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THE SCENE
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Legal Liability
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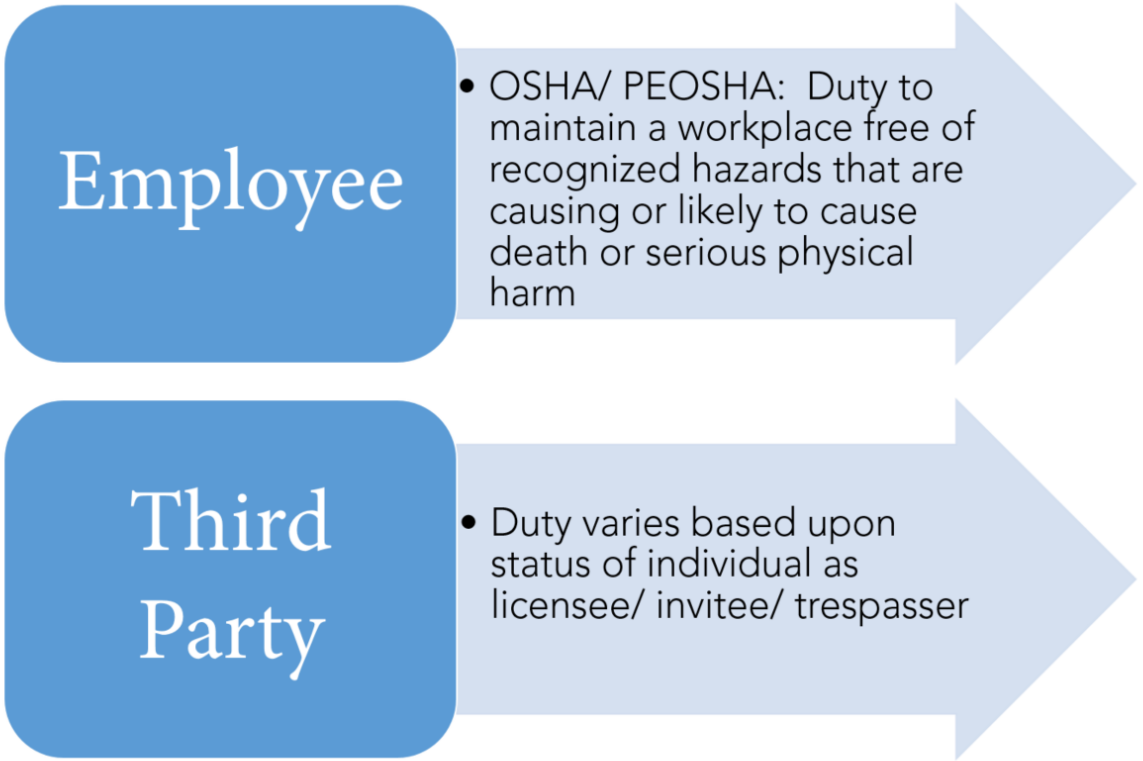
Physical Security
TIME
EDMOND
SAN YSIDRO
KILLEEN
SANDY HOOK
VIRGINIA TECH
ORLANDO
LAS VEGAS
AMERICA'S NIGHTMARE

Legal Liability

Protection of our Employees and Visitors?

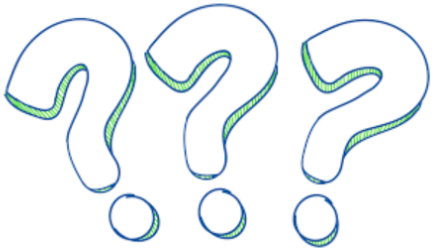
Basics of Tort Liability
- Duty of Care
- Breach of Duty of Care
- Damage/ Harm
- Causation Between Breach and Damage

Duty of care is dependent on relationship with victim:



In general, for those legally on your premises

You have a duty to exercise **reasonable** care to protect against **foreseeable** harm.



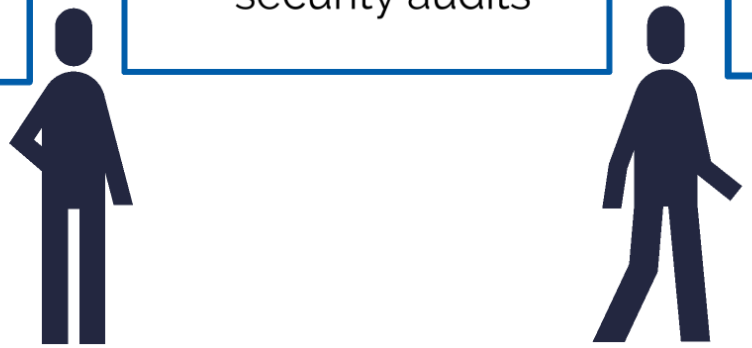
The question becomes is the criminal act foreseeable?

