



KOLINS SECURITY GROUP

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November 17, 2021

Barber Law

Attn: David Bryce Barber, Esquire
635 West Main Street, Third Floor
Louisville, KY 40202

Burman Law

Attn: Michael Burman, Esquire
1610 South Virginia Street
Hopkinsville, KY 42241

Re: Estate of Grant Beckner v. Princeton Lodge #1115, et al

D/I: Saturday, April 15, 2017

Dear Mr. Barber and Mr. Burman:

You requested that I offer my expert opinion as to whether the management and staff of The Princeton Elks Lodge #1115, located at 1050 S. Jefferson Street, Princeton, KY provided a reasonable level of security and safety for Grant Beckner on Saturday, April 15, 2017.

I reviewed the following materials, video surveillance and testimony, all of which presented enough information to render a professional opinion regarding the above captioned matter.

I reserve the right to amend/supplement my report based on newly provided information.

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(Division of Russell Kolins Associates)

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I. METHODOLOGY

See Appendix "A"

II. REVIEWED MATERIALS

See Appendix "B"

III. QUALIFICATIONS

See Appendix "C"

IV. EXECUTIVE SUMMARY

a. DEFENDANT PARTIES

Defendants Princeton Lodge #1115, Benevolent and Protective Order of Elks of the United States of America, Inc. ("Elks Lodge") owned, operated, controlled, managed, maintained and hired employees/agents/servants for the operation of a bar, located at 1050 S. Jefferson Street, Princeton, KY. Elks Lodge and/or its servants, agents, and employees, were responsible for providing security and crowd control services at the bar.

b. PERSONS IDENTIFIED IN DISCOVERY

Grant Beckner—decedent

Joseph Anderson—assailant, bartender at Elks Lodge earlier on the day of incident

Alyssa Butler—bartender at time of incident

Steve Wallace—Exalted Ruler (President) for Elks Lodge at time of incident

Jarrod Jackson—Leading Knight (Vice President) of Elks Lodge at time of incident

Christina Cooley—Bar manager for Elks Lodge at time of incident

James Mahan—witness, escorted Anderson out of inside bar after first altercation

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Austin Boaz—witness

Denise Nelson—cook for the Lodge from 2015-March 2017

Bryan Martin—member of the Lodge, witness

Ryan Martin—Bryan's wife, witness

c. SUMMARY of EVENT

On Saturday, April 15, 2017 Joseph Anderson worked an early shift at the Elks Lodge. After completing his shift, Anderson proceeded to consume alcohol at various establishments before returning to the Elks Lodge at approximately 10pm. Grant Beckner was also patronizing the Elks Lodge.

According to multiple witnesses, Anderson was using loud, vulgar language before Beckner inquired as to whether his vulgarities were being directed at him. After Anderson confirmed they in fact were, a physical altercation occurred inside of the Elks Lodge, resulting in bar stools being knocked over and blood being spilled. The police were *not* called at this time.

Anderson and Beckner were both ordered to leave the inside of the bar at the same time. This is the equivalent of the proverbial "*take it outside.*" A second physical altercation ensued outside in the parking area, which staff failed to intervene and/or prevent again. During this second altercation, Mr. Anderson stabbed Mr. Beckner seventeen times, which Mr. Beckner subsequently succumbed to those injuries.

d. SUMMARY of OPINIONS

Defendant deviated from accepted security standards and practices in the following ways:

- Failed to provide adequately effective security for its patrons;
- Failed to provide and maintain a safe and secure premises;
- Failed to provide adequate security deployment, personnel, and crowd management services for the event;
- Failed to provide adequate training for its personnel;
- Failed to implement adequate security policies, procedures, protocols and/or measures necessary to protect Mr. Beckner and other patrons;
- Failed to exercise sufficient control and supervision of the premises so as to ensure the safety of patrons in and around the areas where alcohol was sold;

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- Failed to maintain proper surveillance measures;
- Failed to exercise sufficient control and supervision of the premises;
- Failed to properly train staff to defuse and/or avoid altercations or acts of violence;
- Failing to create, promulgate, and enforce policies to have personnel patrol the parking lot to detect criminal activity;

