

Workshop W11

Wednesday, October 29, 1:30–3:00 p.m. and 3:30–5:00 p.m.

SECURING THE CONSTRUCTION SITE

Presented by



Greg H. Walker, CPP, ARM
Attorney at Law

RisKontrol—Risk Management of Security Related Matters

Lack of adequate security on a construction site can have any number of bad consequences— theft; vandalism; injuries to trespassers; access to workers for loan sharking, gambling, and sale and distribution of drugs; use of property by criminal element; and more. In addition to the significant financial costs of such losses, contractors and project owners can suffer particularly irreparable damage to their reputation when a loss or improper activity gets the attention of the media. This workshop identifies key job site security risks as well as techniques for reducing these risks.

- Provides insight for getting all participants on board in achieving a more secure job site.
- Outlines strategies for developing, enforcing, and auditing security policies and procedures.
- Advises on how to communicate to project owners the importance of adequate security and persuade them to share the associated costs.

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Greg H. Walker, CPP, ARM
Attorney at Law
RisKontrol—Risk Management of Security Related Matters

Mr. Walker, who is presenting Workshop W11, “Securing the Construction Site,” on Wednesday afternoon, has extensive experience in law enforcement, corporate investigations, risk management, and security management in both the public and private sectors exceeding 36 years, including the practice of law for over 26 years. His law practice concentrates on representing persons and entities engaged in the property development and construction industries and his security risk management consulting covers a vast range of current and emerging risks.

He is Board Certified in Security Management (CPP, Certified Protection Professional) by ASIS International (the American Society of Industrial Security). He also holds the Associate in Risk Management (ARM) designation from the Insurance Institute of America’s Center For Advanced Risk Management Education.

He is a member of the State Bar of Texas and the American Bar Association and is admitted to practice in all courts of the State of Texas, to the United States District Court for the Southern District of Texas, and to the United States Court of Appeals for the Fifth Circuit.

He is a licensed Security Consultant with the Texas Department of Public Safety’s Private Security Bureau and is a licensed Risk Manager through the Texas Department of Insurance.

Mr. Walker has served as the systemwide security manager for Legal Affairs & Investigations for the Houston Airport System’s Public Safety & Technology Division, as well as a United States Postal Inspector specializing in white-collar crime and a special crimes investigator for a district attorney’s office.

He is a frequent guest lecturer at both the baccalaureate and master’s degree level university programs on security-related matters and is presently an affiliate professor, teaching security law, in the master’s of science in Security Administration, Business Law for MBAs, and Criminal Law & Criminal Procedure in the online Professional Programs Division of Southwestern College (established in 1875 in the Wichita, Kansas, area). He teaches Insurance Law for the CPCU candidates in Houston.

He is actively involved in security-related organizations at both the national and local level, including the Anti-Terrorist Advisory Council of the United States Attorney’s Office for the Southern District of Texas and the FBI’s Infragard Program. Mr. Walker serves as the chapter vice-chairman and as the public safety & law enforcement liaison chairman and the program chairman for the Houston Chapter of ASIS, International (American Society of Industrial Security).

Notes

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**IRMI
CONSTRUCTION RISK CONFERENCE
2008**

**CONSTRUCTION SITE SECURITY
CONSIDERATIONS FOR
OWNERS, CONTRACTORS,
INSURERS & AGENTS
A TEAM APPROACH TO LOSS
REDUCTION**

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I. BRIEF OVERVIEW OF PRESENTATION

I hope that this paper, my personal presentation and the presentation being downloadable from the special website will reacquaint you with familiar risks facing the construction job site, give you thoughts to ponder on risks you may not be familiar with, give you some background on security in general, acquaint you with some modern security practices that you can utilize and start your thought process on how you are going to deal with the major problem facing quality security in any field - getting those who must conform to the security policies and procedures to buy-in.

In today's world we are not only faced with the traditional risks and concerns about security on a job site such as theft, common vandalism and liability, but we have to be concerned about the newly emerging risks and the new ways that old risks are made worse. Some of our new concerns are the homeless coming onto our job sites, the myriad of homeland security oriented rules and regulations that govern some projects, and both domestic terrorism such as often violent environmental groups like the Earth Liberation Front (ELF) and special interest groups such as the often violent Animal Liberation Front (ALF), along with international terrorist groups on a few certain high profile and government projects.

In my years in law, law enforcement and security I've had the opportunity to come into contact with many criminals on an up close and personal basis and learn from them about their personalities, techniques, etc. and we're going to discuss criminal behavior and some of their techniques. It helps to understand the driving force behind the risk - for example, in construction you need to understand how cranes work, what they can and can't do, their common failure points, how to gauge the quality of an operator, etc. to have a safe operation - so you need to have some understanding of criminals in reducing crime risks.

We're going to look at some tried and true security techniques, such as fences (all fences aren't alike), selection and use of CCTV (some great new technologies and how to avoid some common pitfalls), use of the most cost efficient anti-crime measure (quality and sufficient quantity of light - all lights are not alike either), on-site security (private or off-duty), the all important security policies and procedures (the basis for everything), ingress/egress control and how to conduct a basic security risk assessment.

Finally, we're going to talk about what the sources of a security program either working or not working is: the owner, general contractor, subcontractor and field level personnel buy-in and how we can work to achieve compliance with the program. It's a Team Approach using Risk Management, Underwriters, Producers and Loss Control Services to support and "nudge" the Owner, the General Contractor, the Subcontractors and those employed and contracted by them.

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II. WHAT WE ARE TRYING TO PROTECT AGAINST WITH SECURITY MEASURES - SOME OLD RISKS & SOME NEW

A. Liability Risks -- Remember That There Is Always A Plaintiff's Attorney That Needs A New Mercedes and Plans To Get It With Your Money !!!!!

1. Workers - What Security Related Risks create dangers for the Workers at the job site ?
While in some instances the Owner, General Contractor or Subcontractor may not be liable for some acts against Workers, they can still be an embarrassment, cause unrest, destroy morale, cause the project to be shut down for a day or more as a crime scene, be a workers' compensation reportable, may even bring out OSHA under the General Duty clause, tec.

Crime certainly does and the criminal activity runs a whole gamut of criminal enterprises. First and foremost is having a Worker robbed, intimidated or assaulted by someone who is not supposed to be on the job site. Next, is having a Worker assaulted or intimidated by someone who is supposed to be on the job - workplace violence arising either from problems within an employment entity (like the HVAC sub) due to a dispute with a fellow worker or management or a dispute with someone from another entity (like the plumbing sub). Workplace violence doesn't just occur in the office, it occurs in the field as well.

Other Crime Risks to Workers include drug dealers, drug users, bookmakers, loan sharks, numbers runners, prostitution, etc. on the property or even around the property. These criminal activities prey upon those Workers who have a drug problem, are in financial distress, a gambling habit, etc. The problems caused by these criminals, even if they are off site, spill over onto the job site in terms of impaired Workers, Workers who are worried about the money they owe to these people, etc. Its easy to say, these aren't my problem, but if it in anyway degrades the concentration of the Worker then you lose productivity and end up with safety problems.

Workers, in some instances, provide some of their tools, especially those that are in highly specialized fields; a job site where a lot of theft of tools is taking place again creates a bad atmosphere.

While some of the things I mentioned are not going to get you in a lawsuit, they do cost you in other ways - ways that aren't necessarily insured.

Remember also that you may have certain duties arising under a contract with a Union.

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A. Liability Risks (Continued) -- Remember That There Is Always A Plaintiff's Attorney That Needs To Make A Really Big Mortgage Payment and Plans To Do It With Your Money !!!!