Factors Courts Examine

- Crime Grid of area
- Was their prior similar criminal acts
- Status of victim

- Security measures taken
- Has the owner/ manager performed any security audits

- Conditions of the property
- Did owner/ manager comply with building and health codes
- Lighting in the area



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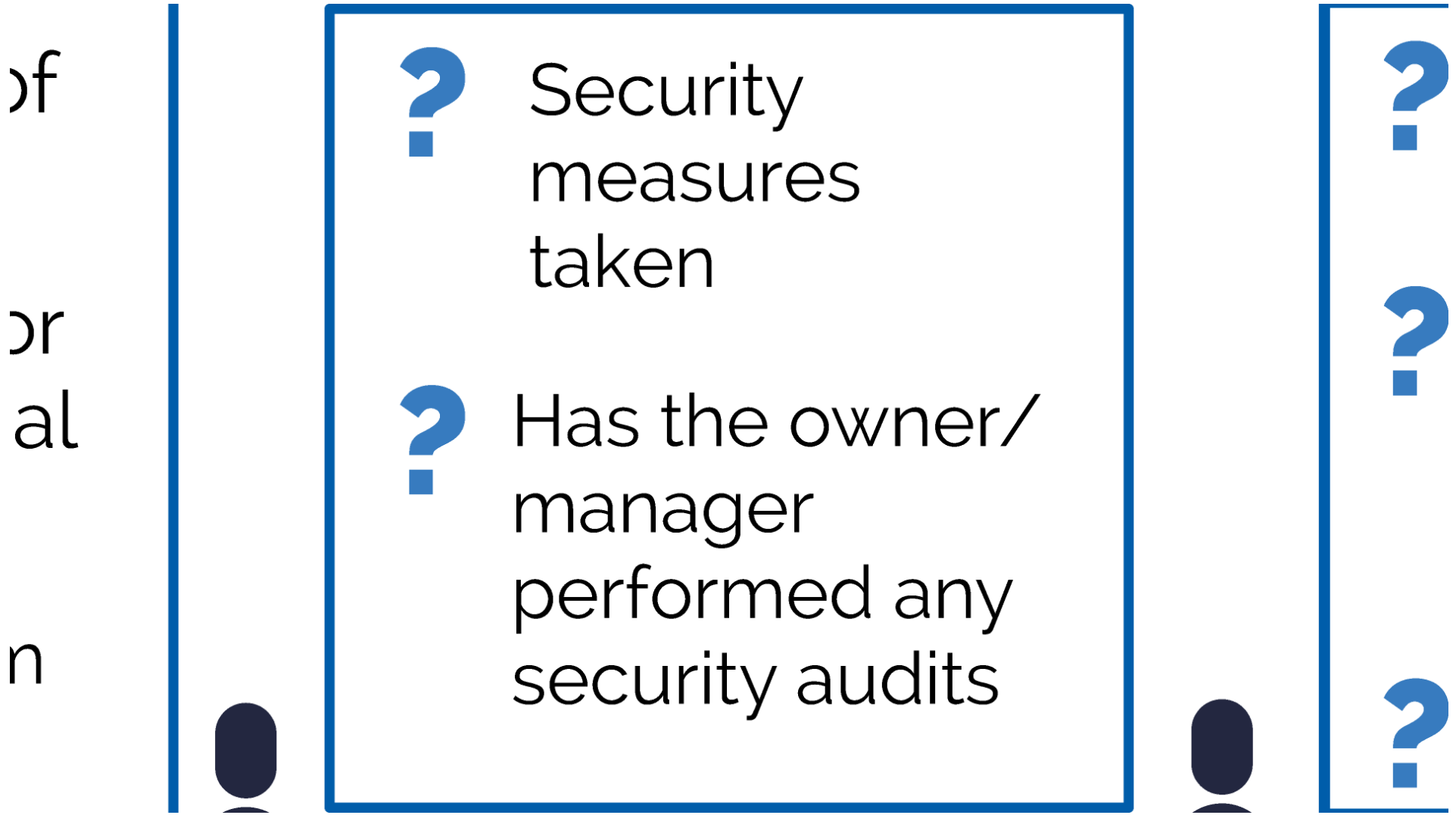
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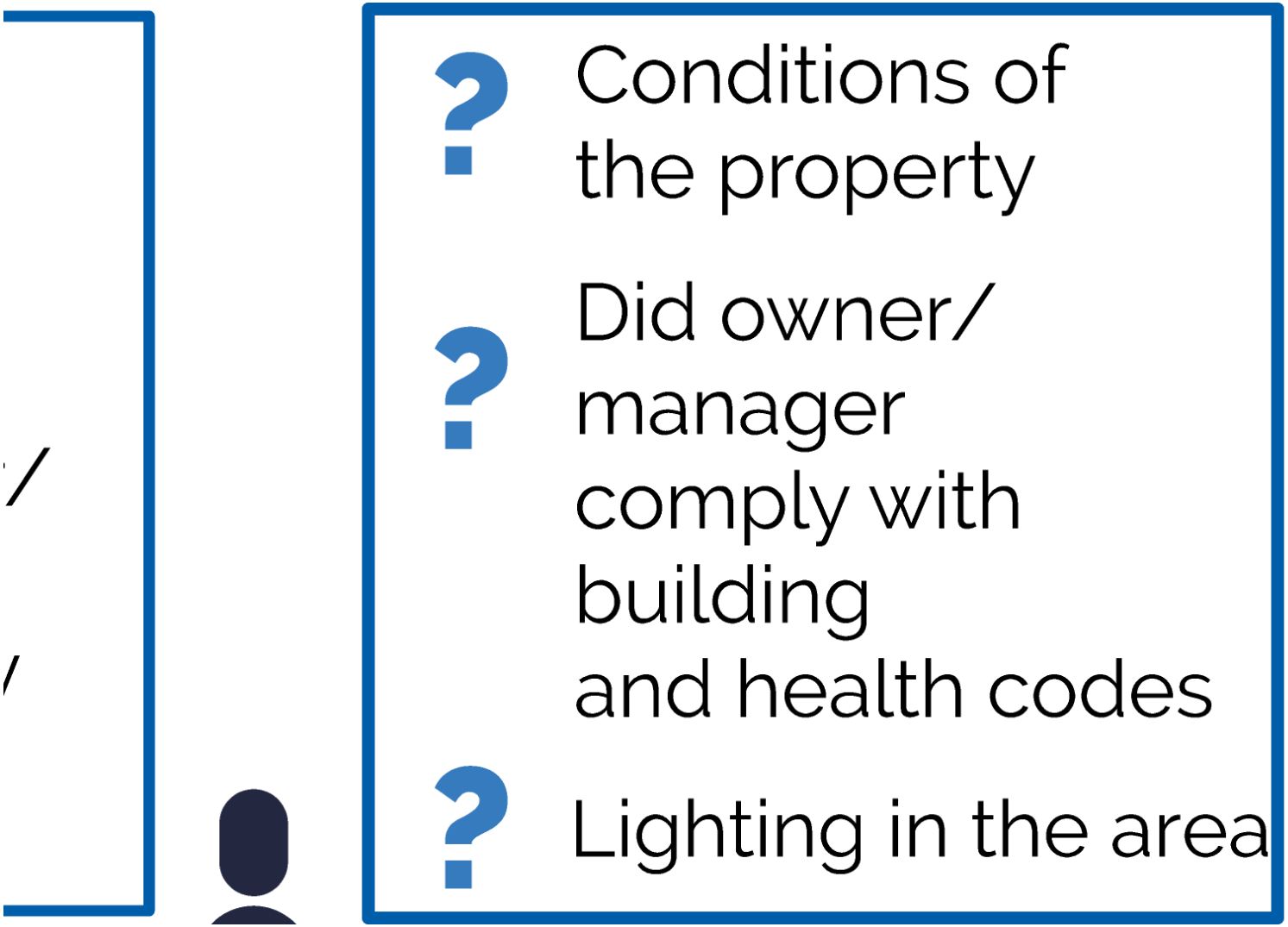

