

Syllabus for CCJS430 (Legal and Ethical Issues in Security Management)

Faculty Contact Information

Section removed.

Course Description

Recommended: CCJS 100 or CCJS 105; and CCJS 445. An examination of current problems facing the security professional. Topics include legal liabilities, compliance issues, and ethical standards of organizations. Students may receive credit for only one of the following courses: CCJS 430 or CCJS 498F.

Course Goals/Objectives

In CCJS 430 Legal and Ethical Issues in Security Management we will examine the current problems facing the security professional, especially in the aftermath of September 11, 2001, and major corporate scandals. Topics include legal liabilities, compliance issues, and ethical standards of organizations.

This goal of this course is to give you an understanding of the various legal and ethical issues that security professionals in organizations of all sizes and types face every day. We will examine legal and ethical issues that have come about in the aftermath of September 11, 2001, and corporate scandals (e.g., Enron and Tyco). The course projects will use these incidents and situations as templates for research papers and projects.

Upon completion of this course, you should be able to:

- identify and discuss the legal and ethical responsibilities of an organization's senior security professional
- describe the impact of the events of September 11, 2001, in terms of the legal issues that security management now must address
- explain the need for ethical standards in an organization
- tell why the involvement of security management in an organization's employee recruitment and hiring process is essential to establishing and maintaining personnel integrity standards
- give reasons for the need to train security staff members relative to constitutional law (Bill of Rights) and criminal and civil law
- summarize the Patriot Act and explain how it affects a security department's legal responsibilities regarding its organization's clients and employees
- state why private security should work in conjunction with law enforcement agencies at all levels, especially in light of recent corporate scandals

Course Materials

Maxwell, David. *Private Security Law : Case Studies*. Elsevier Science, 1993. ISBN: 0750690348.

Ruggiero, Vincent. *Thinking Critically About Ethical Issues*. 7th edition. McGraw-Hill Publishing Company, 2007. ISBN: 0073535680

Course Introduction

In *Legal and Ethical Issues in Security Management*, we will examine ethical and legal issues facing security professionals in contemporary society and explore why it is important for organizations to maintain strong ethics and legal training programs. We will consider a framework by which individuals may analyze ethical dilemmas and make appropriate decisions. Various legal principles, court decisions, Congressional mandates, and operational "best practices" relating to citizen arrest, search and seizure, use of force, negligence, and other actions taken by security personnel will also be examined.

The course consists of the following modules:

Module 1: Legal and Ethical Issues in Security Management: An Introduction

- describes the early development and evolution of the security profession
- outlines the role of the organization's senior security manager in addressing ethical and legal issues
- examines the consequences of an organization's unethical and illegal behavior
- provides a self-assessment instrument to measure understanding of the module

Module 2: Security Management and Corporate Ethics

- outlines the story and impact of the Enron corporate scandal and the complicity of Arthur Andersen
- discusses the need for the senior security professional to mitigate and report unethical incidents
- provides a self-assessment instrument to measure understanding of the module

Module 3: Legal Issues in Security Management

- describes the legal issues confronting security departments
- defines legal terminology and lists the provisions of U.S. Constitutional Amendments applicable to security operations
- provides a self-assessment instrument to measure understanding of the module

Module 4: Future Legal Issues in Security Management

- discusses the U.S. Patriot Act
- explains the concerns of privacy advocates regarding the Act
- provides a self-assessment instrument to measure understanding of the module

Grading Criteria

Section removed.

Academic Policies and Procedures

Section removed.

Project Descriptions

Project 1: Conducting a poll and preparing a summary report of findings

This initial exercise is designed simply to engage students in the study of ethics and to begin evaluating how ethical behavior, or the lack of such behavior, might impact the perception society has of a particular profession or a specific organization.

Students will design their own research model to deliver a final product that will report the results of a survey they conduct to determine which professions are considered the most honest and ethical. This initiative will be a follow-up to the yearly survey conducted by the Gallup Poll on the same subject. Using your own reliable and valid survey instrument, which will include at least 15 different professions, including the business of security (which is not included in the Gallup Poll), you will question at least 20 students, friends, relatives, or co-workers to establish the ratings and ascertain why the sample of people chosen for the survey responded the way they did, paying particular attention to the thoughts and perceptions associated with the private security industry.

