



## CLIENT SPOTLIGHT

# Leveraging CAP Index to Protect Businesses and Strengthen Legal Cases

## THE SITUATION

Businesses today face increasing challenges in managing security risks and preventing liability in the event of crime-related incidents. In complex legal cases, such as wrongful deaths or premises liability disputes, security professionals need reliable, data-driven insights to assess the level of risk and determine whether adequate security measures were in place. William J. Birks Jr., with over four decades of experience in the security field, uses CAP Index crime risk reports as a key component in evaluating crime risks and providing expert testimony to help his clients navigate these high-stakes situations.

Expert testimony | Forensic analysis | Tailored security strategies

## INTRODUCTION

William J. Birks Jr. & Associates, led by William J. Birks Jr., specializes in providing comprehensive security consulting and expert witness services in the area of security premises liability. One of the key components is the use of CAP Index crime risk reports to assess potential risks and to guide security strategies for his clients.

## LEVERAGING CAP INDEX REPORTS

With over 45 years in the security industry, William has cultivated a data-driven approach to managing security risks and has used CAP Index crime risk reports at different stages throughout his career. In his current role, the CAP Index reports are helpful in

substantiating his opinion and for times when he is called upon to provide expert witness deposition and/or trial testimony. “When I take on a case, I use the CAP Index reports to get a clear picture of the potential for crime and the potential risk at the subject location,” William explains. “If for example, I’m dealing with a wrongful death matter occurring at a drinking establishment, I’ll utilize a regressive CAP Index study from the year the incident occurred to ensure that I’m looking at the true picture of the potential crime for that particular timeframe.” He meticulously analyzes the crime data from the year the incident occurred, cross-referencing it with police calls for service and the subsequent reports from those calls, in order to assess the bar’s history of crime. “If the report shows a high number of calls related to fights or other disturbances, it becomes clear that the bar’s management

*“We had the schedule of protection that rated locations based on their level of risk. So, for a CAP Index score that was about the national average of 100, I’d only implement basic physical security measures. However, riskier locations might require fences, razor wire, mantraps, enhanced alarm systems, etc.”*

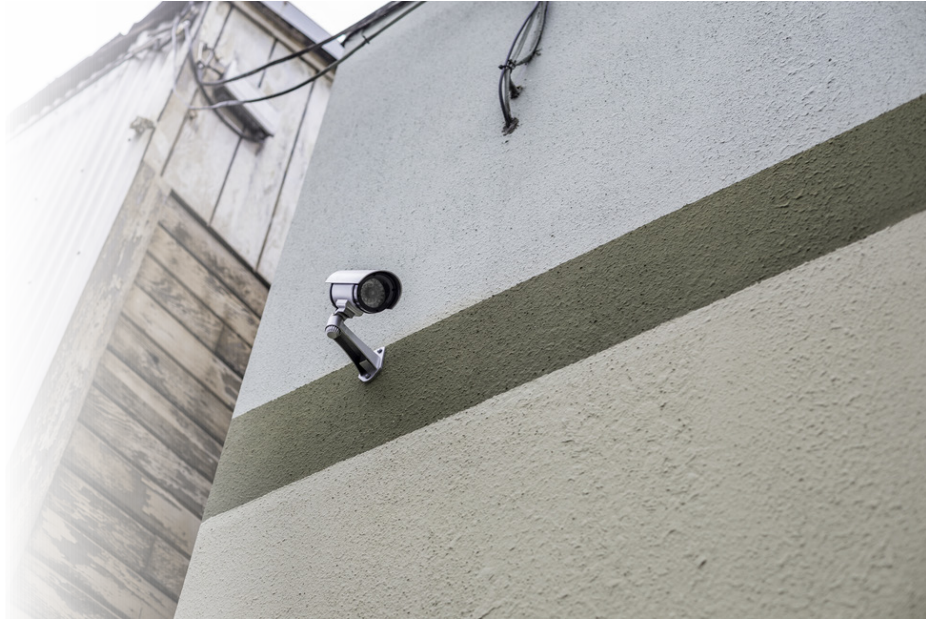
**- William Birks, Security Expert**

should have been aware of the potential dangers and taken appropriate security measures in an attempt to manage those risks,” William explains. This type of detailed analysis is crucial to demonstrate the bar’s negligence or their compliance in providing a safe environment for their patrons, thereby either supporting or refuting the argument for the plaintiff(s).



