

Life, Health & Safety Issues for Field Adjusters

Managing Your Personal Risk

Windstorm Conference – 2011

**Powell Carney Maller
Ramsay & Grove, P.A.**



Faculty

Doug Branham – *Colonial Claims Corporation*

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Topic Agenda

Jeffery A. Froeschle

- Training & Preparation for Field Inspection of a Loss

Doug Branham

- Accidental Hazards & Perils
- Sanitary & Contamination Issues

Charles R. "Dick" Tutwiler

- Intentional Acts
- Field Security Precautions
- Being Proactive with Your Company or Employer

Dedicated to the Memory of Katie Froeschle



The DANGER Is Real!

LOCAL NEWS

R ♦ ♦ ♦ TIMES ■ SATURDAY, NOVEMBER 20, 2004

3B

Slaying has community grasping for answers

■ Police have a suspect but no motive for the killing of 25-year-old Katrina Anne Froeschle.

By SHANNON COLAVECCHIO-VAN SICKLER
Times Staff Writer

TAMPA — The cashiers at CVS Pharmacy on S Howard Avenue couldn't stop talking about it.

"That poor insurance adjuster," one said Friday morning as she rang up a customer's purchase. "Isn't it horrible? She was so young."

For police and Tampa Bay area residents, the recent killing of 25-

year-old Katrina Anne Froeschle has been baffling and haunting.

Detectives say the motive remains a mystery. And it happened in the middle of the day.

Froeschle's partly clothed body was found Nov. 13 in the Hillsborough River in Sulphur Springs, about 24 hours after her Tierra Verde family reported her missing.

The killing happened as Froeschle did a post-hurricane home inspection for Farm Bureau Insurance — a seemingly mundane, danger-free job.

"I think everybody felt this one," said Tampa police Sgt. Jim Simonson, a 21-year veteran and head of the homicide squad.

"She had no idea that morning when she went to work that this



Katrina Anne Froeschle was working as an insurance adjuster checking damage to a house the day she disappeared.

would happen. She was just a young person going to work," he said. "We get plenty of cases where people who know each other get in a fight, or some guys selling drugs on a corner end up shooting each other. But this one wasn't like that."

Police have charged Jason Matthew Funk, 27, with Froeschle's murder. Funk recently started

renting the home Froeschle was inspecting, beside the spot in the river where her body was found. He also is charged with attempted sexual battery with great force while armed; armed robbery; and burglary of an auto.

At a bail hearing for Funk on Friday, prosecutor Jay Pruner said the suspect told investigators he was out on his personal watercraft the afternoon of Nov. 12. Pruner said Funk denies ever coming into contact with Froeschle, who went to his house at 6903 Mulberry Drive to inspect damage from the summer's hurricanes.

But a witness saw Funk walk into the house with Froeschle that afternoon, Pruner told Judge Walter Heinrich.



Jason Matthew Funk is charged with first-degree murder. He is being held without bail on that and other charges.

And detectives collected a strong trail of incriminating evidence — including blood, fingerprints and receipts that show Funk used Froeschle's credit and ATM cards to make purchases after the killing, said Tampa police spokeswoman Laura McElroy.

Heinrich ordered that Funk be held without bail on the first-degree murder and other charges.

"You're not going anywhere," Heinrich told Funk, who is in the Falkenburg Road Jail.

Funk has been there since Sunday, when police charged him with growing marijuana in the rented home. At the time, police said they suspected Funk killed Froeschle, but needed more time to collect evidence.

In the days since the arrest, detectives and patrol officers worked long hours to build a case against Funk in time for Friday's hearing, Sgt. Simonson said.

Froeschle's father, attorney Jeffrey Froeschle of Tierra Verde, said he is grateful to authorities for "finding the evidence and the person who did this to her."

Training & Preparation for Field Inspection of a Loss

Jeffery A. Froeschle – Attorney; Powell, Carney,
Maller, Ramsay, & Grove, P.A.

Training of Field Workers

- Paperwork for site visit
 - Training provided
- Adjustment of claim
 - Training provided
- Safety issues surrounding the field visit.
 - No Training



Issues At or On Site Visits



Location of Site Visit

- Does anyone know where you are?
 - Someone else should know
 - The office should keep a record
 - Phone contact?
- Rural
 - Distance from help



Location of Site Visit

- High Risk Areas – Crime
 - Caveat- Not all crime occurs in high-risk areas.
 - If you know certain areas have higher crime rates, caution is warranted – measures should be taken.
 - Does your company have information about high crime areas?
 - Does the office you work from have that information?
 - These issues should trigger questions of who should go on the site visit.



The Insured – Evidence of Danger

- Do you have an exit strategy?
- Mental & behavioral issues
 - Is there any record of this?
 - What is the behavior of the insured when you encounter them?
 - How do you handle this?
- Criminal issues
 - Similar questions as above
 - Possibility of risk of criminal behavior



The Insured – Evidence of Danger

- Nature and/or history of claim
 - Is there any record in claim file that indicates mental or criminal issues?
 - Is there any other evidence before you go?
 - Either of these issues should trigger questions of who should go on site visit.



Who Makes the Site Visit – Individual or Team?