Conditions of the property
Did owner/ manager comply with building and health codes
Lighting in the area

KEY QUESTION

Was it foreseeable and did your breach contribute to the incident?

PREPARING FOR THE UNSPEAKABLE

Physical Security

What can we do to meet our obligations to keep people safe?

What can we do to meet our obligations to keep people safe?

An Integrated Security Plan Includes:

Physical Security Measures

Operational Procedures

Policies

Physical Security Measures

- Technologies, perimeter, external and internal protection, sensors, design, barriers

People: Our personnel, visitors and those who live near by

Place: Physical infrastructure

Materials: Sensitive information, archives, business product

Goal: Protect our assets!

Strike the Right Balance

"Ensuring the safety and security of the facility and its critical assets without impacting on the day-to-day operational procedures"

Source: Integrated Physical Security Handbook, p3.

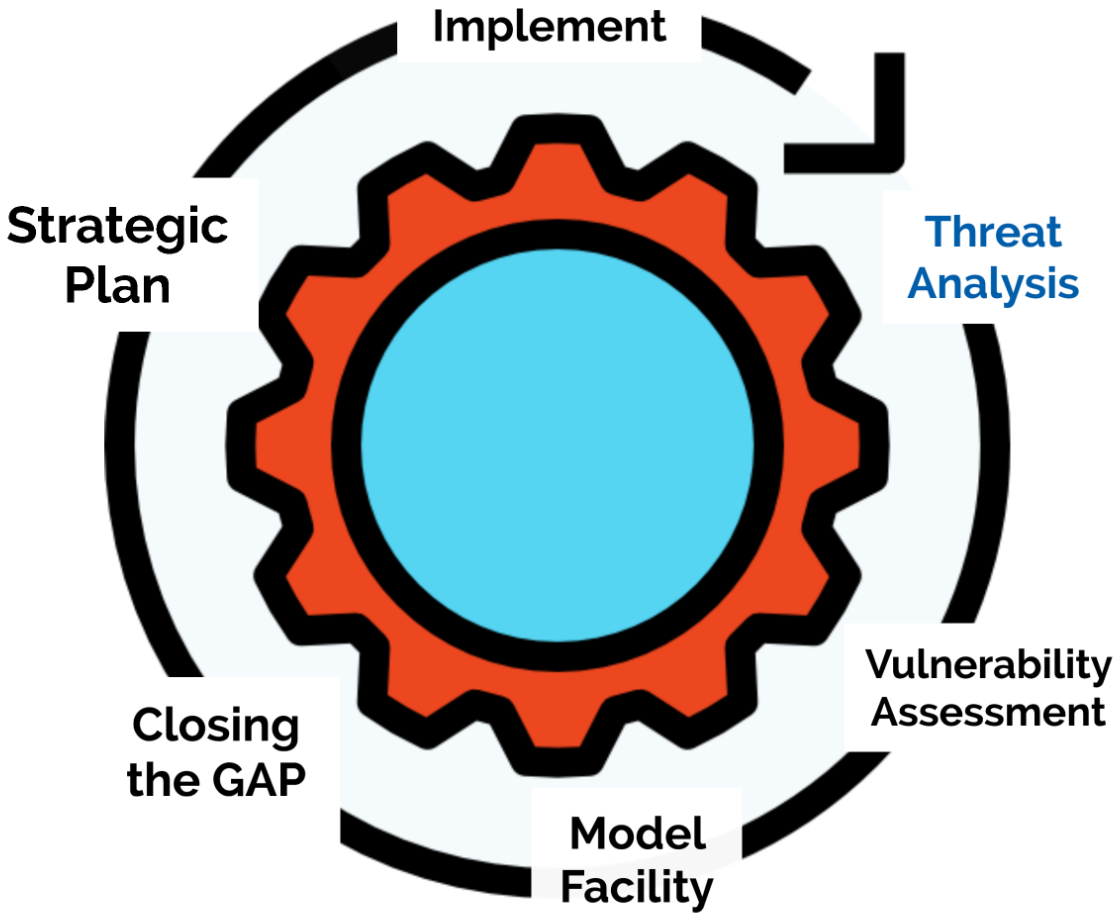
Operational Procedures

How the facility works on a day-to-day basis, how we deliver services, opening and closing, disruption…

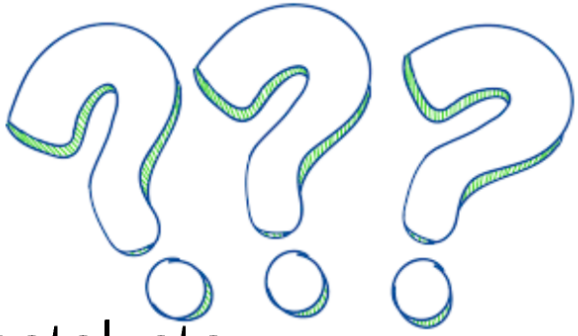
Policies

- Who does what and the actions to be taken to prevent an attack or an incident, how to mitigate and ensure continuation of business