Students will devise and include appropriate statistical charts, graphs, tables, or other visual guides that depict the final ratings. A statistical analysis of the findings will also be completed, similar to the Gallup Poll. Further, students will explain the findings based on their conversations with the respondents.

The final draft of this project should range from 4-5 pages and include American Psychological Association (APA) style guide for any references for sources used to conduct the survey and to prepare the report, including any statistical methods sources. A copy of the survey instrument used should also be attached to the report. By submitting this project in final form, students are certifying that they have indeed questioned at least 20 individuals. The original instrument forms will be maintained by the students.

Upon completion of this project, students will have a better understanding of the importance of ethics and how the public's beliefs and perceptions are fashioned on the behavior of workplace professionals they observe or about which they read.

This project will be submitted in class or by posting it in the student Assignments Folder by the date indicated in the syllabus.

Project 2: Researching and writing a report on ethical or legal issues confronting organizations.

This Individual Research and Report Project is yet another step designed to assist students in attaining the general goals of this course by providing an opportunity to gain a better understanding and appreciation of the ethical and legal issues that are routinely presented in all spheres of life and to consider how we might respond as security managers when we are confronted with a similar set of circumstances.

Students will select a topic from a list provided in class and posted in the "Course Content" area of the classroom (Project # 2- Individual Research and Report Project) by the close of the third week of the semester and advised the instructor of the selection via email. For topics that need to be pre-approved by the instructor, make sure earlier contact and discussion take place.

Again, the APA style guide and format will be used in writing the report. Parenthetical references will be contained throughout the text. A complete list of references will be submitted with the report. **Students will utilize the services of the UMUC Effective Writing Center (EWC).** You can submit any piece of writing to the EWC for feedback by a trained, experienced writing advisor. Make sure you plan enough time to write the draft, submit for review, and make the recommended changes prior to the due date. Students will provide the instructor with the written "feedback" received from the EWC as verification. Failure to submit your work to the EWC for review in time to receive feedback prior to the due date will subject you to an automatic 25 point reduction on the project.

This project will be submitted in class or by posting it in the student Assignments Folder of the WebTycho classroom by the date indicated in the syllabus.

Project 3: Analyzing ethical dilemma scenarios and reporting on the decision-making process

This is a group project that requires every member to participate. Students will be assigned by the instructor to work collaboratively on evaluating a scenario that contains a "real world" ethical dilemma that must be resolved. The scenarios to be evaluated will be distributed in class and posted in the "Reserved Readings" section of the WebTycho classroom. The instructor will randomly assign one scenario to each group for resolution.

The scenario titles include: Sticky Fingers, Inside Information. Phantom Expenses, Browning's Budget, I-Warn-Ya-Ammonia, Something's Rotten in Hondo, Sexual Harassment, The Accidental Bank Robbery, Bidding Process Irregularities, The Speedy Sale, and Use of Proprietary Information.

After reading the scenario and reflecting on the ethical issue(s) presented, the group will use the model provided by the Markkula Center for Applied Ethics to make an ethical decision: recognize the ethical issue(s), obtain the pertinent facts, evaluate the alternative actions from the various moral perspectives (that we will discuss in class during the first weeks of the semester), make a decision, and act.

The specific format the groups will use to consider the problem and to report their decision is as follows:

TITLE

Group Members: List Names

- I. List the relevant facts.
 - 1.
 - 2.
 3. etc.

- II. Describe the ethical issues.
 - 1.
 - 2.
 3. etc.

- III. List the primary stakeholders in the scenario.
 - 1.
 - 2.
 3. etc.

- IV. Describe the possible action alternatives.
 - 1.
 - 2.
 3. etc.

- V. Describe the Ethics of the Alternatives, i.e., evaluate the alternative actions from the various moral perspectives. (Note: This section is the most difficult; yet it is a critical element to arrive at the proper decision. Here the group will "brainstorm" questions that must be asked based on the utilitarian (costs and benefits), rights, justice, and other applicable perspectives. For instance, one question might consider which decision in the scenario will provide the greatest benefit to the greatest number? Or, what does each stakeholder in the scenario have the right to expect? Or, which alternative action distributes the benefits and burdens most

fairly among the stakeholders? All group members must contribute to developing appropriate questions for the framework to work effectively.

VI. Describe the practical constraints presented in the scenario.

- 1.
- 2.
3. etc.

