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HOTEL & MOTEL SECURITY MANAGEMENT

Walter J. Buzby II and David Paine

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Introduction

Hotels and motels, large and small, are extremely vulnerable to security hazards. The very nature of their operation, which involves the presence of a wide selection of humanity, most of whom are unknown to the proprietor, in itself poses a considerable threat to the security of property. Risks of fire are also serious. The incidence of hotel fires causing loss of life and serious damage to property has increased in recent years, culminating in the disastrous affair at Seoul, Korea, where 163 persons lost their lives in 1971.

It will therefore be apparent that those who are in charge of the day-to-day operation of a hotel should at least be aware of some of the security problems involved and what measures can be taken to lessen the severity of the threat.

The hotel manager must also be aware of a much larger volume of legal provisions than would apply to the owner of a private home. He has a direct responsibility for the safety and well-being of his guests, and part of this responsibility is compliance with such laws as are in effect respecting the operation of hotels.

The purpose of this book is, therefore, to assist the hotel or motel manager, and others responsible for security in these facilities, by a discussion of some of the threats and countermeasures relative to security, together with a basic description of the laws affecting the hotel business. The text should enable hotel managers and security officers to gain a basic knowledge of the more important aspects of these laws and to discover the sources from which a more detailed study of them can be made.

Not all hotels and motels, of course, are of the 100-rooms-

and-up variety with large, specialized staffs. Many units are "one-man" or "family" operations with the owner or manager and a very limited number of employees filling all positions. For the small operation to have an employee delegated to handle nothing but security is out of the question. Yet the smaller establishment is confronted with the same problems as the large operation, and in some instances it has far more serious problems because wrongdoers are aware that it does not have a complete security force. In our attempts to call attention to security problems and to offer possible solutions, we have attempted also to indicate how the small operation might handle the same problem with a limited staff.

Also included in the text is material relating to the security of cash, food and beverages which may assist not only those in the hotel industry, but also restaurant owners and persons in charge of other catering establishments, with their security problems.

This book should be interpreted generally rather than specifically. Not all of our suggestions can be applied to individual establishments exactly as worded. Each location is different and poses its own special security problems. The ideas described in this book, however, can be adapted to meet the needs of hotels, motels or catering establishments, whether large or small.

Finally, it is urged that all establishments profit from the lessons to be learned from the tragic affair at the Howard Johnson's Hotel in New Orleans in 1973, which is repeatedly referred to in the text. The case is a shocking demonstration of how a security lapse can lead to a tragic and costly disaster.

- The Authors

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Chapter 1

The Hotel and the Security Function

The hotel security officer may be compared in many respects to a member of a law enforcement agency. His rights, duties and obligations are determined by the law of the land as well as by departmental regulations. Certain laws, statutes or ordinances apply only to hotels and hotel operations, so it is necessary that we understand exactly what a hotel is as far as our legal system is concerned. The terms hotel, inn, apartment, apartment hotel, boarding house, lodging house, or spa may appear almost synonymous to the uninformed, and it might be assumed that they would all be treated the same in the eyes of the law. Nothing could be further from the truth. For that reason, it is well that a short history of hotels and laws concerning them be considered.

HISTORY OF HOTELS

Today's hotel, where a guest may receive room, board and entertainment, is a far cry from the first public houses in Roman times and earlier. These public houses, actually the first hotels, filled a serious need for the people of those times and were considered a necessity by all. Whenever men traveled away from their own homes overnight, they needed a place of shelter. The highways were not conducive to the carrying of heavy loads in wagons; in addition, highwaymen made travel through certain parts of the country very dangerous, especially at night. The safest way to travel was with a strong, fast horse and a minimum of

baggage. The need for some type of shelter at convenient locations where the traveler could find refreshment and protection from thieves and robbers was obvious. So it was that local taverns and other inns began to cater to the traveling public.

Early Public Houses

The earliest public house was usually the home of the proprietor. It contained a large common hall with perhaps two separate chambers, one for the master of the house and one for the mistress. The common hall was the gathering place for all. Heated by a central fireplace and lighted by torch or candle, this room served all functions. By day it would be set with tables and chairs where all meals were served and entertainment could be conducted. Following the evening meal, the tables would be removed and the beds spread upon the floor. Servants and guests alike slept in this hall.

In some of the larger homes where there might be additional individual chambers, certain persons might be assigned to these smaller rooms. Seldom was a traveler permitted to occupy such a room by himself, however. Even the king, when traveling, was expected to share his room with another. In today's medical terminology, the best a traveler could hope for in early France or England was a "semi-private" room.

Travelers making use of such accommodations expected a certain standard of treatment in sleeping facilities, the refreshments available for them and their horses, and their personal safety. Naturally, they expected to pay a reasonable price for such services, but it soon became apparent that some innkeepers were not above charging excessive fees while providing only the barest minimum of services and no protection whatever. It became necessary for the government, by order of the king, to pass certain laws setting forth the duties and rights accorded the innkeeper as well as the rights and duties of the guest. Thus, the first laws concerning lodging for travelers came into existence. These laws would later become the Common Law upon which most of the New World law was based.