- Marshall your resources
- Stakeholder involvement, go through a process to create the "Buy-In," explain the Why!
  - *Who: Owner, Risk Mgmt Professionals, Employees, Residents, Police, Fire, OEM, etc.*
  - *Mission*
  - *Time line*
  - *Plan of Action*
  - *Options*
  - *Reports*

Steps to Implement Integrated Security Plan



Threat Analysis



- What are the threats?
  - Natural, Criminal, Terrorist, Accidental, etc.
  - Internal & External
  - What makes your facility unique
- The information needs to be defined
  - ✔ Credible
  - ✔ Potential
  - ✔ Minimal

Threat Analysis: *Who are my adversaries*

Internal

Disgruntled employees

- Escalating aggression
- Weapons involvement
- Negative mental status
- Negative employment status
- Personal stressors
- History of violence and conflict

Resource: Violence Assessment and Intervention ISBN 13:978-1-4200-7112-2

External

- Vandalism and Theft
- Disgruntled clients
- Family members (Break-ups, divorce, money)
- Past employees (Retaliation)
- Political Statements and Protests
- Terrorism

Threat Analysis

Monitor threats

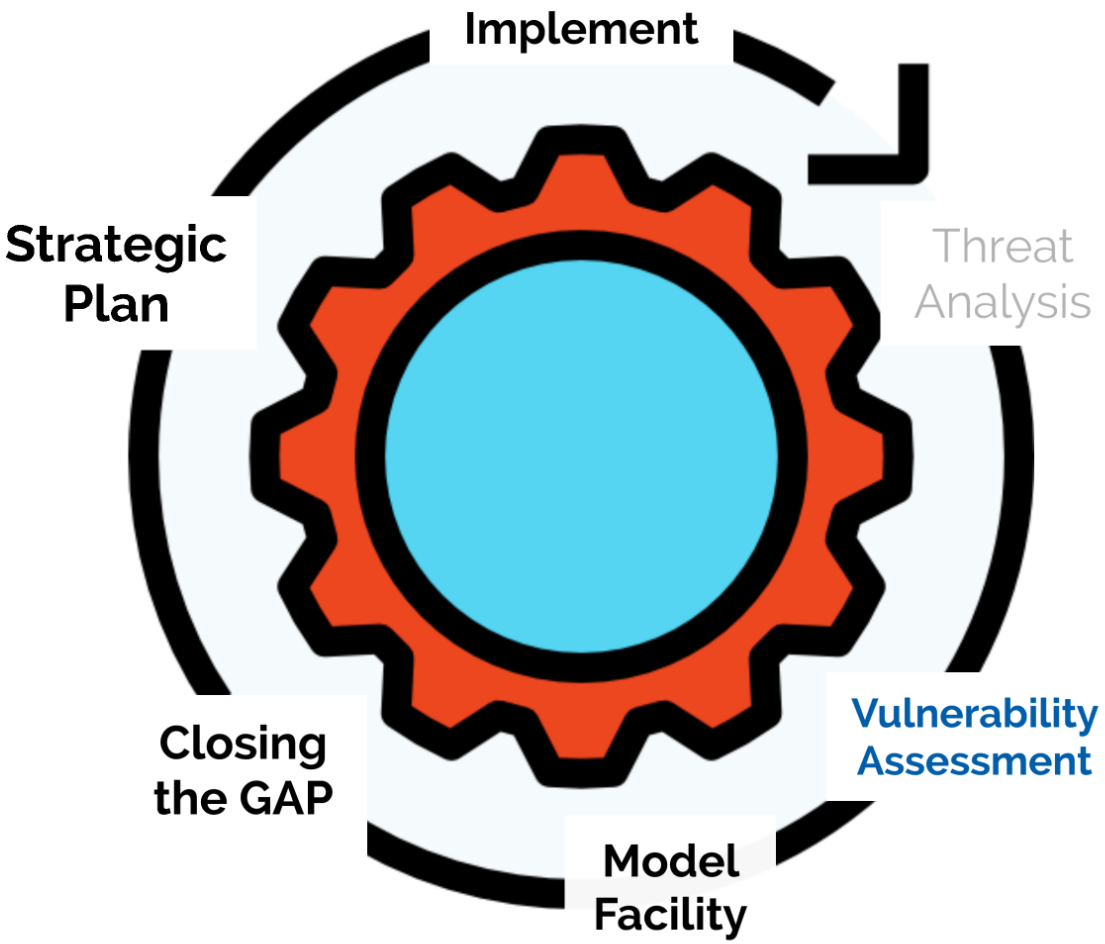
- Past experiences
- Shared experiences
- Police records
- U.S. Department of Homeland Security
- NJ Office of Homeland Security and Preparedness

