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Use of Force by Private Security: Liability and Doctrine

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A security guard who uses force beyond what is reasonably necessary to address the situation in front of them can face civil claims for assault and battery, separate from any criminal exposure. California also layers on BSIS licensing rules that restrict who may carry a baton, exposed firearm, or other weapon, and unlicensed use of a weapon compounds the liability.

Civil liability sits alongside licensing rules

Private security personnel generally have the same right as any private citizen to use reasonable force in self-defense or defense of others, but no broader authority than that unless a specific statute grants it, such as the shopkeeper's privilege or a lawful private-person arrest.

Force that exceeds what is reasonably necessary can support civil claims for assault and battery, and in serious cases, criminal charges, regardless of the guard's intent.

On top of the underlying force analysis, BSIS licensing rules require separate permits for batons, exposed firearms, and concealed firearms; using a weapon without the required permit is treated as an independent problem on top of any force dispute.

Force doctrine and licensing checkpoints

Issue	What is evaluated	What it means for operations
Reasonableness of force	Whether the force used matched the actual threat presented	De-escalation and proportional response should be the default approach
Escalation sequence	Whether lesser options were tried before greater force	Training should document a clear escalation ladder for post orders
Weapons permits	Whether the guard held a valid BSIS baton, firearm, or exposed-carry permit	Never deploy a weapon type without the matching current permit
Aftermath handling	Whether the incident was reported promptly and accurately	Same-shift written reports protect both the client and the guard

Operational practices that reduce force-related exposure

- Verbal de-escalation and creating distance before any physical intervention

- Confirming every armed post assignment matches the guard's current BSIS permits
- Immediate, factual incident reporting rather than delayed or reconstructed accounts
- Regular refresher training on the legal limits of reasonable force, not just physical tactics

Research and education only

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Quick answers

Can a security guard carry a firearm without a special permit?

No, an exposed or concealed firearm permit issued by BSIS is required in addition to the general guard registration.

What standard applies to force used by private security?

Generally the same reasonable-force standard available to any private person, unless a specific statute grants broader authority.

Does intent matter if force turns out to be excessive?

Civil liability can attach even with good intentions if the force used was not objectively proportionate to the threat.

What is the value of an incident report after a force event?

A prompt, factual, same-shift report is often the most important piece of evidence in any later dispute.

Primary sources — read the official text

BSIS Firearm Permit Requirements	Bureau of Security and Investigative Services	https://www.bsis.ca.gov/forms_pubs/firearms.shtml
BSIS Baton Permit Requirements	Bureau of Security and Investigative Services	https://www.bsis.ca.gov/forms_pubs/baton.shtml
Penal Code Section 242 (Battery)	California Legislative Information	https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN&sectionNum=242
Business and Professions Code Section 7583.2	California Legislative Information	https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=BPC&sectionNum=7583.2

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