VII. What actions should be taken? (Here, the report will first explain, in general terms, the discussions and disagreements that took place among group members. Then, the decision made by each group member will be reported and the reason for the decision and the alternative on which it is based. Considering the various perspectives, describe which of the options each member believes that is the right thing to do and the ultimate decision each member made.)

1. Member (List Name)
2. Member
3. Member etc.

The work, including discussions and written drafts, can be accomplished through personal meetings, telephone calls, emails, and, if appropriate, in the Study Group Conference area of the WebTycho classroom.

By the end of the 2nd week of the semester, students will check in with each other and volunteer for one of the following roles:

- * Organizer - sets a schedule, makes sure the group is on the right track;
- * Editors - compile the feedback from each member and puts together a coherent deliverable to post;
- * Presenter - submit the final draft of the project and, if they would like, post it in their own student Assignment Folder in the WebTycho classroom. The presenter will submit the group's work and label it with the group's name and scenario title: (example): Group A - Sticky Fingers.

The project will be submitted by the date indicated in the syllabus.

Remember, each student will be asked by the instructor to assess their level of participation and significance of contribution to the final project and other group members' contribution.

If a member is not responding or participating in group activities, I **EXPECT** other members to bring the problem to my attention immediately -- do not wait until the end of the semester to complain. I will be monitoring activity, however.

Each group will make an oral presentation in class during the last 2 sessions of the semester.

Upon completion of this project, students will be better able to apply various moral standards in the ethical decision- making process.

Note: The projects listed in the WebTycho-enhanced classroom modules **will not** necessarily be used for this class -- unless you select one of them to fulfill your requirements under Project # 2 -- Individual Research and Report Project. Students should, nevertheless, review the entire project descriptions listed in the modules because they offer insight into the study of ethics and law and how these topics may impact your job responsibilities as a security manager.

Course Schedule

Week	Module	Readings/Assignments	Due Date
1	Read: Module1- Legal and Ethical Issues in Security Management: An Introduction	<p>Topics:</p> <ul style="list-style-type: none"> - Instructor-student introductions - An initial discussion of security operations: growth of the security profession over the past 3 decades; the role of the security manager in today's global economy, with emphasis on leadership in the realm of ethical and legal operations. <p>Assignment:</p> <ul style="list-style-type: none"> - Read Vincent Ryan Ruggiero's "Thinking Critically About Ethical Issues" (henceforth referred to as "Ruggiero.") * Chap. 1 - The Need for Ethics * Chap. 2 - The Role of the Majority View * Chap. 3 - The Role of Feelings <ul style="list-style-type: none"> - Research, read, and evaluate the LRN Ethics Study in the August 3, 2006 news article about ethics and attracting workers found at http://wwwLrn.com/ - Research, read, and evaluate the 2005 Gallup poll results of the ethical standards of members of different professions found at http://www.calnurse.org/media- 	10/24/07

		<p>center/in-the-news/2006/december/page.jsp?itemID=29117737 or other sources.</p> <ul style="list-style-type: none"> - Initiate planning for Project # 1 - Read Module 1 in the Webtycho classroom. Handouts will be provided of all modules in class. 	
2	Continue with Module 1	<p>Topics:</p> <ul style="list-style-type: none"> - Honesty and Integrity: How Americans Feel - A discussion of the findings of the LRN study and the 2005 Gallup poll on ethics and integrity with emphasis on the security profession. - Review and consider concepts and issues presented in Chaps. 1, 2, and 3 of Ruggiero. - Optional: Share a "Current News" article in class. <p>Assignment:</p> <ul style="list-style-type: none"> - Read Ruggiero <ul style="list-style-type: none"> * Chap. 4 - The Role of Conscience * Chap. 5 - Comparing Cultures * Chap. 6 - A Foundation for Judgment - Research, read, and evaluate "A Framework for Thinking Ethically" published by the Markkula Center for Applied Ethics at Santa Clara University found at http://www.scu.edu/ethics/practicing/decision/framework.html - Commence Group Project -- Refer to Project Description section of the syllabus for details. 	10/29/07
3	Complete Module 1	<p>Topics:</p> <ul style="list-style-type: none"> - A framework for making ethical decisions in the security profession: a discussion (Markkula Center model). 	10/31/07