V. ANALYSIS, CONCLUSIONS and OPINIONS

a. Foreseeability

Industry standards clearly hold that a licensee has a responsibility of reasonable care to protect its invitees from foreseeable injury.¹ The core of negligence is the failure to prevent harm from foreseeable risk.² Foreseeability is often determined under a totality of the circumstances test, which focuses on all factors in a case, not just one in particular. For example, the lack of prior similar crimes does not necessarily defeat foreseeability.³ Nor does the lack of history at a particular site indicate a low or nonexistent threat level.⁴

Currently no state law requires evidence of absolutely identical prior crimes.⁵

The following additional factors have been cited by various courts as encouraging premises liability litigation:

- Prior crime on the premises (i.e. foreseeability)
- The adequacy of security measures to detect, delay, or deter criminals.
- The availability and performance of security personnel. Key factors considered are employee screening, training, policy and procedures, response time, and qualifications
- The actual or constructive notice that ownership has (or should have) of prior crime or defective condition. Did the owner have notice of prior criminal incidents or defective conditions?⁶

¹ (Abbot & Geddie, 2001), P. 262

² (Fennelly & Lombardi, 1997), P. 14

³ (Fennelly & Lombardi, 1997), PP. 31-32

⁴ (Vellani, 2007), P. 113

⁵ (Vellani, 2007), P. 269

⁶ (Fennelly & Lombardi, 1997), PP. 56-57

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Another test sometimes used to determine foreseeability is “conscious disregard,” which assesses whether or not management knew of a problem or vulnerability but did nothing to correct it.⁷

It is a well-established principle that the presence of alcohol and/or drugs increases the likelihood of assaults and violence.⁸ Moreover, an altercation or confrontation is more likely to intensify if the participants are intoxicated.⁹ Licensed premises are high risk locations for violence.¹⁰ A bar or nightclub generally has higher risk factors for problems such as “intoxicated people, fights, and larger crowds.”¹¹ Intoxicated individuals are also highly likely to overreact and become defensive.¹²

Bars, nightclubs and other venues where alcohol is served can be prone to assault type crimes because alcohol tends to lower inhibitions and cause people to become more combative.¹³

According to Dr. Kurt M. Dubowski's¹⁴, Stages of Acute Alcoholic Influence and Intoxication, which was published in Garriott's Medicolegal Aspects of Alcohol, Fifth Edition in 2008 and again in the Sixth Edition in 2012, the following are the various behavioral effects of different levels of BAC:

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⁷ (Purpura, 2013), P. 98

⁸ (Berlonghi, 1996), P. 138; (Scott & Dedel, 2006), P. 3

⁹ (Berlonghi, 1996), PP. 165-166

¹⁰ (Graham & Homel, 2008), PP. 3-4

¹¹ (Clifton, 2012), P. 23

¹² (Berlonghi, 1996), P. 166

¹³ (Vellani, 2007), P. 42

¹⁴ I would like to note that I have personally trained under Dr. Dubowski at Indiana University in 2014.

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Stages of Acute Alcoholic Influence and Intoxication

Blood-Alcohol Concentration (grams/100 ml.)	Stage of Alcoholic Influence	Clinical Signs and Symptoms
0.01-0.05	subclinical	Influence or effects not apparent or obvious Behavior nearly normal by ordinary observation Impairment detectable by special
0.03-0.12	euphoria	Mild euphoria, sociability, talkativeness Increased self-confidence, decreased inhibitions Diminution of attention, judgment, and control Some sensory-motor impairment Slowed information processing Loss of efficiency in critical performance tests
0.09-0.25	excitement	Emotional instability, loss of critical judgment Impairment of perception, memory, and comprehension Decreased sensory response, increased reaction time Reduced visual acuity, peripheral vision and glare recovery Sensory-motor incoordination, impaired balance Drowsiness
0.18-0.3	confusion	Disorientation, mental confusion, dizziness Exaggerated emotional states (fear, rage, grief, etc.) Disturbances of vision (diplopia, etc.) and of perception of color, form, motion, dimensions Increased pain threshold Increased muscular incoordination, staggering gait, slurred speech
0.25-0.4	stupor	General inertia, approaching loss of motor functions Markedly decreased response to stimuli Marked muscular incoordination, inability to stand or walk Vomiting, incontinence of urine and feces Impaired consciousness, sleep or stupor
0.35-0.5	coma	Complete unconsciousness, coma, anesthesia Depressed or abolished reflexes Subnormal temperature Impairment of circulation and respiration Possible death
0.45+	death	Death from respiratory arrest