In early England, public houses were normally called "inns" or "taverns." Normally, the name "inn" was reserved for the finer establishments catering to the nobility and clergy. The houses

frequented by the common man were known as "taverns." In France, a similar distinction was made, with the finer establishments known as *hotelleries* and the less pretentious houses called *cabarets*. After the Norman invasion, the word "hostel" was used to refer to all such public houses. To "host" was to put up at an inn, and the "hostler" was the officer charged with entertainment of the guests. In England, this person was the "innkeeper." The term "hostler" was later used to refer only to the keeper of the stable or the groom charged with care of the livery.

The word "hotel" came into use in England about 1760 and, over a period of approximately 80 years, came to denote "an inn of a superior kind." The word was introduced into the United States about 1797. Prior to that time the term "inn" or "coffeehouse" had been in general use in America. One of the earliest American lexicographers defines hotel as "an inn of a high grade, a respectable tavern." In 1864, Webster defines hotel as "an inn; a public house, especially one of some style or pretensions."

Travelers Protected by Law

Those first laws passed by royal decree were for the protection of the transient guest, the weary traveler who required food and shelter at once, as opposed to the occupant of a boarding house who desired to be more or less a permanent guest. Unlike the transient, the boarder was seeking a home and had time to bargain with his host for accommodations and charges. While the innkeeper may cater to permanent guests and make his inn attractive for them, he is nonetheless an innkeeper as long as he professes also to supply the needs of travelers, as do most hotel keepers today.

This distinction between the transient and the permanent or semi-permanent guest is a concept still considered by the courts. Historically, the Majority Rule in the United States set forth requisites for a public house to be considered a hotel as follows:

"An inn is a house where all who conduct themselves properly, and who are able and ready to pay for their entertainment, are received, if there is accommodation for them, and who, without any stipulated engagement as to the duration of their stay, or as to the rate of compensation, are,

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while there, supplied at a reasonable charge with their lodging, and such services and attention as are necessarily incident to the use of the house as a temporary home."

HOTELS AND THE LAW TODAY

Legal Definition of Hotel

In many states and provinces today, the word "hotel" is defined by statute; naturally, where such definition exists, it is controlling. We might summarize the current situation as follows:

- 1. "Inn," "hotel," "motel" and "motor inn" are synonymous.
- 2. An inn must be a place for the reception, refreshment, and entertainment of travelers. It necessarily follows that no one who does not use the inn for its proper purpose can claim to be a guest of the keeper of such inn and thereby be given the peculiar privileges which the law allows such a guest. In addition, unless he is a guest, the innkeeper cannot exercise against him the right of lien or other remedies which he is allowed as an innkeeper.
- 3. No house is held to be an inn which does not provide sleeping accommodations.
- 4. No matter what name is given to the establishment, if the proprietor is willing to entertain all comers to the best of his ability, and if he provides the specified essentials, the house will be considered a hotel.
- 5. An inn must be a house for the reception and entertainment of *all* travelers, so that the innkeeper has no right to refuse to receive any such persons for whom he has accommodations. If he claims a right to pick and choose his guests and exercises such right, he is not an innkeeper and his house is not an inn.

Basic Legal Requirements

While there are a number of laws, such as the Criminal Code, which apply to all businesses and individuals, there are also many

laws that apply only to hotels, motels, innkeepers and their guests. In the chapters that follow, we will attempt to indicate how the law regulates the behavior and the business activities of all concerned with hotels. These laws will range from federal statutes to state or provincial laws and to local or municipal ordinances, codes or regulations. Naturally, these laws will vary in wording and content from country to country and state to state as well as city to city; however, the intent is normally approximately the same, and it will be our purpose to show only the intent of the law.

One legal concept that is believed to be universal among English-speaking nations is that the innkeeper has the right to make certain regulations and rules concerning the conduct of his own business—provided, of course, that these regulations are not in violation of the law. For example, a hotel regulation requiring men to wear jackets in a public cocktail lounge after 5:00 p.m. would be considered within the right of the innkeeper. Therefore, in addition to public law, the security officer will be concerned with those rules and regulations established by the owners of the property.

Those primarily involved in the management of a hotel generally have many responsibilities, most of which are interrelated, and some of which may cause a degree of conflict of interest. The requirements to observe the various laws relating to hotel operations and to maintain the security of the premises, its equipment, and the lives and property of guests, may to some extent pose a conflict of interest with the main objective of running a profitable operation. The reason for this is that the law and security *per se* tend to be restrictive to the wishes and desires of most people.

It will not be our attempt to resolve this conflict; rather we desire to make available some information that might assist in securing the desired results with the least amount of disruption to the commercial objectives inherent in the hotel business.

