



# Claim Case Studies & Legislation: Homeless Shelters & Video Surveillance

**H**omeless shelters offer a necessary service to our communities. They provide a safe, warm place and a helping hand for those in need. Homeless shelters offer care to a variety of people. Some may have recently lost their home and are trying to get back on their feet. Others may be long time sufferers of addiction or mental illnesses. This unpredictable mix of patrons brings with it a myriad of potential liability issues. The example below illustrates the situation.

## Facts

A homeless shelter was periodically housing a gentleman who was a known drug abuser. When the man used narcotics he would suffer from an unsteady gait, unpredictable behavior and hallucinations. One day the man claimed that he had been in an altercation with one of the shelter's staff members. He stated that during the altercation, the staff member pushed him down a large flight of stairs. He claimed that he did not receive any help from staff after repeated attempts to get someone's attention. In the end he was taken to the hospital by a friend he contacted by using his cell phone.

The man brought a claim against the shelter. He said that he was in the hospital for weeks following the push down the stairs and was still suffering months later from residual injuries. He was asking for almost 2 million dollars in damages.

## Outcome of the Claim

The shelter took the claim very seriously and began to investigate. Luckily, the centre kept accurate logs of the activity in the facility. They also equipped certain "high risk" areas with video surveillance. When the shelter examined the evidence they were able to establish that the man had in fact been at the shelter the day following the alleged fall using drugs in one of the facility's restrooms.

The activity logs and video surveillance gave them irrefutable evidence that the man was at the shelter, uninjured, and not at the hospital suffering from injuries caused by a staff member. Some surveillance systems re-record over footage after a period of time, such as every 48 hours. It may be prudent in high risk areas to save a copy of such footage on discs that can be easily stored.

## Lessons Learned

To protect staff and shelter patrons and visitors, consider:

- Installing video surveillance especially in entrance/exit and high risk areas.
- Keeping detailed logs of daily activities – who was in the shelter, any out of the ordinary activities, disturbances, new visitors, etc.
- Placing shelter rules in a highly visible location. Review the rules with all patrons.

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