Reproduced with permission from Dr. Kurt M. Dubowski, University of Oklahoma College of Medicine, Oklahoma City, OK, 1997

Based on the statements regarding Anderson's behavior, it is more than likely he was intoxicated at the time he returned to the lodge on the night of incident. Further, his BAC was .102, however this was sample was not taken until approximately 5am, nearly

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6 hours after this incident.¹⁵ Anderson himself stated he had 8-10 drinks at the bar he was at prior to returning to the Elks (Hu-B's).¹⁶

Q: Joe, let's go ahead and get this out of the way, were you pretty intoxicated that night?

A: Yes, I was.¹⁷

One study has found that as high as forty-four percent (44%) of assaults occur at establishments that serve alcohol.¹⁸

In many cases arguments or fights will start outside the club among patrons who are leaving.¹⁹

Assaults in and Around Bars, published by the United States Department of Justice, Office of Community Oriented Services, found the following factors contributed (in part) to aggression and violence in bars:

- Alcohol is a major contributing factor to aggressively violent behavior
- Culture of Drinking—Cultures that are more accepting of intoxication as an excuse for antisocial or aggressive behavior, and relaxed the normal rules of society during drinking time, have higher levels of violence in and around bars.
- Type of Establishment
- Continued Service to Drunken Patrons
- Crowding and Lack of Comfort
- Tolerance for Disorderly Conduct—if the bar staff tolerates profanity and other disorderly conduct, it suggests to patrons that the staff will tolerate aggression and violence as well.²⁰

Christine Cooley told the Alcohol Control Board that in the year she had been employed at the Lodge prior to the subject incident, she had seen 3-4 other fights. Further, video surveillance provided shows both Joseph Anderson and Jarrod Jackson participating in violent altercations in the month prior to the subject incident. Anderson can be seen brutally attacking Sissy Redd on camera including repeatedly kicking her. Denise Nelson, who was cooking at the Lodge that night, reported this assault to both

¹⁵ See BatesPPD00011

¹⁶ See Anderson Criminal Trial Testimony 8/22/18

¹⁷ See Anderson Criminal Trial Testimony 8/22/18

¹⁸ (Graham & Homel, 2008), P. 4

¹⁹ (Witherspoon, 2002), P. 5

²⁰ (Scott & Dedel, 2006), PP. 2-6

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Cooley and Wallace and neither did anything about it.²¹ In fact, she told Wallace that Anderson was carrying a knife and had threatened to “slit a bitch’s throat.”²² Interestingly, Wallace testified that Anderson’s actions were exactly what *not* to do.

Q: She didn't want to go, could it go further than taking her by the arm?

A: No, wouldn't beat up a woman or anything like that. It'd be just walk her outside.

Q: Did Joey have any training on what to do if he had a female customer that was over-served and needed to be removed?

A: No special training.²³

Kayla Stevenson, another patron, told police Anderson had told her “Kayla, past you, I don’t care about anybody in this bar and I’ll kill every one of them tonight.”²⁴

Cooley seemed to also be aware of these prior threats when she told the police “And she just got belligerent and mouthy with Joey and everything, and he was like, “I don’t guess you know who I am, bitch. I’ll slit your throat.” And tossed her out the back door...And, I mean, he’s said things like that before. Like, “I’ll knock you out,” “I’ll do this, I’ll do that,” but never did. And we’d be like, “Joey, you’re so full of shit,” like, “Shut up,” like. And then he just starts laughin’ about it, and then it’s just a joke, and we all just pass it up. But now it’s like, “Was he kiddin’? Or not?”