2. Trespassers - You're correct, the state of law in most states is that the only duty you owe to a trespasser is a duty to warn of non-natural hazardous conditions. A general warning is often not sufficient - such as "Construction Site - Danger - Enter at Your Own Risk", etc. You need to know about changing premises liability standards. One thing is that there are trends, and in some states it is already there, to impose premises liability torts to protect trespassers when the land owner and those in control of the property know or should have known that trespassing is occurring on a fairly regular basis. Some courts and states would like to take it even a step further and say that you should have anticipated trespassers based on the totality of the circumstances in the area where the property is located. Also, there are some states that provide that construction sites are "inherently dangerous" even when no work is actually taking place at that moment.

The big lesson here is that laws, both statutory and case law (judge made law) change frequently, often depending on the political climate; you do not want to be the case that the new law is made on.

Trespassers typically trespass when the Construction Site is not working, usually in the evenings or on weekends - but, don't count on them not sneaking onto the Construction Site while it is in full operation as they often do.

So what kind of trespassers might show up at a construction site, besides the thieves ?

Well there is a whole cast of characters, depending on the location of the job site to some degree - let's take a look at a few of the more common ones.

The first category of trespassers is the homeless. The homeless are usually a problem around downtown construction sites, but, at least in Houston, we have found them expanding outward from city center into outlying commercial and even residential areas. You can't assume that this is only a major big city problem, and if you aren't in such an area then you needn't have any concerns, as the homeless are often seen in the suburbs and even rural areas today.

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A. Liability Risks (Continued) -- Remember That There Is Always A Plaintiff's Attorney That Needs To Make A Big Tuition Payment For Their Children's Fancy Private School and Plans To Do It With Your Money !!!!

The homeless are also experts at sneaking into even secured facilities as they will take advantage of even a relatively small opening in your perimeter fence and squeeze through it - one of the most common places for them to enter, even if you have an excellent best practices perimeter fence, is under your gates or another favorite practice of the homeless is to stack things on top of each other until they can crawl over your perimeter fence - we're going to discuss how to reduce these opportunities they take advantages of later in this paper. At Houston's George Bush Intercontinental Airport they were found to be living in the air conditioning and electrical runs, etc. At one time it was estimated that Dallas - Fort Worth International Airport probably had over 200 homeless hiding in the infrastructure of the terminal. Just because you wouldn't live there doesn't mean they won't.

So is ole Greg Walker picking on the downtrodden - no, I'm simply pointing out a group that is a risk to your Construction Site. Here are some of the liability dangers they present:

- a) Hiding under construction material to stay warm or dry - Your problem - you back over them the next morning with your equipment and the news is "Homeless Mother and Child Crushed To Death At The New Blackacre Corporation Headquarters Construction Site" - not only will you be on every local news channel, in all of the local media, but the very visible New Helicopters will be flying over your site for several hours - not the publicity that either the Owner or the General Contractor wants - is this going to result in a lawsuit against you, possibly, depending on the law in your jurisdiction;
- b) Moving protective barriers around and creating other on-site hazards - Your problem - they move plywood, etc. to use to cover themselves up and open up holes through floors and other dangers for the Workers the next day;
- c) Starting something on your jobsite that spreads - Your problem - they start a piece of machinery, a fire, etc. that leaves your Construction Site and damages other people's property;

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A. Liability Risks (Continued) -- Remember That There Is Always A Plaintiff's Attorney That Wants To Buy A Vacation Home In Grand Cayman and Plans To Do It With Your Money !!!!

- d) Disease and Vermin - Your problem - they urinate, defecate, throw up, leave bloody bandages, leave flea infested bedding, drug paraphernalia (needles), etc. which your Workers come into contact with and get infections from and/or their food remains attract vermin; and
- e) Crime - Your problem - they attract criminals that prey upon them, they make openings or other means for criminals to enter, and/or they assault your Workers.

Remember that a lot of the homeless are deserving good individuals who are truly down on their luck, often through circumstances not of their own doing, but many are criminals themselves, drug users (including intravenous drugs that require hypodermic needles), or mentally and/or emotionally disturbed - any of which can be dangerous. For example, one of your Workers goes to a floor that is dried in and goes to get something out of a room where you are storing materials, tools, etc. and surprises a mentally disturbed individual or a drug user and is assaulted and injured.

Your job is not to be social workers; yet, you can't just ignore the problem either. You can be good corporate citizens by calling the appropriate law enforcement agency and letting them handle it so that the individuals can get treatment if they need it, taken to assistance shelters, and if required, jail.

The second category is thrill seekers and show-offs. These are often guys wanting to show off to impress their friends, especially girls. Just stop and think of all the stupid things you and I did to impress some girl when we were young ☺. Some climb electrical towers and others climb tower cranes, etc. Some try to walk the red iron. Others like to start equipment or steal something small as a thrill. Some are "human flies" or "base jumpers" or "climbers". Very seldom are any of the foregoing career criminals and when they're sober or not trying to impress someone are probably decent folks, but when they have had a little too much firewater or their hormones are raging for Becky Sue, then good sense goes out the window and they know no fear.

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A. Liability Risks (Continued) -- Remember That There Is Always A Plaintiff's Attorney That Wants To Buy Their Sweetie A Really Expensive Diamond Necklace and Plans To Do It With Your Money!!!!

Again, depending on the law in your state, you may not be civilly liable, but once again the job site will be shut down while various agencies investigate, the new media will be doing their thing, etc. Be especially careful if you have a lot of nightclubs, bars, etc. in the area or are near universities or high schools, etc.

The third category is nosy people. These are usually well meaning people; they just want to see what is going on, etc. Still they can get injured, etc.

The fourth category is thieves. We'll discuss thieves from the equipment, materials, etc. loss viewpoint a lot more in the next Section. As to liability, you're correct, not many juries have much sympathy for thieves, but every once in a while in some of the "tort hell holes", such as the Valley (Border Area) or Beaumont/Orange County in Texas, and some of the very liberal states juries feel sorry for the poor thief under some circumstances. BUT, that is not what we need to really worry about here, what we need to worry about is the liability for damage caused to third parties and their assets by the failure to take reasonable steps to secure mobile equipment and hazardous materials on a Construction Site. An example of liability arising from the theft of mobile equipment is someone steals an improperly secured bulldozer, backhoe, etc. and either doesn't know how to operate it and runs it into a building, a crowd, etc. or they intentionally use it to attack someone or something they are mad at - if you Google you will find a number of these instances each year. I personally have had a case where someone stole the cab/tractor portion of an 18 wheeler from an improperly secured moving company and ran it into a home when they lost control of it. Someone stealing hazardous materials such as solvents, construction adhesives, fuel, lubricants, paints, etc. may end up spilling these into sewer systems, environmentally sensitive areas, or just plain spilling them on a street, etc. You have clean up costs, down time for businesses in the area, etc. In any of the foregoing your company name and the project name will most likely end up with embarrassing publicity in the local media - if you're unlucky, you'll make the national media.

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A. Liability Risks (Continued) -- Remember That There Is Always A Plaintiff's Attorney That Wants To Buy A Racing Thoroughbred and Plans To Do It With Your Money !!!!

The fifth category is Workers & Other Invitees (An Invitee is someone who is permitted to be on the Construction Site for a limited purpose and is usually confined to a limited area - example, a driver for a material supplier making a delivery). How can a Worker be a Trespasser? This can occur in several ways like being on the Construction Site when they are not scheduled to work and are not there for a purpose that benefits the project. Another example could be a laborer whose job is out in the back of the project loading scrap, salvage, dirt, etc. and who comes into the building proper and gets a beam dropped on his head - this is to a large degree dependent on the Construction Site safety and security rules. Another example would be the driver for a steel supplier that is supposed to park his truck, get it unloaded and leave, but yet they go wandering around the site and get injured. Rules governing this are very important because they can change the duty of care you owe to the person, i.e., if you can get them in the trespasser classification then you have a much lower standard of care.

