

December 16, 2021

Hon. Thomas P. DiNapoli  
New York State Comptroller  
110 State Street  
Albany, NY 12236

Re: Audit Report 2019-S-42

Dear Mr. DiNapoli:

As required by Executive Law § 170, the Department of State (DOS) respectfully submits this 180-day response to recommendations made in the audit report 2019-S-42, entitled “Implementation of the Security Guard Act.”

**Recommendations:**

**Recommendation 1:** “Develop processes to effectively monitor and review training records, especially for armed security guards classified as peace/police officers, to ensure these guards are in compliance with the Act.”

**DOS Response:** To further improve internal controls, in October 2020, the Division of Licensing Services (Division) enhanced its processes for monitoring and reviewing training records for such guards by implementing a risk-based program to audit the training records of Class 03 and 04 guards upon their registration renewal. Guards who are selected for this audit must provide proof of training to the Division within 15 days of receipt of the audit letter.

**Recommendation 2:** “Enhance current procedures for reviewing arrest notifications of registered security guards, including a clearly defined process for following criminal cases and taking action against security guards charged with serious offenses.”

**DOS Response:** The Division of Licensing Services updated its written procedures for reviewing arrest notification of registered security guards in August 2021.

**Recommendation 3:** “Implement a process to notify DCJS of inactive security guards and applicants denied security guard registrations pursuant to the agreement between the Department and DCJS.”

**DOS Response:** DOS has been working with the Office for Information Technology Services (OITS) and the Division of Criminal Justice Services (DCJS) to develop a process to notify DCJS of inactive guards. Due to the volume of guards registered with DOS and the different computer systems used by DOS and DCJS, this is a long-term project that all three agencies have been working on together to develop a solution that will fit the needs of the agencies involved and ensure compliance with the agreement.

**Recommendation 4:** “Enhance current renewal application policies and procedures to ensure consistency in processing security guard renewal applications.”



Department  
of State

DOS Response: The Division of Licensing Services updated the security guard renewal processing policy and procedures and communicated the updates to all staff in May 2020. The updates included more explicit instructions regarding stamp dating renewals and ensuring renewals that have expired by more than 6 months are rejected.

Respectfully,



Brendan C. Hughes  
Executive Deputy Secretary of State

Cc: Honorable Kathy Hochul, Governor  
Honorable Brian Benjamin, Lieutenant Governor  
Honorable Andrea Stewart-Cousins, President Pro Tempore, New York State Senate  
Honorable Robert Ort, Minority Leader, New York State Senate  
Honorable Carl Heastie, Speaker, New York State Assembly  
Honorable Crystal Peoples-Stokes, Majority Leader, New York State Assembly  
Honorable William Barclay, Minority Leader, New York State Assembly  
Honorable Liz Krueger Chair, New York State Senate Finance Committee  
Honorable Thomas O'Mara, Ranking Member, New York State Senate Finance Committee  
Honorable Helene Weinstein, Chair, New York State Assembly Ways and Means Committee  
Honorable Edward Ra, Ranking Member, New York State Assembly Ways and Means Committee