- If any of the issues previously discussed exist for this property, careful consideration should be given to who is going on the site visit.
- If there are no apparent issues, is there a company policy regarding how many people may go? Are you concerned about your future with the company if you request assistance?
- Do you feel safe going on this site visit?
- **Trust your intuition!!!**



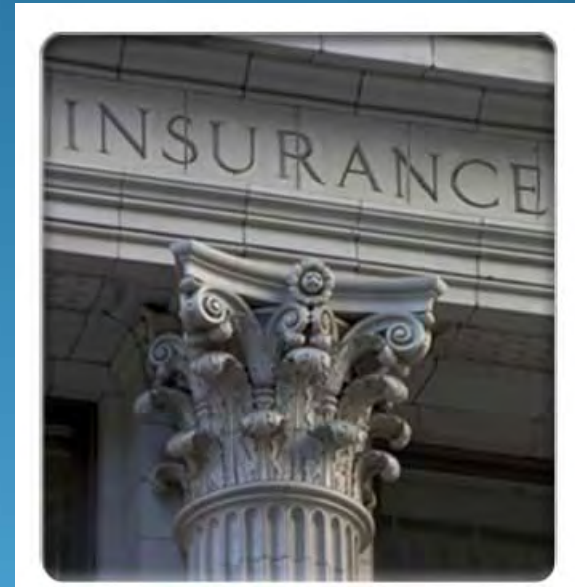
Avoiding Injury to the Field Worker

- Protective strategies
 - Consider the issues of location, evidence of danger, who has been designated to go on the site visit.
- Self-defense tools
 - Self-defense training – physical techniques
 - Mace or pepper spray – Is there a company policy?
 - Firearms?



After Injury or Death

- Insurance for injury
- Life insurance
 - Who is/are your beneficiaries?



Accidental Hazards & Perils

Doug Branham – *Colonial Claims Corporation*

Roof & Ladder Falls

- Steepness of roof
- Roof heights
- Proper alignment and bracing
- Stepping off point
- Getting back on position



Working Inside Heavily Damaged Buildings

- Weight support – framing system compromise
- Falling on wet or damaged stairs
- Stepping on nails or other debris
- Walking on mud covered or oily floors

Varmints!

- Snakes
- Alligators
- Dogs



Utility Hazards

- Inspecting losses with power on in a flooded home
- Bumping into power lines while setting a ladder
- Broken gas lines



Miscellaneous

- Auto accidents to and from storm
- The unexpected



**What do you mean
elevated restrictions
Apply!?!**

Wait until the insured sets the oar down before you explain the Post-Firm, Elevated, High Hazard Restrictions...



Sanitary & Contamination Issues

- Katrina cough
- 9/11 exposure to toxic dust
- Known & unknown contaminants
 - Sewage backup
 - Oil spills
 - Virus & bacteria
- Mold/mildew



Sanitary & Contamination Issues

- Insect bites – mosquito/spider
- Southwest Hanta virus outbreak
- Preventative measures
 - Wipes
 - Clorox
 - Washing skin & clothing



Intentional Acts

Charles R. "Dick" Tutwiler – *Tutwiler & Associates Public Insurance Adjusters*

Confrontational Exchanges - Threats



Case Study – Miami Beach Hospital

- 70,000 sq. ft. closed hospital facility
- Fully furnished/ equipped and boarded up
- Extensive vandalism and theft
- Graffiti spray painted on the wall:
 - *“We are the hospital bandits. We will kill you”*



Workplace Awareness

In January 1993, a discharged Fireman's Fund claim adjuster returned to his former office and killed three co-workers for what was reported as pay-back for being terminated from his job. In another reported case, two public adjusters were murdered in their New York office.

Lesson

Do not assume that because you are in your office building you are out of harms way.

Road Rage & Verbal Abuse

- The Car adjusting environment is inherently dangerous. Anybody associated with loss is a target for the insured or others to take out their frustration due to the high anxiety and stress they are under following the destruction of their property.
- Hurricane Charlie 2004 - Insured restrained and arrested for assault at a bridge check point because he had heard the “rumor” that he had to get to his house on Sanibel Island to mitigate his damages or his insurer would not pay.



Physical Assault

- Do everything you can to diffuse a volatile situation, but always be prepared to defend yourself
- Learn basic self-defense techniques



Field Security Precautions

- Hire security guards
- Bring a partner
- Secure necessary equipment such as temporary lighting in darkened building
- Maintain communication with cell/satellite phones and texting

Being Proactive with your Employer or Company

- Ask to review security manual for field and office
- Absent security manual – set-up a program and make it part of continuing education curriculum



Summary

“Adjusters and their colleagues are typically the second respondents. Emergency service personnel such as police, fire officials, first aid and structural engineers usually have performed their often heinous and gallant tasks as primary responders. Responding adjusters are faced with far more peril than the actual event. Hazardous environments, security threats, dangerous buildings, and stress due to the confrontational nature of our jobs.”

Summary

“Just as our communities are encouraged to have emergency disaster plans in place before a catastrophic event, claim professionals and their field colleagues should all have clear and definite plans in place to ensure their life, health and safety.” Given the conditions we encounter in the field working Cat events, trying to do our very best for our respective clients, I respectfully suggest you remember to place your life, health, and safety issues at the forefront while you carry out your professional work.

Questions - Comments



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**Thank You
Be Safe**

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