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Guard Q&A: Unlawful Orders, Falsified Reports, and Retaliation

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A security officer generally should not follow an order that requires breaking the law, such as falsifying an incident report, and California law provides some protection against retaliation for refusing to do so or for reporting suspected legal violations.

Common scenarios

Officers sometimes face pressure to omit facts from an incident report, sign off on inaccurate logs, or perform actions like detentions or searches beyond their legal authority.

California's whistleblower protections under Labor Code § 1102.5 generally protect employees who refuse to participate in unlawful activity or who report a reasonable belief of a legal violation to an appropriate authority.

Falsifying an official report can carry personal legal risk for the officer, separate from any employment consequence.

Scenario snapshot

Situation	General concern	Reasonable step
Told to omit a use-of-force detail from a report	Falsification, potential liability	Write the accurate report; document the instruction
Disciplined after reporting a safety issue	Possible retaliation	Save the report and any disciplinary notice
Told to detain someone outside your legal authority	Exceeding guard authority	Decline the specific unlawful act; document instructions

General practices, not legal advice

- Write reports accurately and completely, based on your own observations
- Put concerns about an unlawful instruction in writing when possible
- Keep personal copies of reports you submitted before any alteration
- Escalate serious concerns internally, and to BSIS or an attorney if unresolved

Research and education only

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If you are facing pressure to falsify a report or believe you have been retaliated against, consult a licensed California attorney or contact the Labor Commissioner's Office or BSIS for guidance on your situation.

Quick answers

Can I be disciplined for refusing to falsify a report?

California whistleblower protections generally cover refusal to participate in unlawful activity, though facts matter and this is not legal advice.

What if my supervisor tells me to leave something out of a report?

Consider documenting the instruction in writing and completing an accurate report; consult an attorney if you're unsure how to proceed.

Is retaliation for reporting a safety issue illegal?

Retaliation for good-faith reports of legal violations can be prohibited under state whistleblower law, depending on the facts.

Where can I report retaliation?

The California Labor Commissioner's Office handles many retaliation complaints against employers.

Primary sources — read the official text

Whistleblower protections, Labor Code § 1102.5	California Legislative Information	https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1102.5.&lawCode=LAB
Retaliation complaint	California Department of Industrial Relations	https://www.dir.ca.gov/dlse/HowToFileRetaliationComplaint.htm
BSIS complaint process	Bureau of Security and Investigative Services	https://www.bsis.ca.gov/about_us/complaint.shtml
State Bar lawyer referral	State Bar of California	https://www.calbar.ca.gov/Public/Need-Legal-Help

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