The sixth category is the "Inadvertent Trespasser". This is the "wanderer", e.g. the Alzheimer patient, the person with a low I.Q., the drunk person, the person strung out on drugs, a patient with dementia, etc. For further thoughts on this category see "Attractive Nuisance".

3. Attractive Nuisance - The Attractive Nuisance Doctrine in most states is designed to place liability on someone who has an item or activity that is attractive to children. It generally imposes a duty to secure certain things and places in such a manner that children who are attracted to them cannot be injured. The theory being that children cannot realize the danger and extra steps should be taken protect them and that children being attracted is foreseeable. The most common lawsuit example we usually see involving this doctrine is swimming pools.

In construction we need to understand that our Construction Sites and equipment are extremely attractive to children and has been made even more so with the "Builder Bob" toys, etc. Tonka has for many years made construction equipment attractive because of their toy line. We not only have visual things going on, but also the sounds of construction which get the attention of children. Remember that children can get through much smaller openings than adults !

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A. Liability Risks (Continued) -- Remember That There Is Always A Plaintiff's Attorney That Wants To Buy A Nice 52+ Foot Boat and Plans To Do It With Your Money !!!!

To this end you need to pay special attention to a variety to things, including:

- a) Is the Construction Site near schools;
- b) Is the Construction Site near residential areas;
- c) Is the Construction Site near parks or playgrounds;
- d) Is the Construction Site near pathways to and from schools, homes, etc.; and
- e) Is the Construction Site near other areas where children may be.

Most states cut-off the Attractive Nuisance Doctrine for those who are above a certain age, generally somewhere between 10 and 12 years of age. **A Caveat**, however, is that some states are changing their Attractive Nuisance Doctrine to include those of any age with the mental or emotional inability to realize the dangers presented by a site or equipment, etc. this could include an Alzheimer patient, the person with a low I.Q., a patient with dementia, etc., but would probably not include the drunk person, the person strung out on drugs and those whose own acts have caused their inability to appreciate the danger.

4. Third Party Damage - Property & Bodily Injury - Earlier in this document I have mentioned the liability that could arise if equipment, hazardous material, etc. were not properly secured. Another example of this would be someone who got into a tower crane and managed to get it started or release something and causes damage to a nearby building, etc. But we also need to worry about crime ! As a general rule, in most states, if someone is forced on to your property and raped, murdered, robbed, etc. you will not be liable civilly - again, remember that can change either by statute, ordinance, rule/regulation or case law and there is some trending toward placing a greater burden on the property owner/controller if there has been criminal activity in the area. Watch those ordinances, i.e., city passed "laws" as during my research I have noticed that a number of cities are passing laws related to security on Construction Sites.

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A. Liability Risks (cont'd) -- Remember That There Is Always A Plaintiff's Attorney That Wants Their Own Airplane and Plans To Buy It With Your Money !!!!

The general rule is that if there is a law that was designed to protect someone against the type of damage that occurred and you violated that law then you are most likely going to need to get out your checkbook as the issue of liability won't be a concern to the Plaintiff's side as they will have already "won" it, now it's just a matter of how big is that check going to be. Additionally, in some instances where laws, ordinances, rules/regulations, etc. violated there may well be administrative sanctions in addition to any money damages paid to the "victim".

Let me sort of sum up my beliefs on the issue of Liability Risks at Construction Sites; you need to realize the costs to the Owner and the Contractors generally consist of the following, some of which are not true liability damages, but flow from the same hazards that cause true liability damages and they hit your company just as hard, if not, in some instances, even harder:

- a) Money Damages;
- b) Adverse and Embarrassing Publicity;
- c) Loss of Trust With the Owner and/or Investors and Future Occupiers;
- d) Delays Due To Government Agencies Having Sole Control of the Construction Site For Purposes of Investigations;
- e) Delays Due To Destruction of Work in Place;
- f) Delays Due to Destruction of Materials;
- g) Governmental Sanctions;
- h) Increased Insurance Rates and Placement with Lower Tier Insurers;
- i) Lost Man Hours;
- j) Lost Momentum;
- k) Problems with Unions; and
- l) Lowered Morale.

B. Theft Risks. - Theft of Equipment, Tools, Materials Yet To Be Incorporated, Materials Already Incorporated, Specially Fabricated Materials, Plans & Specifications and Office Equipment.

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B. Theft Risks (Continued).

- 1) Items Often Stolen. You pretty well know what can be stolen from your Construction Site; most of you have had it happen to you over and over to some degree or another. Plans & Specs may be new to you and it's discussed in a special section later in this paper. I'd like to say just one thing though about office equipment, the main item being computers, it's not just the computer equipment you need to be concerned about, it's the data that is on the computers that you should be most concerned about. On your Construction Site computers, including laptops if you leave them around the Site, you may have a lot of information that you never thought about creating problems for you.

A list of some of the many things that may be on these computers are:

- a) Passwords to various databases;
- b) Passwords or tokens to get logged on to your company network;
- c) Your Bidding System/Methodology;
- d) Financial Information Specific To The Project;
- e) Copies of Contracts and other Confidential and/or Proprietary Information;
- f) Plans & Specs;
- g) Personal Identifying Information about Employees (Date of Birth, Address, Social Security Number, etc.) - some courts are now holding those who have that information and lose it legally responsible for identify theft and credit fraud flowing from the stolen data; and
- h) HIPAA (Health Insurance Portability & Accountability Act) - if you keep notes on injuries to employees or others, sick time, doctor's excuses/releases, etc.

You all know the costs and ramifications of losses of almost all of the foregoing, especially the most stolen items of equipment, tools, material, etc. so I'm not going to dwell on these items.

But you have to think about what items are most desired by thieves at any given time - which items can be easily fenced or are subject to "special order" (yes, some items are special ordered from the thieves prior to the thieves acting), etc. are important to know as you will need to provide a higher degree of security to them, if their being stolen will result in a significant loss to you.

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B. Theft Risks (Continued).

What I want to talk about now is some folks you all may not know a lot about, at least the truth about - Criminals and Thieves in particular.

2. There are basically two types of thieves and we'll discuss each one. One type is the "Opportunistic Thief" and the other is the "Targeted Thief". The Opportunistic Thief is one who steals because the opportunity for an easy rip-off is present usually due to the naivety of victim or the victim's own carelessness. The Targeted Thief is usually skilled at what they do and go hunting for specific items or go to a specific type place because they know such a place normally has a variety of items that is able to be readily fenced (i.e., sold to those who either don't ask questions or know the items are stolen).

Before we discuss them let's set straight a couple of common myths about thieves:

- A) They are lazy and don't want to work - Wrong, most thieves work very hard at stealing, even a large portion of the Opportunistic Thieves. They are little entrepreneurs who either run their own business (of stealing) or belong to an organized (albeit often loosely organized, but sometimes highly organized) "business organization" and like the freedom they have to work however much they desire, etc. With some it is a mental or ego thing and to be quite honest some studies have shown with some it is an aberrant sexual thing. In many of the foregoing instances they get an adrenalin high, a feeling of superiority and/or an orgasmic high from stealing; and
- B) They are dumb, stupid, etc. - Wrong, they may not have a traditional undergrad or MBA, but many have graduated from some of the finest schools of thievery and other crimes available - our United States prison systems. There, with nothing but time on their hands, they can learn from more experienced thieves about security systems, techniques to defeat the systems, social engineering (how to dupe the honest person, talk yourself out of a tight situation, etc.), negotiating when fencing goods, how to spot poor security, negotiating plea bargains when caught, how police use criminal forensics to identify the thief and how to avoid getting identified, how to evaluate the value of items to be or stolen, the all important post-prison networking, etc. Do a few do some dumb things, yes, such as stealing an outside residential air conditioner unit worth a couple of thousand dollars new on the legitimate market and probably \$ 500 if fenced, and stripping it down, thus destroying it, for \$ 35 worth of copper. But it may be a conscious decision as copper tubing is harder to trace as being than an air conditioning unit with a serial number on it. On top of most of them not being neither dumb nor stupid, many, if not most, are highly imaginative and highly adaptable.

