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Abstract

The purpose of the article is to alert practitioners within the security industry, who may function as expert witnesses in civil litigation, that a trend has been detected within the judicial community. That trend, in the author's opinion, is directed toward limiting premises liability cases evolving from criminal activity.

A recent study conducted by the Bureau of Justice Statistics of the U.S. Department of Justice indicates that between 1992 and 1998, 2.6 million people were injured each year as a result of violent criminal activity.

To limit victims' ability to recover damages from business people and land owners who do not provide reasonable protection from third person criminal acts is, in effect, "denying them their constitutional right of recovery through a trial by jury," according to one California State Supreme Court Justice. The Justice was a member of the court's minority ruling in the 2001 case entitled, *Saelzler vs. Advanced Group 400*.

This article suggests that the security industry is partially to blame for the current trend. It is the security industry that does not exercise any type of control over those practitioners who, representing the industry, act in the capacity of expert witnesses in court without the proper academic background, ethical foundation or professional expertise. Those practitioners are simply "hired guns," accepting payment for making any statement favorable to their clients' interests in the litigation. This article suggests a remedy.



FORENSIC SECURITY

by
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