Further, Alyssa Butler went to bar manager Christina Cooley, who was present at the bar but not on duty, that Anderson was becoming problematic.²⁵

It has also been found that parking lots in particular are among the most common places for an assault to occur.²⁶ According to industry experts, parking lots, by their very nature, are difficult to make into secure environments.²⁷ In fact, it’s been found that parking facilities are the most common location for an incident to occur, but especially assaults and batteries.²⁸

“Among the threats commonly associated with parking facilities are thefts of

²¹ Nelson Deposition, P. 32

²² Nelson Deposition, P. 33

²³ Wallace Deposition, P. 121

²⁴ See Kayla Stevenson Police Interview 4/25/17

²⁵ See Cooley Police Interview 4/18/17

²⁶ (Atlas, 2013), P. 110

²⁷ (Atlas, 2013), P. 623

²⁸ (Atlas, 2013), P. 623

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vehicles; thefts from vehicles; attacks against persons, such as assault, robbery and rape; vandalism”²⁹ Accordingly, the standard of care as to parking lots is to provide a safe area for auto storage *and* a safe area for passage of users to and from their vehicle.³⁰

Based on the above, the assault/murder by Anderson was foreseeable and preventable.

b. Security Responsibilities

Traditionally, the primary goal or purpose of security in any environment is to protect people and property.³¹

Security has several basic functions:³²

- Provide a safe and secure environment for everyone present
- To prevent crime
- To control the orderly behavior of spectators
- To monitor all admissions and access policies and procedures
- To implement emergency services when they are required
- To request help when needed from local, regional and federal law enforcement agencies
- Control of entrances and movement of pedestrian and vehicle traffic
- Patrol of buildings and perimeters
- Emergency response
- Dealing with disturbed people

The duties of security can also change over time as risk levels increase or decrease.³³

“Personnel are the most effective type of security because they provide detection, deterrence, delay and denial while providing subjective, intelligent decision making and the ability to interact with guests and provide guest services and other duties.”³⁴

²⁹ (ASIS International, 2012), P. 68

³⁰ (Atlas, 2013), P. 623

³¹ (Berlonghi, 1996), P. 18

³² (Berlonghi, 1996), P. 28, (ASIS, 2011), P. 4

³³ (Vellani, 2007), P. 266

³⁴ (Clifton, 2012), P. 22

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One way to foster a less confrontational staff is to make certain duties overlap for all roles, i.e. all staff should be made responsible for ensuring the safety of patrons, not just security. If a fight breaks out between two patrons, the bartender who served those patrons their last drink and observed they were intoxicated is just as responsible as the security staff for not preventing the altercation from occurring. Bartenders and servers should also feel personally responsible for telling patrons if they do not calm down they will be asked to leave.³⁵

In addition to the above industry requirements to have personnel trained in security, a local ordinance *required* the Elks Lodge to maintain security. Section 4.11 of Princeton Ordinance 9-17-2012-1 (as amended by Ordinance No. 12-02-2013-1) reads "The licensee shall be responsible for maintaining security on his or her premises, including providing outside lighting to permit customers to utilize the parking area and to promote the safety, health and welfare of the general public utilizing the licensed premises and to discourage unlawful activity in and around the licensed premises."

Jarrold Jackson conceded the Lodge was responsible for maintaining security on the premises.³⁶ Defendants failed to comply.

With that responsibility, Defendant violated *another* statute. According to KRS 244.120

- 1) A retail licensee, a patron, or the licensee's agents, servants, or employees shall not cause, suffer, or permit the licensed premises to be disorderly.
- (2) Acts which constitute disorderly premises consist of causing, suffering, or permitting patrons, the licensee, or the licensee's servants, agents, or employees to cause public inconvenience, annoyance, or alarm, or create a risk through:
 - (a) Engaging in fighting or in violent, tumultuous, or threatening behavior;
 - (b) Making unreasonable noise;
 - (c) Refusing to obey an official order to disperse issued to maintain public safety in dangerous proximity to a fire, hazard, or other emergency;
 - (d) Creating a hazardous or physically offensive condition by any act that serves no legitimate purpose;

³⁵ (Graham & Homel, 2008), P. 167

³⁶ Jackson Deposition, pp. 25-26

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- (e) Creating a public nuisance;
- (f) Engaging in criminal activity that would constitute a capital offense, felony, or misdemeanor; or
- (g) Failing to maintain the minimum health, fire, safety, or sanitary standards established by the state or a local government, or by state administrative regulations, for the licensed premises