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B. Theft Risks (Continued).

- 3) There are many theories in sociology and criminal justice as to why people commit crimes and in particular, theft and in security there are many theories of how to prevent crime.

Some of these theories have names like Routine Activity Theory, Situational Crime Prevention Theory, Crime Pattern Theory, Displacement & Diffusion Theory, etc.

But the big thing you need to know and that we are going to talk about is the very basic Theft Triangle and all three legs are needed for a theft to occur.



Motivation is a societal problem and is really one that the “victim” has very little control over. Motivation is what motivates the thief to steal, need of money for something (gambling, credit problems, drugs, a sweetie on the side, health problems, finer things than they can afford, etc.), an ego driven thing such as to show off to someone or to show the “victim” that the thief is smarter, better, etc. than they are and many other things.

There are a couple of things you can do toward trying to reduce the motivation such as keeping your Construction Site free of bookies, loan sharks, drug dealers, etc. and having employee assistance programs, etc. to help employees deal with and overcome these problems.

Rationalization is how the thief justifies in their own mind stealing from you. This leg of the Theft Triangle is not very controllable as to external thieves, except that we sometimes hear during theft interviews that “it was just left laying around so they (the victim) go what’s coming to them”. So hardening the target and following good security practices does make a big difference in eliminating this “excuse” for theft.

However, Rationalization is moderately controllable as to internal thieves. As to internal thieves, including those working for subcontractors, etc., it is almost always one of treating people the way you’d like to be treated, because when you don’t it is much easier for them to steal from you. For example, I know of a physician that owns a number of medical clinics and

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B. Theft Risks (Continued).

drives a Mercedes, his wife drives a Mercedes, both of their daughters, who are in college, drive their own Mercedes, the family takes numerous wonderful vacations all over the world, they wear fine jewelry on an everyday basis - YET, they don't give their employees any paid time off, either sick leave or vacation, the employees don't have a 401(k), the employees don't have health insurance benefits, they don't give raises, they manage by fear, etc.

We catch, at minimum, two to three people a year stealing from them and each time they are shocked and ask "why do they steal from us when we give them jobs" - small wonder it happens as the employer has clearly provided, these overall good and decent people, the reason to rationalize that they are just getting what is really owed to them and making the playing field level. There is nothing wrong with the Doctor having the rewards of his efforts and education - what is wrong is flaunting it while telling the employees they can't afford to give the employees anything to improve their lot in life, in yelling at the employees, in not paying overtime, etc. Moral issues aside, the Doctor is providing them one of the legs of the triangle they need to assist them in stealing from him. Don't behave like this Doctor - while treating others like you'd like to be treated won't always work, it sure helps in often defeating this leg of the triangle.

Opportunity is the leg that each of you that either directly or indirectly controls a Construction Site can have a major impact on pulling out from under the thief. You do this by applying the techniques I will discuss later on in this paper and that I will spend most of my presentation time on at the Conference. Make your Construction Site secure enough that the thief will simply go down the street or across town to the Construction Site where the control persons were lax, lazy or both. **Opportunity can be reduced by reducing the thief's ease of access to the items they want to steal and by greatly increasing their risk of getting caught.**

One wants to Deter a thief from even trying, but failing that you want to Detect & Delay until law enforcement authorities can arrive or the thieves form the belief that such arrival is so near that they abandon their efforts. These are all part of reducing opportunity.

Bear in mind that in practice, Security Management is a very specialized subspecialty of Risk Management and almost all of the theories, methodologies and tools of Risk Management are either almost identical or closely parallel those of Security Management.

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B. Theft Risks (Continued).

Two Categories of Thieves: Earlier in this Section I mentioned two categories of thieves, one was the “Opportunistic Thief” and the other was the “Targeted Thief”.

An excellent example of the Opportunistic Thief is the “Office Creeper” in office buildings - these are the folks that seem to appear mainly on Friday afternoons, the day before a holiday weekend and really come out in force during the Thanksgiving to New Year’s period. They are dressed like they belong in the building, have a great gift of gab and prowl the hallways of a building, often having cased it out several times prior, looking for offices that do such things as leave a door to the hallway unlocked that is not the main entrance door that is guarded by the receptionist or the office where the receptionist has left the front desk and went to the back for something or to the restroom leaving the front unguarded. These thieves will walk in grab a purse, a cell phone, a laptop, even disconnect and take a flat screen monitor, etc. and be gone. Some of them are rank amateurs and others are true professionals. On the Construction Site these are the folks who walk in while work is going on, often dressed as construction workers and grab some tools, etc., maybe even steal a vehicle if they can find one with keys in it, etc. They very seldom steal a major item, and a high quality transit would be a great day for them, or some portable saws, staplers, etc. Sometimes they’ll even drive in onto a larger site and just load their vehicle up and drive off unchallenged and often even unnoticed. Why do they get away with it - because the Workers on the Construction Site are not Security Aware - they may be thinking safety because that is drilled into them, but not Security because no one ever drills it into them or makes Security a priority. After working hours they check Construction Sites looking for an unlocked gate, an unlocked door on a dried in building, a gate that has room to sneak through because of poor locking techniques, etc. In other words they are depending on your carelessness and failure to train staff and workers to assist them in stealing from you.

The “Targeted Thief” on the other hand is more skilled at “breaking and entering” whether it be a dried in building or a fenced Construction Site. He knows what you probably have and he knows what he intends to steal on that trip. These thieves usually strike in the evening or the weekend when work is not going on, but occasionally will go for a big item during the day by “social engineering” (social engineering is the term for making another do or tell you what you want by misrepresenting who you are and

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B. Theft Risks (Continued).

your true purpose) one or more people at the Construction Site and loading up a large item. An example would be stealing a piece of rental equipment by them saying they're from the rental company and are there to pick up the item. Good quality ingress and egress control reduces this type of activity. When they strike in the period during which the Construction Site is not working they will not hesitate to defeat chains, locks, fences, etc. by any means necessary - the shame is that very often they don't have to defeat anything, just take advantage of the poor security on the site. They are much bolder than the Opportunistic Thief and will take much greater risks. A great example of this are the copper thieves who steal wire that is "hot" or a power distribution panel that is "charged". These folks are almost always professionals who earn their living stealing. Quite often they specialize in a certain item, such as copper, rental equipment, etc. They have the tools necessary to defeat JoBox locks, Con-Ex box locks, etc. These folks you need to detect and delay until a monitoring center can get authorities to the Construction Site. However, they are also practical, if your Construction Site has a good combination of several of the following such as, a good perimeter fence, properly gated, monitored cameras, lots of quality lighting, on-site security, etc. they will move on down the road to the Construction Site that doesn't have as good security.

