

SECURITY MANAGEMENT

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the INTOXICATION issue

Private parties regularly hire contract security firms. But often, those security officers have not received training in how to interact with, and manage, intoxicated guests.

It's a typical affair. A company hosts a holiday party for employees and clients. It books a venue to handle the DJ, it hires a caterer to provide the food and wine, and it contracts with a security firm to make people feel safe while they celebrate.

But what happens if someone gets drunk at the party and gets into an argument with another guest? Or passes out? Or tries to drive home? What's the security officer supposed to do?

This exact predicament arose when a woman, who'd just been promoted at work, was attending a private event. She wanted to celebrate her new professional accomplishment and ended up drinking alcohol to the point that she was intoxicated.

When she went to leave the event, she stumbled and fell. A security officer, whose firm was contracted for the event, helped her up, sat her down in a chair, and got her





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some water. She reassured the officer that she was fine, and he escorted her to an elevator that went down to a sub-level parking garage.

The woman, however, was not fine. She got in to her car, drove up the wrong ramp to exit the parking garage, crashed into a drop gate, drove out onto the street, and ultimately killed a bystander.

A lawsuit was later filed against the security firm for allowing her to leave the venue in her vehicle while intoxicated. The suit was settled for a final amount that was not disclosed.

In a deposition, the security officer who had been on duty at the event was asked what training he had to handle interactions with individuals under the influence. The officer said he had never received any.

“If that guard had been trained, he’d have known better—that there are policies or something I have to do because this woman can’t drive,” says Russell Kolins, CEO of Kolins Security Group and an expert witness on security issues.

And, unfortunately, that lack of training is common for many security officers working for contract firms that provide services for special events, Kolins adds.

“The professionals who are the bartenders, servers, and security personnel who work at venues are trained—but in the private party arena, where you have contract guards who are assigned to protect the party, they are not trained because this is not something they would normally do,” he explains.

In the last two years, Kolins says he’s been contacted about five separate cases involving contract security agencies that were later sued because of their response—or lack of—to an intoxicated person at a private party.

Typically, contract agencies that are hired for events—like private parties—are focused on keeping uninvited people out of the venue, answering questions, and giving the presence of authority so people feel safe.

“But they normally don’t have discussions about whether or not alcohol is being

served; it's not something that would be in their normal course of operation," Kolins says. "They are there for a specific purpose—to provide a deterrent to a crime or negative things that could occur. They don't take into consideration how they are going to deal with intoxicated individuals."

SIDE EFFECTS

Alcohol is a depressant and when consumed, it passes into the bloodstream to affect the brain, kidneys, lungs, and liver.

Its most visible effects, however, are on the central nervous system, causing physical and behavioral changes like relaxed inhibitions, impaired judgment, slowed reaction time, and reduced motor coordination.

The amount of alcohol it takes to make a person intoxicated depends on a variety of factors, including weight, gender, age, metabolism, food intake, the strength and type of alcohol, and any medication that the individual is taking. Women are more likely to feel the effects of alcohol sooner because they have lower levels of the enzyme that breaks alcohol down—meaning it will stay in their system longer.

The legal blood alcohol limit to operate a motor vehicle in the United States, Malaysia, Mexico, New Zealand, Norway, Puerto Rico, Singapore, and the United Kingdom is .08 percent.

Many other Western and European

countries have a .05 percent blood alcohol limit, including Australia, France, Germany, Italy, and Switzerland. Other countries, like China and Sweden, have a lower blood alcohol limit of .02 percent.

Employees who work in restaurants, bars, and nightclubs are trained to recognize changes in behavior due to alcohol consumption. Many establishments have this training in place due to U.S. dram shop statutes, which allow the venue and the individual serving the alcohol to be held liable for selling or serving alcohol to individuals who then cause injury or death due to intoxication.

While security personnel are not engaged in serving people alcohol, by being employed directly—or indirectly via a contract—by a venue that does, they could be liable should an incident occur. Therefore, it's critical for security personnel to receive Training for Intervention Procedures (TIPS), like bartenders and servers do, to recognize the signs that someone is intoxicated, Kolins says.