		<ul style="list-style-type: none"> - Review and consider concepts and issues presented in Chaps. 4, 5, and 6 of Ruggiero. - Review Module 1. - Optional: Share a "Current News" article in class. <p>Assignments:</p> <ul style="list-style-type: none"> - Read Ruggiero <ul style="list-style-type: none"> * Chap. 7 - The Basic Criteria * Chap. 8 - Considering Obligations - Research, read, and evaluate the ASIS Code of Ethics found at http://www.asisonline.org/membership/resources/codeofethics.pdf or in Maxwell (pg.408-410) and the PSTF Private Security Code of Ethics found in Maxwell (pg.411-412). - Advised instructor of Project # 2 selection via email or by written proposal submitted in class. - Initiate planning for Project # 2 	
4	Read: Module 2 - Security Management and Corporate Ethics	<p>Topics:</p> <ul style="list-style-type: none"> - Promoting ethics: why it is a good business decision; defining a code of ethics; and how a security manager can promote ethics in the organization. - Review and consider concepts and issues presented in Chaps. 7 and 8 of Ruggiero. - Optional: Share a "Current News" article in class. <p>**** SUBMIT Project # 1 in class or by posting it as a "Word" document</p>	11/5/07

		<p>attachment in your Assignments Folder of the WebTycho classroom by November 5, 2007.</p> <p>Assignments:</p> <p>Read Ruggiero</p> <ul style="list-style-type: none"> * Chap. 9 - Considering Moral Ideals * Chap. 10 - Considering Consequences <ul style="list-style-type: none"> - Read the Private Security Task Force (PSTF) Standards and Goals relating to conduct and ethics found in the Reserved Readings section of the WebTycho classroom or in the "handout" provided in class. - Review Pinkerton's 2003 survey of security threats found at http://www.asisonline.org/newsroom/surveys/pinkerton.pdf - Read Module 2 - Continue with other project assignments. 	
5	Complete Module 2	<p>Topics:</p> <ul style="list-style-type: none"> - Review and consider the PSTF Standards and Goals, particularly those related to ethics. - Review Pinkerton Survey. - In class group activity: a practical exercise in ethical decision-making in a security operation - Summary of ethical considerations in security management. - Review Module 2. - Optional: Share a "Current News" article in class. <p>Assignment:</p> <p>Read David A. Maxwell's "Private Security Law:</p>	11/7/07

		Case Studies" (henceforth referred to as "Maxwell.") * Introduction (xix - xxvi) * Chap. 1 - Negligence (pg. 1-28). Special attention to Erickson v. Curtis Investment Company 432 N. W. 2nd 199 (1989).	
6		NO CLASSES Andrews Air Force Base Celebration of VETERANS DAY	11/12/07
7	Read: Module 3 – Legal Issues in Security Management	<p>Topic:</p> <p>Review and consider legal concepts and issues presented in the Introduction and Chap. 1 of Maxwell, including a discussion of legal concepts and terminology; asset protection: limiting liability by reducing the risk of negligence; and a discussion of the legal elements to establish negligence.</p> <ul style="list-style-type: none"> - Case study: Erickson v. Curtis Investment. - Optional: Share a "Current News" article in class. - Review Module 3. <p>Assignments:</p> <ul style="list-style-type: none"> - Read Maxwell * Chap. 2 - Intentional Torts (pg.55-68). Special attention to Fischer v. Famous-Barr Company 646 S.W. 2nd 819 (1983). * Chap.7 - Authority of Private Citizen. Special attention to Mount Sinai Hospital v. City of Miami Beach 523 So. 2nd 722 (1988). - Annotated Code of Maryland (5-402 of Md. Courts and Judicial Proceedings) (civil liability of merchants) - Continue with project assignments. 	11/14/07