You also need to consider that employees and employees of subcontractors and material suppliers can also be either, or both, Opportunistic Thieves or Targeted Thieves. When one of this group is Opportunistic it's again because someone was careless and left a tool, a coil of wire, etc. unattended and in a spot where others could readily see it and take it. However, when one of this group is Targeted then we have a whole other story. Most likely they went to work for you or the subcontractor, etc. for the sole purpose of casing your Construction Site for themselves or for a professional ring. Very often a few days after the theft has occurred they'll quit or do something to get themselves fired and then they're off to the next job; however, they may take themselves a short break to rest and relax from their "duties" ☺. Of course, if you have certain very high value items on site then there is also the Worker that has to brag at the local "watering hole" about being in the know about what is on site and how poor the security is and if he was only in charge.... It's often wise to recall the old World War II poster "Loose Lips, Sink Ships".

To sum up the portion on Theft Risks, from my "down and dirty" research the estimated additional cost per project because of theft is around 2%, the

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B. Theft Risks (Continued).

average theft loss per theft incident has been approximately \$ 5,000.00 but that figure is rapidly growing and the estimated annual total theft loss in the construction and construction equipment industry is between \$ 2 and \$ 3 Billion dollars and getting worse each year. I will try to you more exact and more reliable figures during my presentation at the Conference.

- C. Unique Theft or Compromise Risks. September 11, 2001, changed many things about our world and one of those was our innocence about how the dark elements of a large portion of the world really think, act and most importantly plan. A new emphasis was placed on protecting a wide range of information. This new emphasis came not only from legally enforceable governmental law, rules and regulations, but from demands of owners and financiers of large projects, especially of those projects which form a portion of the National Critical Infrastructure and Key Resource List (Agriculture and Food, Defense Industrial Base, Energy, Public Health and Healthcare, National Monuments and Icons, Banking and Finance, Drinking Water and Water Treatment Facilities, Chemical/Dams/Commercial Facilities/Dams/ Emergency Services/ Commercial Nuclear Facilities, Material and Waste, Information Technology and Telecommunications, Postal and Shipping, Transportation Systems and Government Facilities). To this we must add the emergence of greatly more violent domestic terrorism organizations, many of which are international in scope, but are made up of cause-specific zealots such as the Earth Liberation Front on environment issues. ELF burns down new construction on what they deem to be environmentally sensitive land, they burn up automobile dealers who sell SUVs, they put steel spikes in trees so that the loggers' chain saws will come apart often badly injuring or killing the logger, etc. Then we have ALF, the Animal Liberation Front, who conducts bombings and other attacks against cosmetic and pharmaceutical companies that use animals in experiments, against medical research facilities that use animals, and often track down and terrorize the families of executives of those companies and even attempt to kill the executives.

Add to the concerns over terrorism the new and growing concern over industrial espionage, some sponsored by competing commercial endeavors, but most by nation states such as China. America finally came to the realization that besides the shooting wars, another war was being fought daily wherever American businesses and business people were at, including here in the Homeland. Business is war and everyone wanted a competitive edge. Many large American companies now have their own Intelligence Divisions as American Law prohibits our government from helping our commercial enterprises - many other governments of the world assist their country's commercial enterprises on a daily basis. The downfall of the old

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C. Unique Theft or Compromise Risks (Continued).

Soviet system put many highly skilled intelligence agents (spies) out on the street looking for work and they soon found private industry, as well as other nation states were ready employers. Folks, I serve on various security industry organization

boards with the Directors of Security for some of our major energy and financial companies, including a major insurance conglomerate; believe me, commercial espionage is a big concern to them as they seek to protect the proprietary, confidential information and trade secrets of their companies. Corporate Boardrooms and executive offices, executives' homes and vehicles are routinely swept for covert listening devices by skilled former U.S. Government agents using sophisticated equipment costing into the hundred's of thousands of dollars. Information is today a highly valuable commodity.

Because of all of the foregoing certain projects have special security concerns for all or part of the projects. For some projects government imposed security regulations will determine how plans and specifications are handled and at present these are mainly airports, seaports, chemical facilities, and train and bus facilities, including commuter trains and buses. Some terms you'll see if you're involved in these projects are SSI (Sensitive Security Information), CVI (Chemical Vulnerability Information), etc. You'll have to pass certain background verifications and may have to submit a list of all workers and their information required for a background verification. You may have to be fingerprinted. You may become legally liable for criminal and administrative penalties if you fail to properly carry out the rules and regulations.

Let's look at a couple of things you may need to consider.

- 1) Information such as Plans and Specifications on the Jobsite - you'll need to be able to account for who has access to, at least, certain portions of the plans and specs such as the structural plans and the floor plans because the structural plans would aid terrorists in using a smaller explosive device if they knew where the main structural members were and what their specifications were - in some instances the government will step in and prevent the building inspection people from retaining copies of these plans except under seal and prohibit them from being accessed by the public. You may need to meet certain computer security standards when the plans and specs are available on line. All copies may have to be accounted for and certified they were destroyed at the end of the project, etc. Plans will not be allowed to be left on an unsecured plan table when unattended. Another act of terrorism against the Homeland will almost certainly tighten greatly these requirements.

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C. Unique Theft or Compromise Risks (Continued).

- 2) Information such as Plans and Specifications off the Jobsite - people will have to sign out for plans or portions of plans and will be forbidden to copy them - they will have to bear special markings noting that it is illegal to make copies of them or to even let people who are not specifically authorized to view them. No more leaving them in the backseat of a car or the seat of a pick-up truck; they will be required to be locked in the trunk and maybe even within a security box within the trunk. Pipe welded to the truck and equipped with a locking cap may be required for trucks. About a year or so ago a set of plans to a sensitive security project was found in a residential garbage bin and sanctions were levied against the homeowner who worked for a construction company as well as his employer.

Remember also the Floor Plans can be of great value to someone wanting to look like they belong in an area because if you know the layout you can move with so much more confidence, you know where you can “hide” if someone is coming your way, etc.

Please understand that we are not talking about Classified Information requiring a Department of Defense Security Clearance and a Facilities Security Officer trained in DOD standards, we are talking about documents, etc. that are much more common and much more of a headache to deal with because of the need for so many people to have the information. Unfortunately, more and more Owners and/or Tenants are imposing their own security clauses in construction contracts or are being forced by investors, lenders or, as in so many instances, the U.S. Government, usually the Department of Homeland Security, to undertake such measures.

Some private companies, especially those that consider themselves to be targets of terrorism, including the radical environmental, etc. groups or commercial espionage may well impose their own security requirements on the Construction Site and Plans & Specs.

During construction some Owners, and in the instance of Tenant build-outs, then Tenants, may require special security measures be instituted on certain portions of the facilities such as:

- 1) Conference/Board Rooms - to prevent high tech electronic listening devices from being put into the walls, etc. - you may also want to specially secure and limit access to these areas once expensive custom woodwork, etc. starts going in, just as a buffer against vandalism, negligence, etc.;

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C. Unique Theft or Compromise Risks (Continued).

- 2) Strategy & Trading Rooms - again to prevent high tech electronic listening devices from being put into the walls, etc. These rooms, along with the Conference/Board Rooms may also have special soundproofing and special windows to prevent use of laser microphones, etc.;
- 3) Telecommunication and Data Rooms and Runs - again to protect against communication and data interception equipment being installed and to restrict knowledge of where these rooms are and where the runs go, etc.;
- 4) Secure Areas Such As Labs, Executive Offices, Server Rooms, etc. - for all of the reasons expressed above. The Executive Offices also often have “escape routes” to allow the executive to leave without being seen.

D. Destruction/Damage of Work in Place or Materials On-Site/Off-Site. There are numerous ways for Work in Place or Materials On-Site (or even identified to the project, but stored Off-Site materials) to be destroyed or damaged by criminal and/or quasi-accidental acts which are related to a lapse or lack of security. The most common ones are common vandalism, purposeful/directed vandalism, arson/explosives and trespasser negligence. Let’s talk about each and what category of actor is generally the responsible for causing that type of damage.