Assign someone to read for 15-20 minutes per week!

Threat Analysis of Active Shooter

- Internal or External Shooter?
  - Motives are across the board
    - *Domestic violence, hate crimes, terrorism, etc.*
    - *Inability to cope*
- Reasonably foreseeable that an active shooting incident may occur
  - Look at the news
  - Look at the statistics
  - Public and employee concern

Steps to Implement Integrated Security Plan



Vulnerability Assessment

- What are your critical assets?
- What will the impact be on your operation - *downtime, recovery, exposures?*
- Where am I vulnerable - *scenario based assessments, what do you do?*
- Building Perimeter

When you know your weaknesses you are able to develop solutions to mitigate or eliminate the risks!

Vulnerability Assessment

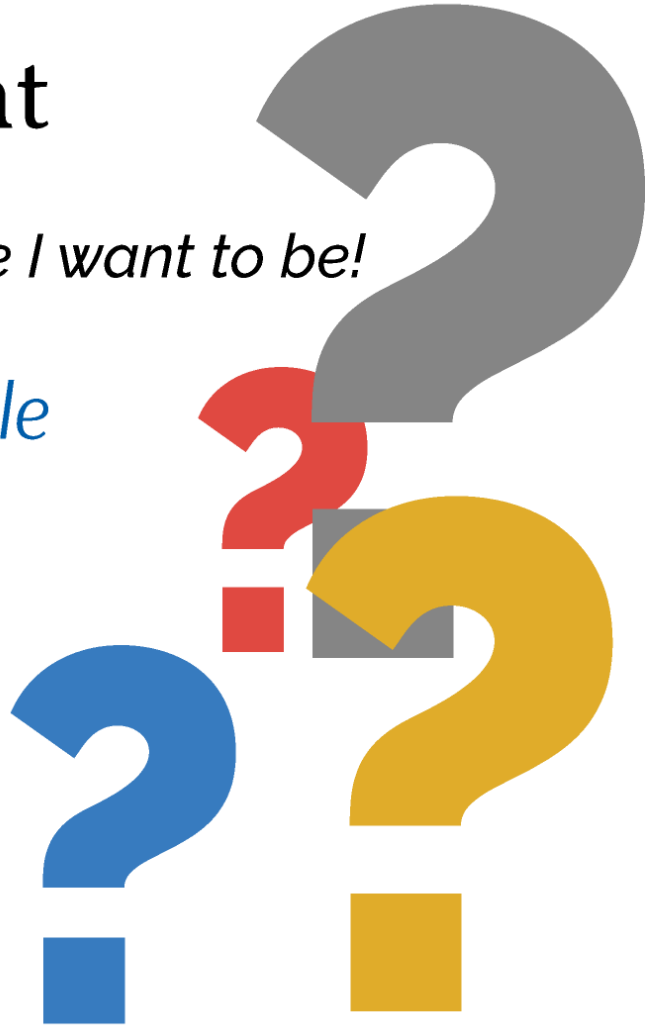
Ask yourself at a minimum these questions:

- What is your current security situation?
- How secure is your location?
- What is your current perimeter security?
- How structurally safe are you?
- What communications & IT Protection do you have?
- Is your equipment protected?
- What external security protection do you have?
- What internal security protection do you have?

Vulnerability Assessment

Gap Analysis: *where I am versus where I want to be!*

- Most important: *Protect People*
- What am I protecting
- Assets to be protected
- Threat to those assets
- Vulnerability of those assets
- Your priorities