# Strategic Application of CAP Index Data in Corporate Security Roles

In his previous senior security roles at companies like McKesson and transportation services company Penske, William used CAP Index reports to optimize security measures and allocate security budgets effectively. “We had the schedule of protection that rated locations based on their level of risk. So, for instance, if a location or potential location had a CAP Index score that was on or about the national average of 100, I’d only implement basic physical security measures. However, riskier locations might require fences, razor wire, mantraps, enhanced alarm systems, etc.” said William.



This strategic use of CAP Index data allowed him to tailor security approaches based on the specific risks associated with each location and thus optimize the security budget.

## Advice for Security Professionals

William advises other security professionals to use CAP Index reports as part of a broader analysis, especially when performing forensic expert work. “You should not rely on the CAP product alone, it’s a great tool, but as I stated earlier, you should also consider police calls for service then follow up those CFS with obtaining the police reports from those calls as well.”

As an example of broader analysis, Birks shared a story about two wrongful death cases that he had been retained on. One case was a shooting at an apartment complex in which Birks was hired by the attorney that was representing the apartment complex. The other was a case in which a man was run over by a car during

an altercation at a restaurant/bar. In that case, Birks was hired by the attorney that represented one of the individual defendants, not the restaurant/bar.

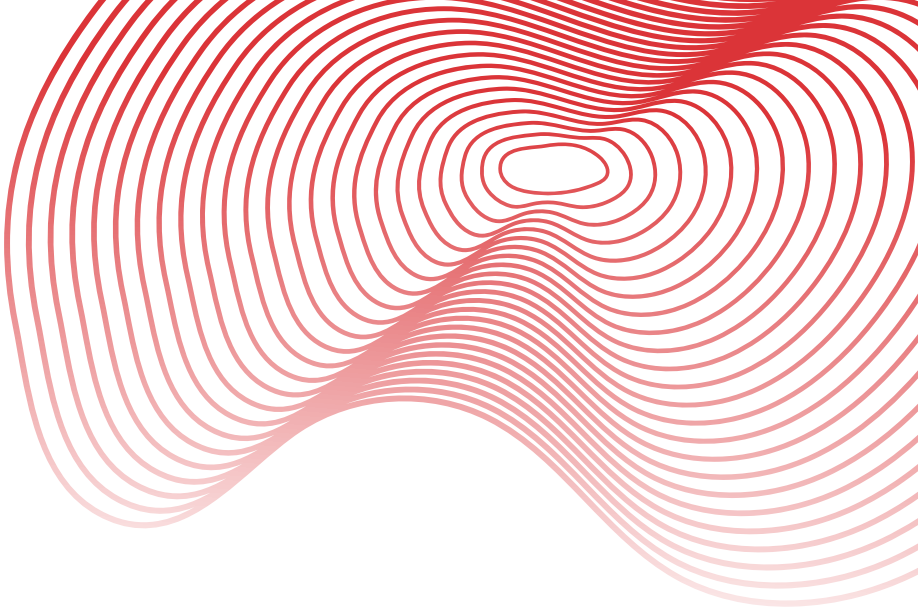
Although in one matter the CAP Index score was low and in the other high, it was determined through broader analysis that the results of the CAP Index studies had no bearing on the matter as in both instances the amount of security on-site would not have mattered as both victims were targeted attacks. In both instances the individuals knew each other and had previously documented issues with each other.





## About Birks Consulting Company

Founded in 2011 by William J. Birks Jr., Birks Consulting Company offers a full suite of security consulting services, including security risk assessments and expert witness testimony. With decades of experience in the security industry, William brings a wealth of knowledge to his clients.



William's career began in the early 1980s as an undercover operative for a guard agency. Over time, he advanced through various roles in the security departments of major companies like Manhattan Industries, Thorn Americas, McKesson, and Penske, where he served as the senior director of corporate security and safety.

Whether advising on security measures or providing expert testimony in legal cases, William's deep expertise and commitment to using the best tools available make Birks Consulting Company a trusted partner in security management.

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