- 1) Common Vandalism - This is generally younger people who are in their mind “just having fun”. They normally don’t go to great lengths to break into a Construction Site, but once they find a weak perimeter defense (such as a poorly installed or maintained fence) they exploit it. Often times they don’t go onto the site with the idea of vandalizing it, but go in for another purpose such as to play, to do drugs, to drink, or just find a place for a group to “be alone”. However, once there the “pack” mentality will set in and one thing leads to another and they start breaking things up, destroying wiring, plumbing, writing on walls, etc. A quality perimeter fence and the appropriate quality and quantity of lighting will normally deter this type of activity. So, says the Superintendent, why should I spend time and money on getting a good fence, proper gates and maintaining it, after all its covered by the builder’s risk policy - we’ll discuss more on this issue in the next section on Damage to Corporate Reputation.

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D. Destruction/Damage of Work in Place or Materials On-Site/Off-Site (Continued).

2) Purposeful and/or

Directed Vandalism -This is generally people who have a “point” to make against the Owner, General Contractor or a Subcontractor or the Project itself. These are usually one of the following:

- a) Disgruntled Employee of someone related to the Project such as the Owner, General Contractor or a Subcontractor;
- b) Someone who wants to discourage the Project:
 - i) Neighbor to the Project who opposes it;
 - ii) A Protest Group such as an environmental group, some group against the business type or industry that will be occupying the Project, etc.;
 - iii) A Protest Group making a special point such as a group claiming lack of employment opportunities for immigrants, racial, gender, religious, etc.;
 - iv) A Street Gang marking its “territory” or as part of an initiation, etc.; or
 - v) A Hate Group such as a White Supremacy Group “making its point” to a Jewish or Islamic institution, a facility serving the Afro-American Community, etc.;

Usually these groups are also seeking a lot of publicity from the media.

Much of the time many of the people committing this type of vandalism/destruction are willing to go to jail and may even view going to jail as a “badge of honor”.

- c) Someone trying to extort the Owner, General Contractor or Subcontractor or delivering a warning for some reason, such as a Subcontractor, Supplier, etc. who feels they have been treated unfairly in a payment or awarding of a subcontract or other contract;

3) Accidental or
Negligent Vandalism
Or Destruction -

These people do not set out to damage or destroy property, but through their negligence, ignorance or just flat out not

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D. Destruction/Damage of Work in Place or Materials On-Site/Off-Site (Continued).

caring end up doing so. Some examples of this are:

- a) The Homeless who may start a small fire to cook, keep warm, etc. and hence cause a larger fire or tear something off of a wall, etc. to use for their own purpose;
- b) Workers who use a torch, etc. to heat food and cause a damaging fire;
- c) Workers using an area for their own use whether it be as a restroom, a break room, etc. and damage work in place such as carpeting, quality woodwork, etc. or leave food containers, etc.; and
- d) The Homeless who urinate, defecate, leave evidence of their having been there such as sleeping material, food containers, etc.

I personally know of one incident where a homeless person built a fire in the bathtub of a condo project under construction in order to keep warm on a cold evening and the damage was right at \$ 250,000.00 - and the General Contractor was lucky that was all that it was. I see articles in the news all of the time of fires starting in buildings because of the homeless starting fires to keep warm or heat food;

- 4) Arson/Explosives - These are the people listed in # 2 immediately above who are hardcore and go to the extreme or people who are pyromaniacs, etc.

E. Damage To Corporate or Property Reputation.

There is an old story told that a saintly old man in a small village in Eastern Europe who was known for his piety and caring for his fellow villager suffered greatly from a false story told about him and a village woman by a fellow villager. The fellow villager realized what injustice he had done with his telling of the falsehood and came to the saintly old man and asked his forgiveness. The saintly old man told the fellow villager that he would forgive him, but first he wanted the offender to take a feather

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E. Damage To Corporate or Property Reputation (Continued).

pillow and cut it open and that night to place a feather on every doorstep in the village, then the next morning go and retrieve all of the feathers and bring them to the saintly old man who'd then forgive him. The offender readily agreed and that night placed a feather on every doorstep in the village, but when he went to retrieve them the next morning they were all gone. He went and told the saintly old man that all of the feathers had blown away in the night and couldn't be retrieved and the saintly old man told him, while I forgive you, remember that words once spoken are like the feathers, you never know where the wind will blow them and they are never retrievable.

Even though the wind was fast and sure, today, our modern media is even faster and much more aggressive and a corporate reputation or a building reputation once damaged in the media is almost impossible to repair and even more difficult to estimate the monetary damage to the corporation or the building. Making things worse, when the story is the truth, there is no recovery as there is in libel or slander and to my knowledge there is not a ready and cost effective insurance market to assist in recovering for a damaged reputation.

1) Adverse News Media's

Effect On Project Owners - We are restricting this to matters related to lapses or lack of security, but it carries over to other adverse news media reports as well. Most of us can surmise from our own life experiences and observations some of the ramifications such as public embarrassment, managers being demoted, General Contractors being removed from the "okay to use list" and certainly from the "preferred contractor list", etc. But a property with a "troubled history" hurts the property owner in many other things such as credit rating, bond rating, unexpected costs, unexpected delays, insurance rates and quality of insurer, its dealings with investors and lenders, the increased difficulty in obtaining high quality tenants, etc. Standard & Poor looks at many factors in financially rating a company, including its ability to avoid security related events and their ability to efficiently recover from them. Banks are now starting to worry about security on projects they're financing, both during the construction phase and the operations phase.

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E. Damage To Corporate or Property Reputation (Continued).

Additionally, many types of events occurring during construction can “turn off” prospective tenants, especially since “corporate social responsibility” is becoming more and more in vogue. They now often look at things such as if any workers were killed during construction, was there an unusually high amount of crime during construction, were there any abuses or accidents to children, the homeless, etc. Adverse news media coverage doesn’t only affect a particular project of a large developer/property owner, but it often affects all of their business activities as well.

2) Adverse News Media’s Effect On Contractors -

Every effect stated above for Project Owners is pretty well applicable to Contractors, especially to General Contractors.

Hands down though, probably the most damaging effect on Contractors, especially General Contractors, is that your company will not be considered for future work. Failure in being responsible in Security is rapidly becoming a major factor in selecting a General Contractor just like Safety. This may not be totally driven by developers/property owners, but may be a point being pushed by investors and lenders as well. Certainly you can well depend on it being a factor with insurers.

3) Environmental, Union, Immigration, etc. Protests, I.C.E. Raids, Hate Graffiti, Etc. -

Each of the possible protests set forth, plus, enforcement raids by governmental agencies, hate graffiti, etc. all bring unwanted news media coverage. Often you cannot prevent protestors from demonstrating, unless it is something caused by acts or omissions by someone connected to the Project. However, there are a lot of things you can do to

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reduce the impact of these events. For example, good criminal background checks on everyone working on the Project will greatly reduce crime, using verification systems to verify that people have the appropriate legal status to work will reduce and/or eliminate I.C.E. raids, meeting with protest groups as early as possible will help reduce demonstrations, promptly removing any Graffiti, etc. will help prevent disharmony on the job and reduce publically visible protests.

In the end, whoever said, “any publicity is better than no publicity” would not survive in today’s world. After Enron, 3-Comm, and other such incidents, even though not totally security related, businesses, investors, lenders, etc. are much more aware of anything, including crime, safety violations, etc. that brings them publicity other than the kind they control. DO NOT UNDERESTIMATE THE CONCERN IN MAJOR DEVELOPERS AND PROPERTY OWNERS FOR THEIR CORPORATE AND PROPERTY REPUTATION.