Absent actual security staff, the personnel on duty at the time of the incident had security responsibilities as they were the only “capable guardians” on the premises. However, they all failed to respond to Anderson’s behavior preceding the first altercation, the first altercation itself, or the obvious signs the altercation was going to continue outside, despite the fact the first altercation drew blood.³⁷

c. Policies and Procedures

Procedures include access control, weapon and contraband searches, as well as incident report writing.³⁸

In fact, a key element for policies and procedures is that they be articulated in writing.³⁹ Steve Wallace confirmed there are no written policies telling employees what is expected of them.⁴⁰ There is no written policy for what to do when someone is violating house rules.⁴¹

Establishment policy should mandate that security separate and remove all potentially violent patrons in a manner, consistent with the law, that is designed to prevent a continuation of violent activity inside or outside the club.⁴²

If any arguments and/or physical altercations arise, the aggressors should be separated, and one party held back and the other party enabled to leave. Removing the aggressors from the rest of the crowd can defuse incidents such as the subject assault.⁴³

³⁷ See Cooley ABC Interview 5/1/17

³⁸ (Vellani, 2007), P. 173

³⁹ (Vellani, 2007), P. 174

⁴⁰ Wallace Deposition, P. 31

⁴¹ Wallace Deposition, P. 37

⁴² (New York Nightlife Association, 2011), P. 1

⁴³ (Scott & Dedel, 2006), P. 14

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“When two patrons are being ejected for fighting with each other, the more aggressive patron should be ejected first. Only after he or she has been observed by security or management to leave the property (including the parking lot if applicable) should the second person be ejected, through a separate door if possible. Throwing both combatants out the door together to let them “duke it out” is inappropriate, and just asking for trouble. When several persons are engaged in a fight, security personnel may have to “peel” them from the crowd, one-by-one, and in an effort to break up the fight, and escort them outside. The key there is separating the combatants and then preventing those ejected from re-entering the establishment or the fight. Where possible, one security person should remain outside and attempt to get ejected patrons to leave so that the fight does not re-start or continue outside as others are ejected. In such a situation the police should usually be called for assistance as early in the situation as possible.”⁴⁴

Importantly, an organization may increase its liability if it ignores the policy or applies it inconsistently.⁴⁵

Austin Boaz told police he even asked the bartender why Anderson was allowed to talk with such vulgarity without consequence and was told “Oh, it’s just Joey.”⁴⁶

Defendant failed to have any policy regarding the removal of aggressive patrons, as evidenced by the fact Beckner and others were allowed to essentially follow Anderson out of the door.

Defendant also conceded they had no formal policy regarding injuries to guests or members.⁴⁷ There was also no written policy on removing/separating patrons involved in altercations.⁴⁸

The lack of policy regarding handling altercations is why patrons were allowed to “duke it out” without consequence. Multiple witnesses and staff testified that when altercations occur, the parties are simply separated and asked to leave. Contrary to the responsible alcohol service standards above there is no effort made to ensure the first party leaves before the second one exits, nor is there any effort made to ensure the fight does not continue outside, nor are the police called. ALL of which are failures on the part of Defendant.

⁴⁴ (Witherspoon, 2002), PP. 4-5

⁴⁵ (ASIS, 2009), P. 38

⁴⁶ See Austin Boaz police interview 4/20/17

⁴⁷ See Elks Amended Response to Plaintiff Request for Admissions #28

⁴⁸ Wallace Deposition, P. 68

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Christina Cooley said in her interview with the ABC that "Typically, if we get 'em under control, and they leave at separate times, we usually don't try to call law enforcement, if it happens very quickly and neither party wants to press any kind of charges." She confirmed with police that "Everybody knows protocol is, you go outside."⁴⁹

"It's always been that way. Which, now we realize, that's probably not the best-case scenario, but, "You can't be here, you gotta go."⁵⁰

Member Bryan Martin said in his ABC interview that " I don't think they do that every time. I think they, it's pretty much a factor. And being that I worked in a few bars in my life, I think it's a typical reaction to get it split up, get everybody split up. And if you can calm it down, and like I said, that didn't happen in 30 seconds, it couldn't have been thrown 2-3 punches, and it's broke up and it's over with. Everybody's got to go home at that point, and I think that's, that's just the typical reaction that I've seen. And what I've seen from what I know of out there, that was how they was handlin' it."⁵¹