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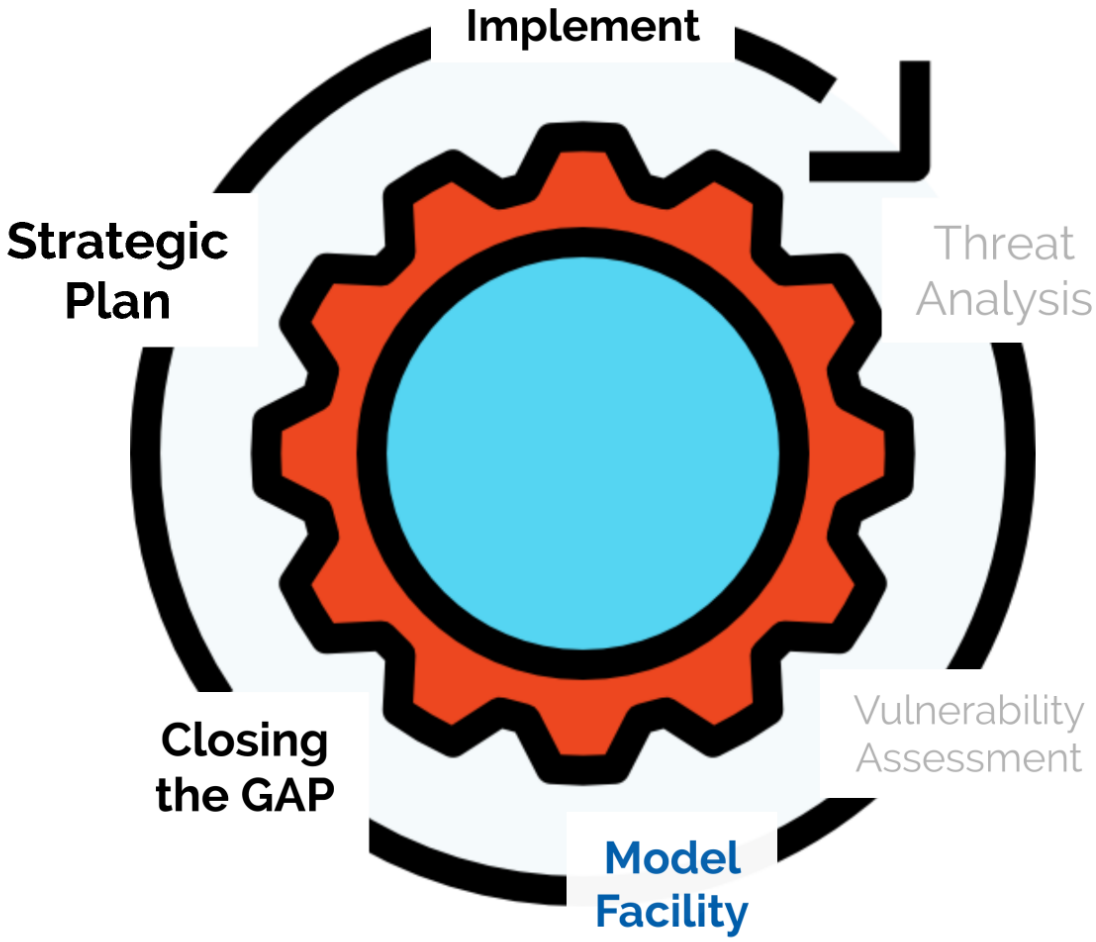


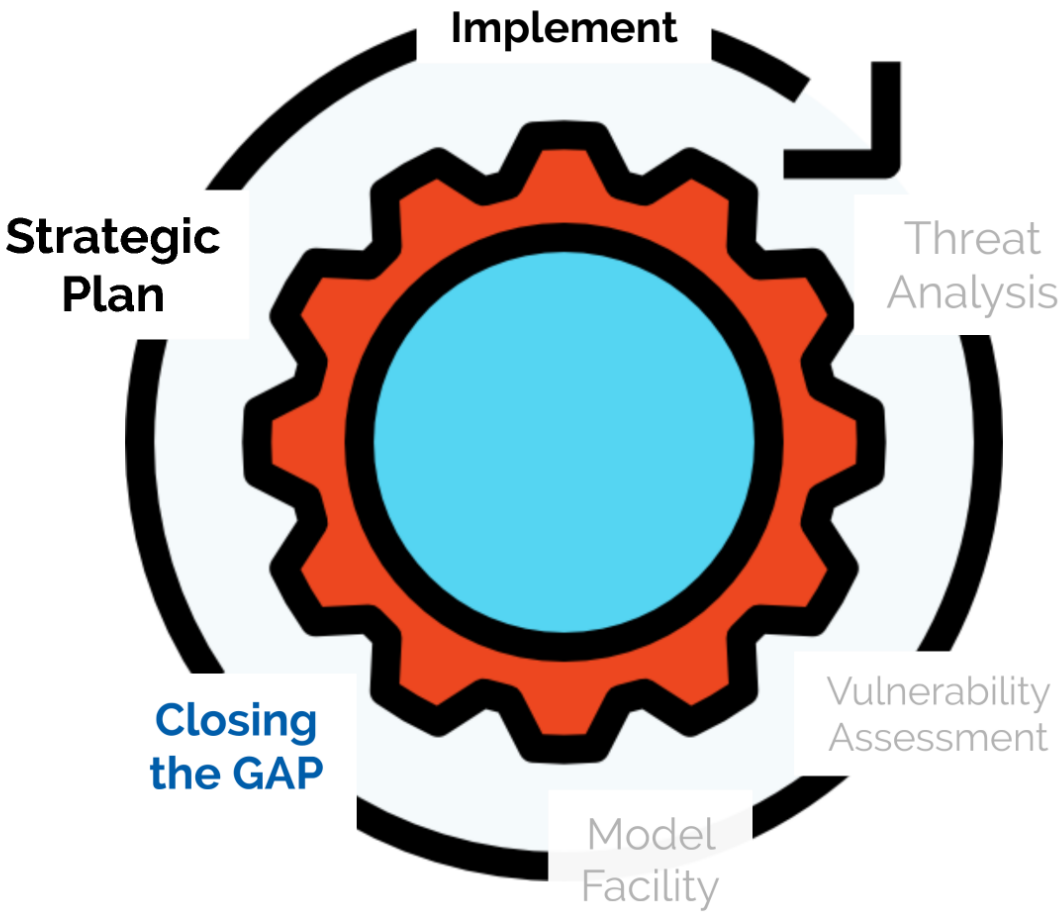
Model Facility

- Maximum security without compromising business as usual

Identify:

