

# Claims Investigations

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# Claim Defined

- **claim** verb (used with object)
- 1. to demand by or as by virtue of a right; demand as a right or as due: to claim an estate by inheritance.
- 2. to assert and demand the recognition of (a right, title, possession, etc.); assert one's right to: to claim payment for services.
- 3. to assert or maintain as a fact: She claimed that he was telling the truth.
- 4. to require as due or fitting: to claim respect.

# Risk Management Department

- Processes any claim made against the company
- A security report does not automatically open a claim
- A report documents details of an incident, accident or injury
- Be Careful in referring a customer to Risk Management: Examples

# What to say to customers

- Here is the report number. If you have any questions please contact Risk Management regarding this report.
- Thank you for your valuable time. Please let us know if you need any additional assistance.

# “What is or What may be”

- The report you write today could become a part of future history
- Process of appeal in the courts
- Future Statutory Laws
- Industry practices
- Media Events: Investigative Reporting

# Report Content

- Factual
- Informative
- Explanatory
- Critical
- Analytical

# When to Write a report

- Whenever you have knowledge of a guest accident or injury
- Regardless of the customers comments or desire not to complete a report
- When in doubt, write a report

# Security Report “No No’s”

- Opinions
- Supposition
- Suggestions
- Theories
- Hearsay as factual
- Expert diagnosis
- Liability decisions



# Common Sins of Report Writing

- Impressing readers with your vocabulary or literary style
- Failure to communicate the message
- Too much effort into the report: Making it sound like an official police report
- Complicating the process
- Repeating information

# Initial Investigation

- You only have one chance to interview, investigate and document an incident, injury or accident (while the customer is there)
- The field investigation is critical in obtaining details or evidence that is perishable.
- The attitude, demeanor and professionalism are also critical for a successful resolution to any claim.

# Lawsuits

- Lawsuits are typically the result of a claim filed
- The initial report, and accompanying evidence, becomes the primary piece of evidence in a lawsuit.
- Every claim investigation should be treated as if it were to become evidence in a lawsuit and be truthful, professional and accurate

# Initial Field Investigation

- Approach, assess and evaluate the scene.
- 1st priority is care for injured or sick people.
- Determine if the area is a crime scene. Start crime scene protocols.
- If the incident is a crime scene, protection of the scene is critical to preserve evidence for police.
- Call for supervisor and additional security personnel if necessary.

## Initial contact

- Be understanding and compassionate of the guest's concerns or claims
- Allow the person to vent
- Determine if they are a hotel guest
- Interview guest/victim, listen attentively
- Interview non employee witnesses
- Take comprehensive notes
- Obtain voluntary statements from claimant and any witnesses

# Independent Witnesses

- An independent witness is one that is not associated with the person making a claim
- Is not an employee or vendor
- Is typically another guest who was in the area
- Canvassing for independent witnesses and obtaining contact information is critical
- The 2nd officer on scene should start the canvassing process

# Obtaining Written Statements

- Review the incident from your interview notes with the person writing the statement.
- Have the person write the statement.
- Review the statement and assure that it matches what the person told you when you interviewed them.
- Be sure to put the date, time, and location of where the statement was taken.
- Enter the report number on the statement

# Copies of Statements

- A person who writes out a statement may have a copy of that statement only if requested
- If the claimant completes a report form that requires their signature, they may have a copy
- Under no circumstances is a security officer to release any report completed to any claimant.
- Indicate in your report that a copy was requested and given



# Identifying Parties

- Requesting ID is Permissible
- Demanding ID is not appropriate
- When possible copies of ID are valuable
- No law requires people to produce ID or allows you to copy it
- Use discretion and make appropriate requests based on the circumstances.

# Diagrams

- Diagrams are helpful for identifying a location and proximity of objects.
- Example: Vehicle accident in a parking garage. Can demonstrate where parking spaces are located, support pillars, exit doors, signs warning cones, etc.

# Actual Pictures taken



# Thorough Photography

- Documentation of the damage
- Documentation of non damage
- Condition of entire vehicle
- Demonstrates there was not additional damage
- Prevents overbidding by victim to repair unrelated damage
- Limits damages to claim

# Digital Photography

- Better to take more than you need
- Cannot take pictures later
- Best evidence for any claim
- Picture list attached to the report
- All of the vehicle
- Overall condition of subject vehicle

# Accurate Documentation

**License Plate or Damage?**



**Vehicle Condition?**



# Complete Photography?

What does this show?



What is Missing?



# Guest Injury Photography

- Slips, trips and falls: Overall, general, detail and close ups
- Stairs, landings, handrails floor surfaces
- Pictures of guest injuries, if possible and appropriate



- Pictures of shoes, walking aids, clothing



# Missing Property: Hotel room

- Photograph room contents
- Location of alleged property that was taken from room
- Door, locks, door jamb, connecting door and windows
- In room safe
- Guest directory

# Surveillance Coverage

- Is the best form of evidence possible.
- Save one hour video before and after.
- Not all incidents, accidents or injuries have video coverage
- Always report to your supervisor who will request surveillance review for coverage.
- Make note in your report if there is video coverage of your incident.
- Important to determine all areas to be reviewed
- Surveillance reports are not part of the security report.

# Hotel Folios and Registration

- Obtain on all incidents involving a hotel guest
- Will include valuable information: phone calls, room service, etc
- Will demonstrate if they are a premium customer
- Will determine how long they have been a guest

## Other Evidence

- Broken furniture: Slot stools, chairs, drawers, mirrors, etc
- Glass or foreign objects in food or drink.
- Burglary tool marks, door hardware, wood shavings, etc
- Valet stubs, receipts and claim checks
- Broken objects: Property damage claims
- Properly logging and tagging evidence

# Narratives

- Start with a synopsis paragraph
- Detail damages or injury observations
- Detail what is said to you and who is present when said
- No absolutes if you did not observe: “Guest claims that the employee ran into them with the garbage cart”

# Follow up and Follow Through

- If you were shown video, what did you see?  
Be careful: No assumptions, opinions, etc.
- If you are advised of a witness, search them out and secure a statement.
- Be sure to correct any safety hazards present: Example: Claim of broken glass in drink from a bar; Order ice bins cleaned and cleared of all ice.

# Exercises



# Video #1





# Property Damage

