



Volume I, Issue I

April 2005

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The Chairman's Corner

By Mike Pirozian

by the North Hollywood Division. Capt. Pitcher & Lt. Neiman briefed us on our new pilot program (PSA) private security Alert. If you need additional information you may contact Craig Chamberlain (Vice Chair for your Chapter).

Our primary speaker was Mr. Kent Moyer, President of "The world protection group, Inc." who was great, dynamic and informative.

Now comes the punch line: Due to the participation and commitment of your 2005 Officers & Committee Chairs you now can enjoy your Chapter Web -Site: www.asischapter130sfv.org where you can check out the chapter news, special events, programs, many links, make your reservation and click to e-mail us your comments and concerns.

We have also changed the lunch meeting to a Breakfast meeting in order to accommodate the majority vote at the time. We start at 07:30 a.m. through 09:00 a.m. so that you do not lose time from work. Meeting

place is still at Sportsman Lodge (Corner of Cold Water Canyon and Ventura Blvd.).

Announcements:

Mr. Adam C. Parker, CPP for his new CPP designation. Mr. Parker is member of our Chapter and Director of Loss Prevention for Lamps Plus, inc. Congratulations Mr. Parker.

If you would like to be certified in Homeland Security; The American Board for Certification in Homeland Security (ABCHS) will be having their (CHS) conference at U.S. Grant Hotel in San Diego on September 28-29, 2005. For further information you may contact Mike Pirouzian CHS-III.

This being our first news letter, On behalf of your 2005 Officers & Committee Chairs I would like to say thank you to "our fellow members" for your participation, door prizes and your support by attending your chapter meetings regularly. I also have a message to those members who have not been able to attend for some reason or other and that is: Even though we have missed you; but more so, you have missed great speakers we have had especially in our March meeting.

We had special presentation



Kent Moyer speaking at March Meeting

*Remember
Chapter
Meetings are
on the first
Tuesday of
the Month at
7:30 AM*

***The Legal Corner* by Barry Bradley** **Reduce Your Risk: If It's Broke, Fix It If You Can**

Most of us are familiar with the often used expression, "If it ain't broke, don't fix it." The recent California Court of Appeal decision in *Martinez v. Chippewa Enterprises, Inc.* (2004) 121 Cal.App.4th 1179 reminds us that for landowners, the inverse also can be true – "If it's broke, fix it if you can."

In *Martinez*, the plaintiff and her brother were walking to an early morning appointment at an Immigration and Naturalization Service (INS) office situated in a building owned by Chippewa Enterprises. As they walked across a driveway into the building's parking lot, plaintiff slipped on wet pavement and fell. As a result of the fall, her shoulder was dislocated, and she hurt her back badly.

Plaintiff sued Chippewa for her injuries, claiming that Chippewa knew the wet driveway was a dangerous condition, but still failed to warn her about it. In support of her claim, plaintiff provided the trial court with a declaration

Installation of Chapter Officers

On March 1, 2005 Chapter 130 installed its new officers, Mike Pirozian, Craig Chamberlain, Ron Buehler and Barry Bradley. They were sworn in by Chris Wright CPP, ASIS Sr. Regional VP, at the beginning of our breakfast meeting held at the Sportsman Lodge. The meeting was well attended with approximately 40 members and guests.

from a security guard employed by an independent contractor providing security services to INS at the building. The security guard stated that the water came from sprinklers on the premises, and flowed down the driveway. The security guard also stated that he knew of another instance during his employment when someone had slipped and fallen in the same general area as plaintiff.

Chippewa argued that the allegedly dangerous condition plaintiff encountered--the water and wetness at the area where she fell--was "open and obvious." Chippewa provided the trial court with a declaration from one of its employees, a maintenance supervisor for the building. The maintenance supervisor stated that the premises were not watered during the daytime because they were on a timer set for 8:00 p.m. The maintenance supervisor asserted that the water did not come from the premises, but instead was tracked in by vehicles entering the driveway from the street.

The trial court recognized the conflicting evidence regarding the source of the water and defendant's responsibility for it, but terminated the action in defendant's favor based on its ruling that the presence of the water was open and obvious.

Plaintiff appealed. The Court of Appeal determined that even though the dangerous condition created by the water on the ground was "open and obvious," the property owner may have a

duty to remedy the danger if it was foreseeable that the danger could cause injury despite the fact that it was obvious.

The Court reasoned that although the obviousness of a danger may obviate

"although the hazard was open and obvious, that fact alone did not relieve the property owner of all possible duty."

the duty to warn of its existence, if it is foreseeable that the danger may cause injury despite the fact that it is obvious (e.g., when necessity requires persons to encounter it), there may be a duty to remedy the danger, and the breach of that duty may in turn form the basis for liability. Thus, although the hazard was open and obvious, that fact alone did not relieve the property owner of all possible duty.