8	Complete Module 3	<p>Topic:</p> <ul style="list-style-type: none"> - Review and consider legal concepts and issues presented in Chap. 2 and 7 of Maxwell, including a discussion of the authority of private security operatives to arrest and detain; police moonlighting as private security operatives; and the State of Maryland temporary detention statute. - Review of Module 3 - Optional: Share a "Current News" article in class. <p>Assignments:</p> <ul style="list-style-type: none"> - Read Fidel Cervantez v. J.C. Penny, Inc. et. al., Supreme Court of California, 24 Cal. 3rd 579 P. 2nd 975 (1988) found in the Reserved Readings area of the WebTycho classroom or the "handout" provided in class. - Read Abraham v. Raso, 183 F. 3d 279 (3d Cir. 1999) and/or the Security Management Online article "When the Police Walk the Security Beat" found in the Reserved Readings area of the WebTycho classroom or in the "handout" provided in class. - Read Maxwell <ul style="list-style-type: none"> * Chapter 10 - Search and Seizure by Private Citizen (pg.265-269), Burdeau v. McDowell; (pg 273-276), Stapleton v. Superior Ct. of Los Angeles County; (pg. 281-285), People v. Lanthier; (pg. 291-300), K-Mart Corporation Store NO. 7441 v. Trotti; Chenkin v. Bellevue Hospital Center (pg. 303-309). 	11/19/07
9		NO CLASS	11/21/07

		November 21-25 Holiday; UMUC Closed	
10	Read Module 4 - Future Legal and Ethical Issues in Security Manager	<p>Topic:</p> <ul style="list-style-type: none"> - Review and consider legal concepts and issues presented in Chap. 10 of Maxwell, including a discussion of the use of the probable cause defense for private security operatives, including sworn police officers; legal private citizen searches; a review of the provisions of the exclusionary rule. - Review Module 4 - Optional: Share a "Current News" article in class. <p>Assignments:</p> <p>Read Maxwell * Chap. 11 - Interrogations by Private Citizens (pg. 317-331).</p>	11/26/07
11	Continue with Module 4	<p>Topic:</p> <ul style="list-style-type: none"> - Review and consider legal issues and concepts presented in Chap. 11 of Maxwell, with emphasis on interrogations by private citizens, Miranda provisions, and other requirements. - Review Module 4. - Optional: Share a "Current News" article in class. <p>**** SUBMIT Project # 2 in class or by posting it as a "Word" document attachment in your Assignments Folder of the WebTycho classroom by November 28, 2007.</p> <p>Assignments:</p> <p>Read Maxwell * Chap. 12 - Use of Force by Private Citizens</p>	11/28/07

		(pg. 347-367)	
12	Complete Module 4	<p>Topic:</p> <ul style="list-style-type: none"> - Review and consider use of force legal concepts and issues presented in Chap. 12 of Maxwell, with emphasis on self defense, defense of property, and property recovery. - Optional: Share a "Current News" article in class. <p>Assignment:</p> <p>Read Maxwell</p> <ul style="list-style-type: none"> * Chap. 13 - Deprivation of Rights (pg.377-383). *Chap. 14 - Entrapment (pg. 401-403) 	12/3/07
13		<p>Topic:</p> <p>Review and consider legal issues and concepts presented in Chap. 13 and 14 of Maxwell, focusing on 42 USC 1983 (civil sanctions) and 18 USC 242 (criminal sanctions); and the entrapment defense.</p> <ul style="list-style-type: none"> - Optional: Share a "Current News" article in class. <p>**** SUBMIT Project # 3 in class by November 5 or by posting it as a "Word" document attachment in the Assignments Folder of the designated group presenter in the "Gradebook" area of the WebTycho classroom.</p> <p>Assignments:</p> <ul style="list-style-type: none"> - Research the pre-employment and employment provisions of the following: <ul style="list-style-type: none"> * Title VII of the Civil Rights Act of 1964 * The Americans with Disabilities Act * Immigration and Control Act of 1986 * Equal Opportunity Policy Statement Regarding the Use of Arrest Data. 	12/5/07

<p>14</p>		<p>Topic:</p> <ul style="list-style-type: none"> - Review and consider various legal issues and concepts that must consider when screening and hiring personnel. - Group oral presentations/review of decision-making process in Project # 3 submissions - Share "current News" article <p>Assignments:</p> <ul style="list-style-type: none"> - Research the provisions of the following: * Title 13 and 19 of the Annotated Code of Maryland 	<p>12/10/07</p>
<p>15</p>		<p>Topic:</p> <ul style="list-style-type: none"> - Review Maryland security guard licensing and registration regulations - Group oral presentations/review of decision-making process in Project # 3 submissions. <p>Exam Review</p>	<p>12/12/07</p>
<p>16</p>		<p>FINAL EXAMINATION</p>	<p>12/17/07</p>