

Negligent Security: What is it and Who is Responsible?

Negligent security. The term may not be familiar to you, the definition certainly will be. Justia defines “negligent security” as follows:

“It is the basis by which an individual injured by a third party tries to hold liable the owner or tenant of the property where a criminal injury is inflicted.”

Simply put, this means if you are the victim of a violent crime on someone else’s property, it must be proven they took every necessary step to instate adequate security at their place of business or residence. If there is proof they neglected to inform the employee or visitor to the property that the area was not secure, and did nothing to secure it prior, they are liable.

This law is also known as a type of “premises liability”, or the responsibility of the property owner to be held accountable for making a reasonable effort to secure the property. If they fail to do so, they are legally responsible for any accident or injury sustained by visitors on their premises. The attorneys at **Shaked Law Firm** are highly skilled in negligent security and premises liability and will work on your behalf to win the compensation you deserve after becoming the victim of a violent crime that could’ve been prevented with adequate security measures in place.

Crime rates are climbing, this is what you should know

No one is ever completely safe from being the potential victim of a crime. The society we live in today is more dangerous than ever. Gun violence in our communities is at an all-time high and the statistics climb to staggering new levels daily. The news is inundated with stories of innocent people in the wrong place at the wrong time by seemingly no fault of their own. The dangers are out there, and we must be cautious in where we go and when.

First and foremost, one should always be responsible for their own safety, aware of their own surroundings, and thusly take the necessary steps to protect themselves should they find it necessary to visit a location that’s not considered “safe”. Some jobs require an individual to visit locations that are unsecure or are known for their high crime rate. It is imperative that the employer take every necessary step to ensure the safety of those working for them.

Even when a person does everything in his or her power to protect themselves when visiting a location that’s considered unsafe, acts of violence such as shootings still occur far too often. That’s why there are safeguards put in place by landlords and business owners to protect the public at large from needlessly being in harm’s way.

What safeguards should be in place to protect the public?

When we think about what we need to feel safe at work or leaving work for the night, what comes to mind?

Let’s look at some examples of safety measures that should be put in place by the business owner or landlord:

- Security cameras
- Adequate lighting around the property

- Guard gates; guardhouses with 24-hour personnel at an apartment complex or townhome development
- PIN numbers to access the premises to keep out ne'er-do-wells and prevent trespassing
- Armed security or law enforcement officers at places known for high crime rates and multiple incidents of violence

These are just some of the basic ways a property owner can protect those frequenting his or her place of business. In the case of a landlord who is responsible for the safety of his or her tenants for an extended period, these measures should certainly be used, with extra consideration given to the fact that tenants come and go at all hours of the night for various reasons.

According to Florida state law (§§ 812.173 and 812.174) there is protection from liability afforded to convenience store owners who take necessary measures to secure their business and regularly keep these measures up to code. These precautions would include instances of the above measures, as well as using a drop safe and prominently posting signage in clear view of customers that states there is "less than \$50 in the cash register". These measures are considered reasonable and serve to protect the business owner from a violent crime, such as a shooting or a stabbing resulting in fatalities, from a lawsuit that was not able to be prevented even with reasonable security safeguards in place.

What happens when the property owner fails to secure the premises?

Sometimes business owners fail in their duty to reasonably protect their property with any number of the necessary security measures mentioned above. When this happens they leave themselves, their property, and ultimately those who frequent their business or residence at risk of a lawsuit should a violent crime take place.

If the business owner or landlord is negligent in their responsibility and that negligence results in serious injury or death, it is your right to seek compensation. If you were hired by an employer and you arrive on the premises, only to end up in the hospital after a shooting, one of the first things you or a family member should do as soon as you are able is hire an attorney with negligent security experience to take on your case.

Contact us to schedule a complimentary consultation. There's no obligation. Take the first step and call today: (877). 529-0080