As a result, the Court of Appeal reinstated plaintiff's claim, and returned the case to the trial court. Of course, and as noted by the Court of Appeal, a fact finder could still determine that plaintiff was comparatively negligent depending upon the ultimate evidence, including the exact manner in which she navigated the area.

THE LESSON: If you're aware of a potential hazard on your premises, it is probably in your best interests to undertake reasonable measures to remedy the hazard.

Barry A. Bradley is the managing partner of BRADLEY & GMELICH where he heads up the firm's Private Security Litigation Team and their Employment Litigation Team. A former Deputy District Attorney, Barry's practice concentrates on defending cases involving negligent security, wrongful termination, as well as assisting clients in avoiding

(Continued on page 4)



From left to right; Craig Chamberlain, Ron Buehler, Mike Pirozian, Gary Bradley and Chris Wright



Access the review program anywhere, anytime, at your own pace

Perhaps you've considered obtaining the Certified Protection Professional (CPP) credential from ASIS International, but you don't know how you'd prepare for the exam—or worse, how you'd find the time to do so.

While attending the CPP Review Program is highly recommended, taking time out of the office for training may be difficult. You can also prepare for the CPP exam from your home or office with the CPP Review Online. The CPP Review Online covers essential concepts and practices of security management. It includes a comprehensive review of U.S. law, which is necessary for the legal section of the exam. Through the use of audio and video components, transcripts, self-tests, and other helpful tools, this program allows you to prepare for the CPP exam when it is best for your schedule.

Prepare for the CPP exam with a method that fits your busy lifestyle.

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Virtual forums qualify for CPP, PCI, and PSP re-certification points.

Give your entire office a relevant and cost-efficient learning experience. [Register early](#) to get your handouts in time. Too early to make a commitment? **Keep in mind you can register by phone up to five minutes before the program** by calling 1-800-775-7654.

Unable to attend? [Tapes of all sessions can be purchased afterward for the same fee.](#)

Next Months Meeting Law Enforcement/Security Officer's Appreciation Day

If you have any questions, please contact **KRM Information Services, Customer Service, at 800.775.7654 or 715.833.5426.**

Next month is Law Enforcement/Security Officer's Appreciation Day. Our features

(Bob Lee continued...)

- neighborhood, at your children's school(s) and at your place of business.
- 2. Have a plan, do the *what ifs*, and practice, practice, practice
- 3. Provide for family members with special needs and for your pets
- 4. Pick an "out-of-state" contact for family member to call if you get separated
- 5. Do a home hazard hunt - check for anything that can move, fall, break or cause fire
- 6. Prepare "Go Kits" (example: backpacks with disaster supplies, extra clothes, etc.)
- 7. When your vehicle's gas tank gets down to half full, it's time to fill up. (Gas stations can't operate when the power goes out.)

Do you know what to do in an emergency situation? By Bob Lee, CCP

Knowing what to do and what not to do during emergency situations may just save you and your family a whole lot of anguish, or worse! Where will your family be when a major emergency strikes? They or you could be anywhere - at work, at school or in the car. Since Los Angeles is spread across 470 square miles, it is especially important that your family members and those who depend on you are prepared. How will you find each other? Will you know if your children, elderly family members and pets are safe?

What would you do if basic services - water, gas, electricity or telephones - were cut off for an extended period of time? Remember, major emergencies can strike quickly and without warning.

They can confine you to your home, force you to evacuate your neighborhood, or keep you from getting home.

You need to discuss the dangers of fire, severe weather, earthquakes and other emergency situations with your family and co-workers. If you prepare and practice, you can keep an emergency from turning into a disaster. You need to create a plan and post it where everyone will see it. Then you need to practice it! Here are a few suggestions that may help:

- 1. Find out what the exposures are in your

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- Gated Communities & Homeowners Associations

Over 10,000 Security Officers working out of 53 local branch offices throughout the greater Los Angeles metropolitan area as well as

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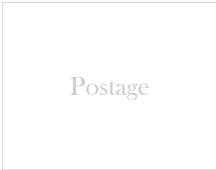
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Do we have your e-mail Address?

Dear ASIS SF Chapter Member,
Are you aware that if the chapter does not have your e-mail address, you are missing out on important announcements, notices, etc. Update your e-mail address for distribution of the e-newsletter to pat.salter@securitasinc.com for other related chapter information send your e-mail address, along with your name and company affiliation to: Mike Pirouzian

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liability through proactive, preventative measures. The firm acts as general counsel for many security companies in California. Barry is a CALSAGA Legal Advisor, and is an active member of the International Association for Healthcare Security and Safety (IAHSS), and the American Society for Industrial Security (ASIS). bbradley@bglawyers.com 818-243-5200.

**Law Enforcement/
Private Security
Appreciation Day**
May 3, 2005 at the Sportsman's
Lodge in Studio City
Remember - afternoon meeting