Overall Responsibility for Law and Security

The ultimate responsibility for legal and security requirements will lie with the owner of the property. From the outset, these responsibilities must be clearly understood and a general policy must be formulated and set forth. The security officer must

work within the guidelines of this policy. He will be required to answer the owners or top management for the responsibility of compliance with security and legal requirements. This principle, namely that the security officer's role is to implement protective measures and to advise top management on technical security matters, is common to industry in general; but the decision whether to implement protective measures at all is one for the senior executive.

HAZARDS TO SECURITY

Let us examine some of the security requirements that are inherent in the hotel industry, bearing in mind that our responsibility extends not only to the physical plant (the building), but also to the lives and property of every person in the building. The definition of "security" points this out clearly: "those measures required to promote a state of well-being relative to an establishment, to protect life and property and to minimize the risks of natural or man-made disasters or crime." These hazards may include, among others: fire, flood, earthquake, hurricane, epidemic, civil disorder, bombing, sabotage, theft and fraud.

As we consider the hazards, we must determine what effect each may have on the various segments of our operation—the building itself and its surroundings, the supplies and equipment within the building belonging to the hotel, the lives and personal property of the guests, and the lives and property of the employees. The specific hazard and its relationship to each of these segments will help determine what protective measures must be taken to provide the desired security.

Regulations Concerning Hazards

In part, the security officer is aided by the existence of laws or statutes that require or prohibit certain acts. There is no discretionary power left to the security officer or to management relative to such laws. If, for example, a fire department regulation limits the number of persons who may occupy a given room, this is a regulation supporting a life-safety code, and failure to comply may result in a fine, legal action or even revocation of a license to operate. Management might like to pack a few more people into

that room to gain additional revenue, but they will not risk breaking the law and being punished. Normally, management will make every attempt to comply with legal requirements in order to avoid penalties. (If a security officer becomes involved with an operation in which deliberate infractions of the law are policy and are condoned by management, it is suggested, for his own protection, that he seek employment elsewhere.)

Many of the hazards to be experienced are not covered by statute or other legal decree and must be controlled or regulated by rules promulgated by management. The implementation of these security measures becomes discretionary upon the owner, and the consequences of lack of security may be confined to a financial loss (although the loss may be greater if obvious negligence can be attributed to management).

This presents a serious matter for consideration, and these security measures should be given thorough study as to the degree of hazard present and the possible consequences to life and property. For example, there are no laws on the books to our knowledge indicating what action is to be taken in the event of a bomb threat. The decision to evacuate or not rests with the building owner. This is a decision that should be planned for well in advance, not on the spur of the moment under emotional conditions. Preplanning for all contingencies cannot be overemphasized, regardless of the number of past incidents.

Perhaps there has never been an armed holdup in the history of a given hotel. That is not to say there never will be one, and plans should be formulated as to what action will be taken in the event of such an incident. Security is a living thing and does not remain fixed. Conditions in the world as well as conditions within the establishment change; personnel change, new hazards arise, new security measures are developed both in concept and in physical equipment. Any security system must keep pace with the changes that are taking place, and it is the security officer's responsibility to suggest the necessary changes and to implement them when approved.

The New Orleans Tragedy

There are also changes taking place in the attitude of the public toward crime as it occurs within the hotel. These changes are mirrored in the courts, in the attitudes of judges and juries as they ponder claims brought against innkeepers. The validity of this statement is apparent in the case of *Dorothy J. Steagall, et al. vs. Civic Center Site Development Company, Inc., and Consolidated Cases,* adjudicated in Federal District Court, New Orleans, Louisiana, early in June, 1975. This case, the principles it raised and the concepts it developed, will be referred to a number of times in later portions of this book.

Briefly, the case involved a claim in excess of \$11 million by a number of defendants against the Downtown Howard Johnson's Hotel for an incident in which seven persons were killed and more than twenty wounded by a man who entered the hotel illegally and committed arson as well as murder until he was finally killed by police.

The very important lesson to be learned from this case is that the crime of the street is no longer confined to the street and well may be committed within the hotel. Security officers for years have felt that preventing thefts from guests and from the hotel was their biggest problem, but today they must realize that they must take every step possible to prevent other violent crimes which can and do occur daily in hotels around the world. The mistakes committed in this instance by the owners of the Howard Johnson's Hotel are the same mistakes that innocent and uninformed innkeepers are making today.

Crime is increasing in frequency and severity, the responsibility of management to prevent crime is increasing, and so security must increase though the application of new knowledge, new equipment and an increased awareness of the potential dangers facing us daily. Failure on the part of security will result in additional costly mistakes.

Objective of Security

It cannot be repeated often enough that hotel security is a preventive program—the prevention of those hazards that can hurt, injure or destroy lives or property. It is for this purpose and this purpose alone that laws are passed and security measures taken. A security department that can brag about its number of arrests and convictions is not doing its job properly. We are only interested in apprehension if prevention fails. There are no laws or apprehen-