Kevin Reed, too, stated "I think they handle, try to handle it theirself."⁵²

Jarrold Jackson at the ABC hearing described the procedure as "Typically, if you can, to the extent you can, the procedure is to break up the fight and let one of the people exit the building and leave the premises, but in this case, 15 seconds, looking at the video, 15 seconds was the time between Mr. Anderson coming out and Mr. Beckner, but physically, that's all we could physically restrain him."⁵³

He went further, confirming that "there was no follow-through to escort someone to the end of the driveway and make sure they got on the highway or anything like that."⁵⁴

Joseph Anderson, too, confirmed this practice. "I have broken up many a fight in the Elks and the person that causes the fight usually goes and the other one stays. And I have broken up many a fight in the Elks."⁵⁵

This inconsistency of who is supposed to leave and who gets to stay was confirmed by Christina Cooley, who admits Beckner was not immediately going to be kicked out after the first altercation as she offered to buy him a drink.⁵⁶

⁴⁹ See Cooley Police Interview 4/18/17

⁵⁰ See Cooley Police Interview 4/18/17

⁵¹ See Bryan Martin ABC Interview

⁵² See Kevin Reed ABC Interview

⁵³ See Jarrod Jackson ABC Hearing Testimony 9/11/19

⁵⁴ See Jarrod Jackson ABC Hearing Testimony 9/11/19

⁵⁵ See Anderson Criminal Trial Testimony 8/22/18

⁵⁶ See Cooley Criminal Trial Testimony 8/22/18

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Allegedly, members are supposed to be written up for altercations, however, I have seen no evidence Anderson was written up for his assault on Sissy Redd. Jackson confirmed he was also not aware of Anderson having any disciplinary action against him.⁵⁷

Further, Defendant failed to enforce the policies they *did* have. The House Rules dictate that guests must refrain from the use of “profane, indecent or boisterous language.” Multiple witnesses stated that Anderson was using loud, vulgar language prior to engaging with Beckner. There is testimony that Anderson continued this behavior for anywhere between 20 minutes to one hour.⁵⁸ In fact, Butler and Jackson both testified to having approached Anderson about his behavior and both confirmed he continued the behavior despite the warnings.⁵⁹ Ryan Martin stated in her ABC interview that “Joey had continued to mouth and um, he was, it was vulgar, but I’ll say it because that, Joey was like, “a bunch of fuckin’ bitches, they’re all a bunch of fuckin’ bitches!” Just on and on, and he, I know he had been reprimanded several times, you know, “Joey that’s enough, Joey you’ve got to stop, it’s enough.”⁶⁰

Despite getting blood on him in the first altercation and possibly punched himself, Jarrod Jackson simply returned to his pool game instead of ensuring the fight did not continue. “I never went outside.”⁶¹

Anderson should have been ejected and suspended for this behavior long before Grant Beckner was involved.

In fact, the minutes from July 14, 2014 indicate another member was suspended for a full year for “using loud, foul language and making threats.” That is precisely what Anderson was doing, including referring to other patrons as “pussy bitches” on multiple occasions.⁶²

Additionally, the “Policies and Procedures for the Canteen and Bar, #1115”, states that “the Princeton Police Department shall be contacted if a patron becomes out of control or appears to be a danger to him/herself or others.” The police were *not* called as a result of the first altercation in violation of this policy. The police report indicates they were on site approximately 2 minutes after being contacted, so it is highly likely if the

⁵⁷ See Jarrod Jackson ABC Hearing Testimony 9/11/19

⁵⁸ See Cooley Police Interview 4/18/17; See Tammy Brown Police Interview 4/24/17; See Vicki Cotton ABC Hearing Testimony 9/11/19; Jackson Deposition, P. 32

⁵⁹ See Butler Police Interview 4/24/17

⁶⁰ See Ryan Martin ABC Interview

⁶¹ See Jackson Testimony at ABC Hearing 9/11/19

⁶² See BatesPPD00007

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police had been called after the first altercation they would have either been there prior to the second fight starting or the sound of their sirens and lights may have deterred Anderson from murdering Beckner.