- ✔ Core Functions
- ✔ Critical Assets
- ✔ Threats and Vulnerabilities
- ✔ Mitigation Strategies

Steps to Implement Integrated Security Plan

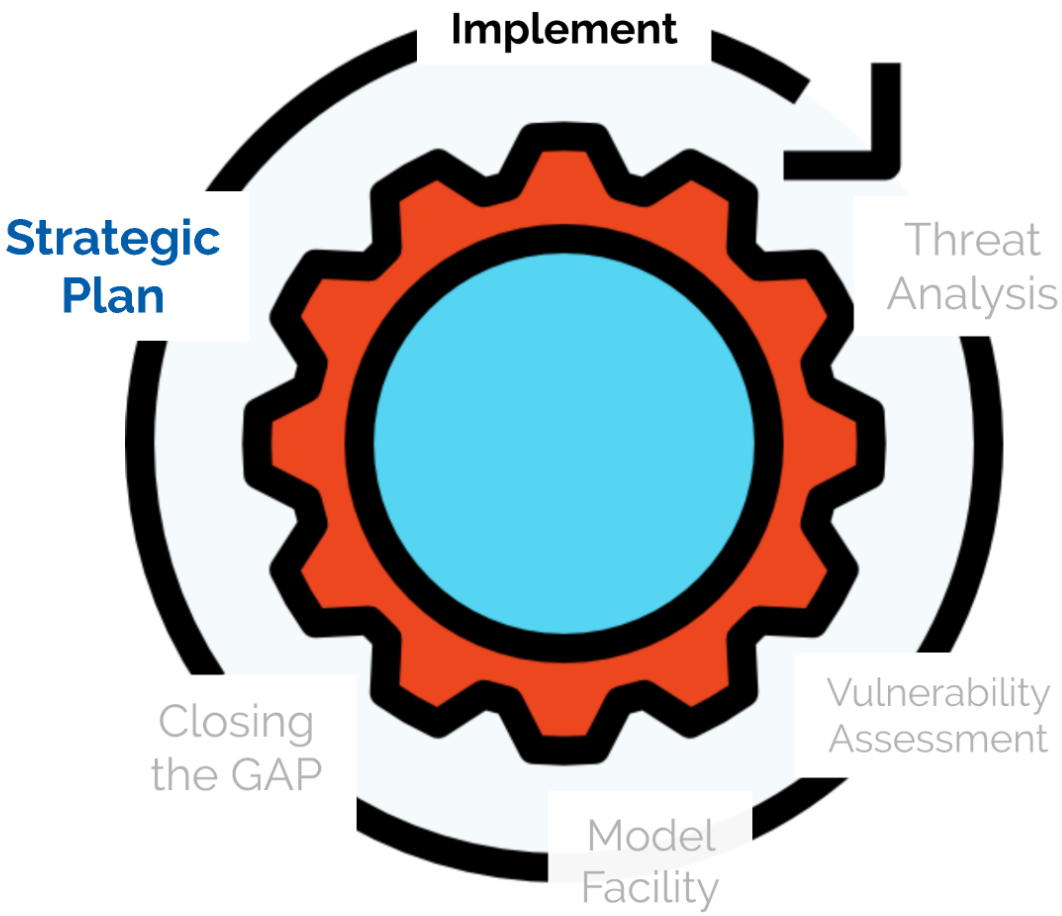


Closing the GAP

I know my shortfalls, what are my options?

- Perimeter security
- Vehicles
- Internal security
- Information technology
- People
- Building design
- Community risk assessment
- Technology solutions

Steps to Implement Integrated Security Plan



Develop a Strategic Plan

- Having identified assets, adversaries, threats and vulnerabilities and determined priorities and options, you are in a position to plan and strategize the security change process

- SWOT
  - **S**trengths, **W**eaknesses, **O**pportunities, **T**hreats
  - Address all of the areas and close the "GAP"
  - Timeline, planning for resource allocation

