

The Profit and Loss of 24 Hours Operation (Security Premise Liability)

With the growth of small cities and the entrance of retail competition, many stores are extending their operations from non-24 hours to 24 hours. This trend may appear profitable for the owners, but what is it really doing in terms of security for the consumers, store employees, and the owners themselves?

The Consumer

As a patron of a late night store, one runs the risk of being carjacked, robbed, or assaulted if not careful and aware of his or her surrounding. Going out to the local drug store at 11 p. m. is not the same as arriving in the middle of the work day. The element of danger is potentially much greater. This is because would be robbers seek areas without proper security lighting and are looking for opportunities provided by patrons that are not alert. Those that fumble around looking for keys as they approach their vehicle could be prey. Those that leave passenger and driver side doors unlock after starting their vehicle could be prey. And those carrying large amount of bags could also be easy prey for those looking to inflict harm.

The Night Employee

The night clerk at stores recently converted from non-24 hour to 24 hour operation is typically unaware of what this type change should mean in terms of their security. Their normal smoke break becomes a danger to them and others inside the store. Retrieving a left item from your car could be potential danger. And leaving for home at odd hours of the night could be an invitation to be robbed, car jacked or assaulted.

The Owner

With a new 24 hour operation in effect, the store owner looks toward great revenue and potential growth. Typically, the current security policy (if any) remains unchanged. The lack of guard services remains unchanged and the security lighting that's normally at 80% effectiveness or less remains the same. Electronic surveillance for the store's perimeter may or may not be deployed and the internal surveillance devices are still checked for proper services only after an event of interest to the owner.

The problems start here for them all: In the event of an incident where a patron or worker is injured the questions will arise – Why did this occur? How might it have been prevented? Many security professionals believe that a change in operation should be an automatic change in security policy, practice, training and possible electronic device or security personnel implementation. In addressing these items, the risk factors for all stakeholders would be significantly minimized.

Owners contemplating this type shift in operation should also consider the possible premises liability that may exist in the event a criminal incident in which a patron or worker is hurt occurs. An owner may find themselves on the hook for medical expenses and potential damages resulting from a civil litigation. A premises liability case in which security negligence is at issue could result in a substantial award for damages.

It is recommended that store owner conduct a security assessment of it premises to outline potential security lighting, digital surveillance, and/or personnel security required to ensure proper security posture based on current or future operations. Owners must not forget to include security policies, procedures, and security training for employees within your assessment process.

About the Author

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Formerly employed by Nortell PEC in Fairfax, VA, and SPAWAR System Center Charleston, SC where he held management positions in Information Security, Physical Security, and Advance Technology. He is a Certified Physical Security Professional (PSP), a Certified Forensic Consultant (CFC) and also certified in Homeland Security (CHS-III). Mr. Gillens is a member of the International Association of Professional Security Consultants (IAPSC) , International Organization of Black Security Executives (IOBSE) and member of the American Society for Industrial Security (ASIS).

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