F. Special Considerations.

- 1) Building in a Secured Area - Airport, Petro-Chemical, Government, Labs, etc. -

The good news is that you will probably be presented with a set of Security Policies, Procedures, Rules & Regulations by the entity for which you are building the facility - The bad news for you is that it may be as readable and as understandable to you as ancient hieroglyphics. It may well be written in “government-ese”, may require you to jump back and forth between various parts of the Federal Register, the Codified Federal Regulations, numerous Security Bulletins, Security Directives, etc. There will most probably be stringent restraints on dissemination of plans and specs, special clearance requirements for workers, special requirements for fencing, lighting, access control (both ingress and egress), etc. You have a couple of choices in how to deal with this situation, either train someone within your organization to deal with the matter or hire an outside Security Consultant. We’ll discuss later on the retaining of the outside Security Consultant.

- 2) Building in an Areas With Minors (Schools), Infirm (Hospitals, Nursing Homes, Elderly Housing, etc.), etc. -

The key in all of the foregoing areas is that people are around that have some type of a condition (age, infirmity, mental/emotional, etc.) that makes them more vulnerable to being hurt accidentally or the victim of a crime. It is

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F. Special Considerations (Continued).

difficult to imagine the volume of adverse publicity and the ferocity of the lawsuits that would flow from a child being molested at a school by a construction worker, by an elderly person being assaulted by a construction worker, etc. or a child or Alzheimer patient who wanders into a poorly secured Construction Site being accidentally injured. Whether required to have extraordinary security measures in place or not, in and around Construction Sites where these people may be, you need to take some extraordinary steps, but they need not be overly expensive:

- a) A very well installed and maintained perimeter fence and gates of proper design;
- b) Properly educate workers about making sure gates are secured even during the working day;
- c) Properly educate workers to be on the lookout for wandering children or patients and how to deal with them should they be on the site;
- d) Adequate criminal background checks and sex offender checks on all workers; and
- e) Having reached a set of agreements on security with the facility with the people needing special protection.

3) Terrorism Considerations on Critical Infrastructure and High Profile Projects -

Certain projects that fall within the National Critical Infrastructure and Key Resource List discussed on Page 16 and certain other Projects that are high profile, such as a headquarters for a global company, say Exxon or AT&T, can be targets. Also, as mentioned on Page 17, domestic and/or domestic cells of violent protest groups, such as ELF and ALF, can be very violent against organizations and facilities which engage in practices that they do not consider to be appropriate. The good news is that almost all of these Project Owners will have a well trained and very professional internal security department to assist you - listen well to them and seriously consider engaging your own professional Security Consultant to assist you in interfacing with the Owner's staff and carrying out their requirements. Terrorism on the Homeland is generally prevented through intelligence operations and to date has been successful (at least on August 6, 2008, the date I wrote this), however, in the future it is highly probable that one or

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F. Special Considerations.

more terrorists will make it to the point of carrying out their death and destruction. Establishing a good working relationship with the appropriate persons in law enforcement and retaining a good professional Security Consultant who has the personal relationships and is active in professional security organizations and of course, maintain an active membership in local construction associations, forming a local round-table of contractors, etc. will also help when the use of improvised explosive devices come to our shores.

**III. INTRODUCTION TO CONSTRUCTION SITE SECURITY MEASURES
(WITH EXAMPLES OF THE GOOD AND THE BAD)**

We're going to go into great depths on Construction Site Security Measures in my live presentation, but even more exciting is that at the Conference you will be given a website and password to access my Special IRMI Conference Construction Site Security Measures Section that will have a downloadable PowerPoint version of my live presentation PowerPoint, A PDF version of my PowerPoint for printing out, a set of live links to various websites of suppliers of security products appropriate for Construction Site Security, a set of live links to various security oriented educational and professional organization websites and in MS Word a set of user customizable Construction Site Security Policies, along with a set of user customizable Construction Site Security Rules & Regulations, samples of Security Awareness Posters, and a Construction Site Security Awareness Educational Paper to assist your field management personnel in introducing security concepts and awareness at toolbox meetings, etc.

Let's take a look at some of the things we're covering and that can be found on the website in much greater detail:

A. Basic Security Risk Assessment Methodology -

The very first thing one needs to understand is that Security Management is a very specialized subset of Risk Management and almost all of the Loss Control/Loss Reduction tools of Risk Management are applicable to Security Management with some very slight adjustments. A good Security Program is risk based and may even change during the progress of the work, i.e., your probably don't need as much security during the site and underground preparation as you do once you are out of the ground. We fall back on the basic mantra of Risk Management "Don't Risk A Lot For A Little" and to make that determination we need to know a number of things such as, but not limited to:

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A. Basic Security Risk Assessment Methodology (Continued)

- 1) What is the crime like in the area of the Construction Site - crime statistics are public information and in almost all states available from the local law enforcement agency that covers the area where the Construction Site is located - some departments do a great job of detailing the information and others, not so good;
- 2) What types of risk that I discussed in Part II of this paper are present - i.e., is the Construction Site near a school, an apartment complex, a nursing home, etc.
- 3) At any given time what items are present on the Construction Site that attract thieves and trespassers - such as when does the copper show up, when could the Site provide shelter to the homeless, when does specially fabricated material show up, etc.
- 4) Calculating the risk - Risk = Asset x Threat x Vulnerability Here we are essentially saying that you have to consider the value and criticality of the Asset, for example, an item may not be that costly in dollars to replace it, but there may be a long lead time which would delay the job considerably; the Threat must be rated, for example, is this a hot item on the thieves list such as copper; and the Vulnerability must be rated, for example, what security measures can reasonably effectuate the desired degree of protection.

In the live presentation we'll discuss these matters so you have a basic understanding of how a Security Professional would help you with determining whether or not the spend money on this or money on that or maybe just assume the risk.

B. Security Policies, Procedures, Rules & Regulations - This is the backbone of a good Security Program and your # 1 most important security measure; it is sort of the Mission Statement as to Security for a particular General Contractor and is developed much like your corporate mission statement. Procedures, Rules and Regulations are a necessary part of the Security Program, just like you have the same for your Safety Program, but unlike Safety, these for Security will change to some degree depending on the exact nature, location, etc. of your Project. One Size DOES NOT Fit All. The website contains material to assist you in this respect.

C. Perimeter Protection - Perimeter Protection at a Construction Site is your fence and this measure is, without a doubt, your 2nd most important security measure and one that is often not seen by General Contractors as being of such importance. The purpose of a quality fence is to Deter, Delay and assist in Detecting a trespasser. There are industry accepted standards and let's not forget the Gates as this is often where the biggest security flaw will be found - what good does it do to have a fence without any openings

