

## **REQUIREMENTS FOR A PRIVATE DETECTIVE LICENSE**

22 Pa. C.S.A. (Private Detective Act of 1953)

### **QUALIFICATIONS**

All applicants must be at least twenty-five (25) years of age.

All applicants must meet the following qualifications:

1. A member of the U.S. Government investigative service; or
2. A Sheriff; or
3. A member of the Pennsylvania State Police; or
4. Regularly employed as a detective or as a member of a city police department of a rank or grade higher than that of patrolman for a period of not less than three (3) years.

All applicants must submit with their application the statements of not less than five (5) reputable citizens in accordance with 22 Pa. C.S.A. §14. Any citizen related to the applicant by blood or marriage does **NOT** qualify. All statements must be notarized.

Any applicant who has been convicted of any **FELONY** or any of the following offenses fails to qualify for a license:

- Illegal use, carrying or possessing a pistol or other dangerous weapon;
- Making or possessing burglar's instruments;
- Buying or receiving stolen property;
- Unlawful entry of a building;
- Aiding escape from prison;
- Possessing or delivery of a controlled substance;
- Picking pockets or attempting to do so;
- Soliciting any person to commit sodomy or other lewdness;
- Recklessly endangering another person;
- Making terrorist threats; or
- Committing simple assault.

No applicant who is a holder of an employment agency license may be licensed under this act.

If the applicant will carry a lethal weapon as an incident with employment, proof of a current and valid certification under the "Lethal Weapons Training Act" must also be submitted to the Court.

## **APPLICATION PROCEDURE FOR PRIVATE DETECTIVE LICENSE**

All applicants, or their attorney, must present a written application/petition prepared in original in accordance with 22 Pa. C.S.A. to the Clerk of Judicial Records Criminal Division Office. At this time the applicant/attorney receives a file number and pays the appropriate filing fee of **\$86.75** (includes automation fee). The Clerk's Office shall keep the original application. A copy of the application/petition must be served on the Lehigh County District Attorney and Court Administrator by the applicant/attorney and the applicant/attorney must file a "Certificate of Service" with the Clerk of Judicial Records. The Court Administrator shall schedule a hearing and send notice of the hearing date to the applicant, District Attorney's Office and the Clerk of Judicial Records.

All applicants must secure from the Clerk of Judicial Records - Criminal Division a fingerprint card with the Lehigh County Courts' ORI contributor number and contact the County Detective Division of the Office of the District Attorney to schedule an appointment for interview and fingerprinting. After interview and fingerprinting are completed, the assigned detective will proceed to the Clerk of Judicial Records - Criminal Division and submit the fully completed fingerprint card. The applicant must furnish a **check in the amount of \$17.50 payable to the Commonwealth of Pennsylvania** along with the fingerprint card. This fee is required by the Pennsylvania State Police Central Repository in order to process the fingerprint card. The Clerk of Judicial Records will forward the fingerprint card along with the required fee to the Pennsylvania State Police for a criminal record check.

In accordance with Lehigh County Local Rules of Court, Service, Petitions, Rules, Orders and Notices, the applicant/attorney, shall ensure that the Hearing Notice is published once a week for two successive weeks in the Lehigh Law Journal and in one newspaper of general circulation published in Lehigh County. The last advertisement to appear not less than three (3) days prior to the hearing.

After approval of the application/petition by the Court, the applicant shall pay the appropriate license fee to the Clerk of Judicial Records - Criminal Division. Any individual who qualifies for a license must pay a license fee of Two Hundred (\$200.00) Dollars [One Hundred Dollars each year with an initial license issued for two (2) years]. Any applicant who qualifies for such a license and is a partnership, association or corporation must pay a license fee of Three Hundred (\$300.00) Dollars [One Hundred and Fifty Dollars each year with an initial license issued for two (2) years]. In addition the applicant must post a corporate bond in the amount of Ten Thousand (\$10,000.00) Dollars in accordance with 22 Pa. C.S.A. §16 prior to the issuance of the license certificate. There is an additional fee of **\$11.00** for the photo identification. Please submit a passport photo for the ID badge.

After all necessary document and fees are received by the Clerk of Judicial Records - Criminal Division, the file is sent by the Clerk to the hearing judge for approval of the bond and license. After approval by the Court a license is issued by the Clerk of Judicial Records and sent to the applicant.

## **RESPONSIBILITIES FOLLOWING ISSUANCE OF A LICENSE**

All original licenses granted shall be issued for a period of two (2) years and all renewal requests must comply with the requirements of 22 Pa. C.S.A. §21.

All holders of a license or employee of such holder shall not violate any of the provisions of 22 Pa. C.S.A.

If the holder of an unexpired license certificate shall move the bureau, agency, sub-agency, office or branch to a place other than that described in the license certificate they shall, within twenty-four (24) hours of the move, give written notice to the Clerk of Judicial Records - Criminal Division in accordance with 22 Pa. C.S.A. §20.

Every license certificate shall be surrendered to the Clerk of Judicial Records - Criminal Division within seventy-two (72) hours after its term shall have expired, or after notice in writing to the holder that such license has been revoked.

The holder of any license certificate issued pursuant to the Private Detective Act may employ, in accordance with 22 Pa. C.S.A. §13 to assist them in their work and shall at all times during such employment be legally responsible for the good conduct in the business of each and every person so employed. No holder of any unexpired license certificate shall knowingly employ a person who has been convicted of a felony or any other offense as specified in the Act; or any person whose private detective or investigator's license was revoked or application for such license was denied by the court or by the authorities of any other state or territory because of conviction of any of the crimes or offenses specified in this section. Any holder of a license certificate shall prior to the employment of any individual execute a verified statement hereinafter known as "employee's statement" and which fulfills the requirements of 22 Pa. C.S.A. §13 (b). Upon verification of an "employee's statement" the holder of a license certificate shall cause two (2) sets of fingerprints of such individual to be recorded. A copy of the "employee's statement" and one (1) set of the fingerprints shall be filed at the Clerk of Judicial Records - Criminal Division. *A check in the amount of \$17.50 and made payable to the "Commonwealth of Pennsylvania"* is required by the Pennsylvania State Police Central Repository in order to process the fingerprint card. The Clerk of Judicial Records will forward the fingerprints to the Pennsylvania State Police for a criminal record check. The Clerk will notify the licensee of the response received from the Pennsylvania State Police. If the employee will carry a lethal weapon as an incident with employment, proof of a current and valid certification (See 22 Pa. C.S.A. §41-50.1) must also be submitted with the "employee's statement" to the Clerk of Judicial Records - Criminal Division.