*

**History:** 9 SR 2527; 10 SR 2161

#### **7878.0140 CONTINUING EDUCATION.**

Subpart 1. **Licensee shall successfully complete refresher training.** No security officer's license may be renewed unless the licensee or his or her appointing authority furnishes the commission proof that the licensee has successfully completed, on an annual basis, at least eight hours of refresher training in the areas of:

- A. first aid;
- B. security plan, policy, and procedure of the racing association; and
- C. cardiopulmonary resuscitation.

Subp. 2. **Commission must approve courses.** Prior to receiving credit for course approval, the appointing authority or the licensee must submit to the commission a detailed outline of the course and the instructors' credentials. All POST Board certified courses will be considered by the commission to be approved continuing education courses. Approval must be gained from the commission ten days prior to commencement of the course. Upon approval, the commission shall issue a letter to the appointing authority. Approval of continuing education courses shall be based on relevance to knowledge, skills, and abilities needed for security officers. Approved courses of continuing education credit will be granted at the rate of one hour for each 50 minutes of class sessions.

**Statutory Authority:** *MS s 240.23*

**History:** 9 SR 2527; 10 SR 2161; 11 SR 2201

#### **7878.0150 STANDARDS OF CONDUCT FOR SECURITY OFFICERS.**

Subpart 1. **Certain licensees must be POST Board licensed or POST Board eligible.** Any security officer who carries a firearm or whose principal duty is to investigate violations of statutes or rules must be licensed or eligible to be licensed as a peace officer by the POST Board.

Subp. 2. **Restrictions on security officers.** No security officer may:

- A. use unreasonable force;
- B. obstruct, hinder, interfere, or prevent an investigation by the commission or a law enforcement agency;
- C. linger on the backstretch while off-duty; or
- D. while on duty, place a bet on a race run by the association where he or she is employed.

**Statutory Authority:** *MS s 240.24*

**History:** 9 SR 2527; 10 SR 2161

#### **7878.0160 SECURITY COOPERATION.**

Subpart 1. **Security officers must cooperate with law enforcement agencies.** Class A, Class B, and Class D licensees and all security officers must cooperate fully with federal, state, and local law enforcement agencies with jurisdiction to enforce criminal laws at horse racing facilities, and must report promptly all crimes suspected, investigated, or prevented at a licensed racetrack to the BCA.

Subp. 2. **Notification of searches.** Within 24 hours of any searches conducted by an association or its security personnel, the racing commission director of racing security or his or her designee must be notified of the searches and any relative circumstances involved. A copy of the inventory sheet of all items confiscated during the searches must accompany the notification. All illegal contraband seized as a result of a search must be immediately delivered to the local law enforcement agency. Under no circumstances shall the association or its security personnel destroy or otherwise dispose of any illegal contraband.

**Statutory Authority:** *MS s 240.24*

**History:** 9 SR 2527; 10 SR 2161

**7878.0170 CLASS D SECURITY OFFICERS.**

Subpart 1. **Security officers may be provided by sheriff's office and police department.** Security officers at a class D racetrack may be provided by the sheriff's office in the county and the police department in the city in which the class D license is held.

Subp. 2. **Designee.** The sheriff and/or the chief of police or a designee will be the director of security for the race meet.

Subp. 3. **Assistance.** The sheriff and/or the chief of police may utilize deputies, reserve deputies, police officers, reserve officers, or any individual who meets the minimum standards as specified in part 7878.0110.

**Statutory Authority:** *MS s 240.23*

**History:** *18 SR 886; 19 SR 2307*