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- C. Perimeter Protection (Continued).
when your gates are poorly secured. It is your first line of defense and can defeat a large portion of your Trespassers and Opportunistic Thieves. The website contains pictures of the good, the bad and the ugly, as well as, the industry accepted standards.
- D. Lighting - Your 3rd most important security measure and is, like quality fencing, one of the most cost effective. Thieves and almost all types of Trespassers hate light. But all light is not the same and the website contains valuable information in detail about lighting.
- E. Site Access Control - Both Ingress and Egress - This is one of the areas that your Superintendents are going to mount major objections to and for good reasons. If the Access Control is not well thought out then Security will present an impediment to the work flow - good Security should impede throughput as little as possible, while at the same time making sure that only those who should be on the Site when it is working are there and only things that should be leaving are leaving. Even within the Construction Site itself there will probably be areas that not everyone should be allowed free and unrestricted access to. There are, however, good methods of dealing with maintaining good throughput and the website provides assistance and examples of dealing with this issue.
- F. Personnel Background Checks - This yields major returns on greatly reducing thefts and has been proven over and over to do so. In some instances it may be made mandatory by the Project Owner and in others, such as working in schools, etc. it would be very negligent not to do them. We've discussed that all background checks are not alike and how to select the good background checking companies and the website contains even more assistance on how to get quality background checks.
- G. CCTV, Monitoring & Modern Video Analytics - Depending on the particular project CCTV can be a real asset and fairly cost effective, however, unless it is continually monitored it is practically useless. With modern video analytics using pixel analyzation technology (which looks for changes in a set of pixels and sends an event alarm to the monitoring center when they change (like when an intruder passes goes past the cameras) so that the monitoring center can recall the alarm event and see if they should notify law enforcement of a crime in progress) various critical areas of the Construction Site can be cost effectively monitored - often better than having a Security Guard on the Site. We've looked at this technology and how to capitalize on it and the website provides much more information for your use.
- H. Having A Security Officer On Site and Whether To Use A Private Contractor or Off-Duty Law Enforcement Officers -- One of the first questions I almost always hear is how do we know they're really making their rounds and not sleeping - we've addressed Tour Wand Systems, using the CCTV to monitor the rounds, etc. We've discussed the advantages and disadvantages of using Off-Duty Officers and private Security Guards

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H. Having A Security Officer On Site and Whether To Use A Private Contractor or Off-Duty Law Enforcement Officers (Continued).

and the website provides you clauses that should be in any Guard Company contract, etc., how to interview Guard Companies, Off-Duties, etc.

I. Appropriate Locking Down of Equipment, Tools, and Certain Dried In Areas -- Unsecured equipment and tools is an invitation for thieves and they know when a Construction Site is lax. We want them to move on down the street to the next Site, not yours. Locking down of certain areas within a building will protect wiring, high quality woodwork, special wallcoverings, etc. The website contains rules and regulations and educational material on doing this.

J. Compliance Auditing - Its often said, if you can't measure it, you can't management it and we've discussed the important of compliance auditing and correcting poor compliance and the website provides you some forms to assist you in doing it correctly.

IV. WORKING AS A TEAM TO ACHIEVE BUY-IN AND COMPLIANCE

A. General Discussion - The most vociferous objection will most likely rise from the person(s) that have been part of the "less than enthusiastic" group on your safety programs - and from my experience that is usually the Superintendent and sometimes the Project Manager (or if you're using a Construction Management Company, then them). They see Security, much as they saw, and sometimes still do see, Safety - as a burden being forced upon them by management that interferes with their control of the work and the Construction Site. Part of the problem is ego, part of the problem is the system of bonuses, and part of the problem is some people don't not only dislike change, but will actively work to prevent it. To me, the biggest part of the problem is the system of bonuses where getting done early, or at least on time, and on budget means an extremely nice bonus to certain field supervisory personnel. Bonuses are great motivators, but it is how the bonus is calculated that is the problem. Certain things should be charged against the bonuses in order to make those things important. This is just good management, i.e., you give the person the authority to do the job and then you measure them against a set of standards, but failure to meet parts of those standards must have consequences. Policies, procedures, rules and regulations are useless without monitoring for compliance, rewards for achievement and consequences for violations. Hopefully, we'll have a great open discussion on this at the end of Presentation.

Upper Management sees the big picture because they are responsible for the big picture, they are more educated, trained and experienced in overall management and their compensation, success, etc. is tied to the overall financial success or failure of the

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A. General Discussion (Continued).

company as opposed to just getting one job done on time and budget. Upper Management sees and has to deal with all of the ramifications and effects that flow from crime, negligence, etc. for the Project and for all of the Projects. When Upper Management objects to Security is it usually for one of several reasons:

- 1) Someone has failed to demonstrate to them how they achieve a good return on investment in security;
- 2) Someone has gotten carried away of “over” secured a Project to the point where Security is actually unreasonably interfering with work progress;
- 3) No one has educated them on modern Security Management being a subspecialty of Risk Management, something they know and appreciate;
- 4) When they think of Security they think of the Security Guard at the local shopping center who is in a rumpled uniform, talking on their cell phone while someone’s car is being broken into right in front of them; and
- 5) It’s an additional cost factor in competitive proposals.

Project Owners vary in their concerns for Security just like they do for Safety. Some companies such as the large national and global companies are fanatic about both Safety and Security, while other Owners will simply want to reduce the costs. However, some lenders and investors are now pushing both Safety and Security as substantial issues they expect the Borrower (Project Owners) to address. Security should be addressed upfront with Owners and discussions had about their concerns and the General Contractor’s concerns that are specific to their Project, including adverse publicity (no Owner wants to see their new Project on television with a reporter talking about the homeless Mother and Child that was crushed by construction equipment or the racial graffiti that keeps turning up on the site). Again, future use of building, type of tenants, location, crime in area, all figure in. The Project Owner may say that they don’t see any particular Security concerns for that Project other than the usual concerns, however, they will remember who cared enough to ask when it comes time for their next Project.

As you all well know for any program to work, such as a safety program, it is necessary that the “troops” in the field buy in, as in the end, they are the ones that actually make the program work by providing input to improve the program, following the policies, rules and regulations, exerting peer pressure for others to get with the program, etc. However, they want to make their on-site management happy (so the on-site management sets the tone) and they don’t want increased burdens imposed on them. For examples, they may view having to wear certain safety harnesses as making it more difficult for them to move easily and thus perform certain aspects of their job even though they realize it does

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A. General Discussion (Continued).

prevent accidents. They accept some risks on the job and over their years in construction know that accidents will happen; however, they don't see the whole range of effects on the company, such as increased workers compensation premiums, possible OSHA investigations, unhappy Project Owners who are safety conscious, etc. The same thing occurs with Security. For example, they know thefts of tools and equipment happen on Construction Sites and it's a fact of life; however, what they don't see is that the subs that keep having their tools and equipment stolen on a particular General Contractor's jobs will eventually start adding in their proposals, a hidden, but still there, loss factor because they know they are going to lose stuff, thus making the General Contractor less competitive as compared to one on whose jobs they don't lose tools and equipment and thus don't add in the loss factor. They may think it is convenient for "Bennie the Bookie" to stop by the job site to take bets for this weekend's games, but don't see the harm it causes to individuals, families and eventually the General Contractor. Again, rewards and consequences, just like you use in your Safety programs will probably be one of the big tools, plus posters (just like you use Safety posters) and bringing up the topic of Security at toolbox meetings, etc.

B. Why Insurance Is Not Enough - Very few of the attendees at this Conference still say "Don't worry about it, that's what we have insurance for", but I'm sure you still know many who do say that, including some subcontractors that hold under you. We all know the arguments about higher premiums and lesser quality insurance companies being the only ones interested in someone with a bad record. But the # 1 overriding reason why insurance is not enough is ADVERSE PUBLICITY. I repeat everything I said in Part II, E, on pages 22, 23, and 24.

C. The Team of Risk Management, Insurance Underwriters, Loss Control and Agents - Someone has to be out there beating the drum and leading the charge for better Construction Site Security and folks, it is YOU that must be in that leadership position, just like you have been on Safety. Security should be risk based, i.e., a sliding scale that surges and returns and surges and returns as the risk increases and decreases. If you all make good and reasonable Security part of your requirements, just like you did Safety, then over a period of years Security will achieve a proper balance with ease of work progress. Safety and Security go hand in hand because a more Secure Site is a Safer Site.

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