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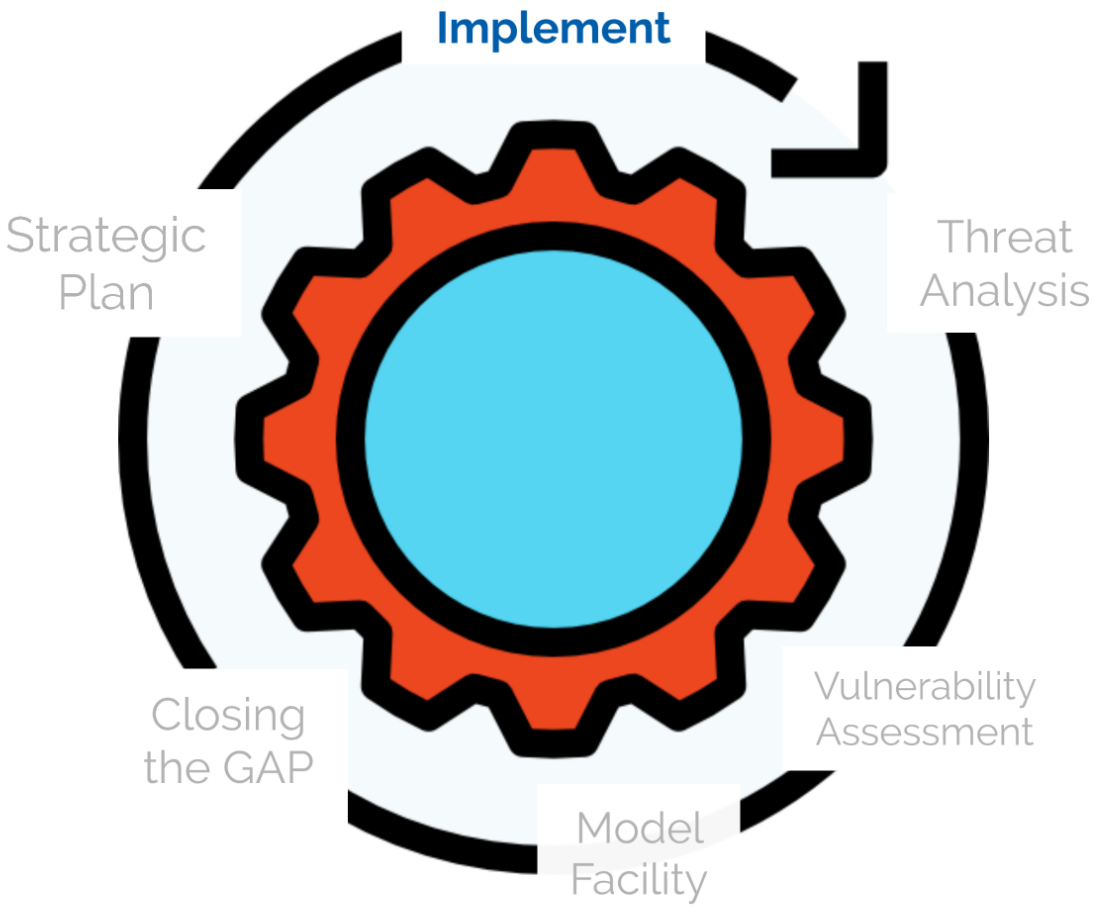
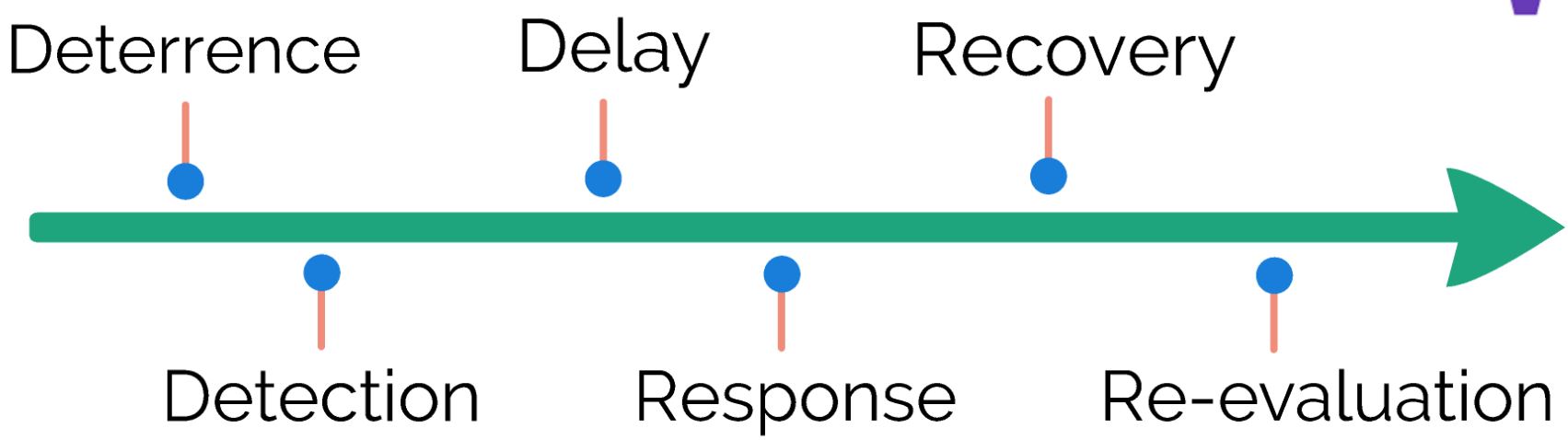


Implementation

- ✔ Project Management
- ✔ Bid contracting and vendor selection
- ✔ Revising policies
- ✔ Training and Drills
- ✔ Continuously testing for weaknesses
- ✔ Quick look guides
- ✔ Re-analyze for changes in the environment
    - Recommend new strategies and enhancements

Implementation



Carrying out your plan of action

Developing a plan of action will show that you are engaged in the process of continuous improvement!

Fulfill our obligations:

1. Safety
2. Best Business Practices
3. Reasonably Foreseeable

Time to Plan

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