"The program teaches you how to handle people and how to interact with them, and gives you an understanding of how people might act if they are under the influence," he explains. "People do stupid things when they are under the influence."

Security managers also need to have policies in place that explain what

security personnel are expected to do if someone is intoxicated.

"These policies could be as restrictive as necessary, but should at least say, 'We will stop people, talk to them, notify the supervisor for the event, and turn this job over to the supervisor to handle if necessary,'" Kolins says.

He also recommends that clients hiring contract security firms for special events cover what the policies and expectations are for security staff when interacting with individuals under the influence.

"Have a clear understanding, in writing, requiring guards be trained to understand the effects of alcohol and how to deal with people who are intoxicated," Kolins explains. This can then be used to demonstrate, should an incident occur, that the security firm took reasonable steps to prevent it.

IN PRACTICE

Darrell Clifton, CPP, has worked in casino security for almost 30 years. As the current executive director of security for Eldorado Resorts, Inc., which owns the Eldorado, Silver Legacy, and Circus Circus in Las Vegas, he works with a proprietary security team responsible for three casinos, six nightclubs, and roughly 100 bars. And they interact with people under the influence every day.

"Being drunk, not only is it not a crime, it's acceptable behavior at a casino and a nightclub—it's what we market," Clifton says. "Just because someone gets drunk doesn't mean they are a bad person."

This is the mindset that Eldorado Resorts starts with when teaching security staff how to interact with people who are under the influence. Even though individuals are intoxicated, security staff has a responsibility to treat them like valued guests.

"There are many states that have dram shop laws. Nevada does not, but it doesn't excuse us from liability or moral responsibility of making sure somebody gets to where they are going safely," Clifton adds.

How to Handle Intoxicated Customers

WHILE SECURITY MANAGERS AND OFFICERS are not engaged in serving alcohol, they could be found liable for incidents involving intoxicated individuals if they have not been trained to identify, interact with, and manage people under the influence.

In a session at GSX 2018 in Las Vegas, Russell Kolins, CPP, CEO of Kolins Security Group, and Darrell Clifton, CPP, executive director of security of Eldorado Resorts, Inc., walked attendees through the science of alcohol's impact on the human body, as well as liability risks and best practices for security staff.

A recording of "Dealing with Customers Who Present Signs of Impairment or Intoxication" is available at learning.asisonline.org/diweb/catalog/item?id=2569397. It is free to all during February 2019.

In training, which involves role playing and then on-the-job training with a supervisor, security staff are taught how to recognize that someone is intoxicated, the policies in place to address that behavior, and that they are empowered to take action based on those policies.

For instance, security officers are taught to “work the line,” looking for minors who would not be allowed in, individuals who don’t meet the dress code, or those who are visibly intoxicated.

“We teach our staff that you have the power to keep those people out of the venue, because then they take it seriously,” says Clifton, adding that it helps prevent future incidents.

Clifton also stresses the importance of training security staff, and other employees like valets, to be on high alert when people leave the premises to ensure their safety. His staff is encouraged to engage people, especially those who show signs

of intoxication, while they exit clubs, bars, or the casinos.

“You talk to them and get more information as to how intoxicated they are, and then decide if they are all right,” Clifton says.

If the security officer determines that that person is not safe to leave on his or her own, the officer is taught to ask if there is someone who can be called to pick them up. Other options include walking the person to their hotel room, if it’s part of the same venue, or calling a taxi or free shuttle service.

If the person has been driving, the officer and the valet can offer to hold the person’s keys and keep their car overnight. If the individual becomes resistant and insists on driving, security and the valet can tell them they will only surrender the person’s keys after the police have arrived on the scene.

“We tell people we don’t want to ruin your night, and that works 99 percent of the time,” Clifton says.

As a last resort option, security staff can call the police who will pick the individuals up and put them in a holding cell to sober up without being charged with a crime.

This all goes back to duty of care, Clifton says. Security owes this care to people at the venues it is responsible for protecting.

“What we should do as good risk managers is realize the liability is out there, the danger is out there, and we have a responsibility to the customers to keep everybody safe,” Clifton says. “If we do the right thing, we should be okay.” ■

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