Further, despite the "New Hire Package" stating weapons are not permitted on the premises, multiple members have given statements that Anderson was known to frequently carry a knife at the Lodge and would often flick it open in the presence of others.⁶³ Denise Nelson testified Anderson had the knife on him after assaulting Redd.⁶⁴

Austin Boaz told police "that he's wanted to do for a long time. He's obsessed with his little knife. And he would flip it. He would walk around bartending, even when he was sober, he just played with it."⁶⁵

According to Ryan Martin's statement to the police, Cooley was also aware of Anderson carrying a knife including what he describes as a "gut knife."⁶⁶ Tammy Brown testified at the criminal trial that on the night of the murder she overheard Anderson say "I oughta gut one of those son of a bitches."⁶⁷

Christina Cooley even told police members bring guns inside as well. "I mean, they just wanna be old school, they've always been old school, they're always gonna be old school. And you just kinda gotta weigh your odds."⁶⁸

Alyssa Butler also admitted to seeing Anderson with a knife before.⁶⁹

d. Training

"Through well-conceived, well executed security training programs, personnel can be better prepared to prevent incidents from happening, respond properly to incidents that do arise, and contribute to recovery efforts more effectively."⁷⁰

⁶³ See Cabott Coleman Police Interview 4/18/17; Kevin Reed Police Interview 4/19/17; Bruce Redd Police Interview 4/21/17; Tyler Mahan Police Interview 4/21/17; Kayla Stevenson Police Interview 4/25/17; Taylor Page Police Interview 4/16/17

⁶⁴ Nelson Deposition, PP. 31-32

⁶⁵ See Austin Boaz Police Interview 4/20/17

⁶⁶ See Ryan Martin Police Interview 4/18/17

⁶⁷ See Tammy Brown Criminal Trial Testimony 8/20/18

⁶⁸ See Cooley Police Interview 4/18/17

⁶⁹ See Butler Police Interview 4/24/17

⁷⁰ (ASIS International, 2012), P. 362

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In general, both security and non-security personnel should have some training in the following areas:

- Reporting loss-causing (or merely suspicious) events
- Emergency situations (natural or man-made disasters, bomb threats, hazardous materials incidents)
- Safety⁷¹

Additional topics that should be included in personnel training include handling altercations, accidents and injuries, ejections and medical emergencies.⁷² The staff of the Elks Lodge had no training in these areas which is why the “wild west” environment was allowed to perpetuate. Wallace confirmed there was no training on how to handle altercations or when to call the police, as these too were left up to employees’ “judgment.”⁷³

The Department of Homeland Security, Protective Security Coordination Division, Office of Infrastructure Protection, published a report entitled Nightclubs and Entertainment Districts, which has been used to educate private security in the hospitality, nightclub, bar and entertainment industry, as an effort to enforce and awareness of issues regarding, in part, vulnerabilities, protective measures, monitoring, surveillance, and inspection.

The Monitoring, Surveillance, Inspection section of the report recommends that licensed establishments:

- Install closed-circuit television (CCTV) systems, metal detectors, and lighting to cover key areas including bar areas and parking lots
 - Steve Wallace conceded in a news interview that the area where the murder occurred is not well lit and was not picked up on the cameras.⁷⁴
- Train security personnel to watch for suspicious or unattended vehicles near the facility and unusual activity
- Regular inspect and monitor restroom areas, trash bins, and parking lots
- Constantly monitor all people entering and exiting the building.⁷⁵

⁷¹ (Fennelly & Lombardi, 1997), P. 205

⁷² (Berlonghi, 1996), P. 120

⁷³ Wallace Deposition, PP. 69-71

⁷⁴ See WPSD Article Dated 4/17/17

⁷⁵ (US Department of Homeland Security, 2011), PP. 1-2

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Employees should not be able to “do their own thing” i.e. operate without training or supervision.⁷⁶ There is ample evidence, however, this is exactly what is done. Even their own “Policies and Procedures” state that employees shall use “good judgment” when cutting off a patron and directing the patron to leave. Such subjective statements have no place in policies and procedures, where staff must be explicitly instructed as to what to do in these situations.

Another example of this attitude is when Christina Cooley told police that after being informed of Anderson’s behavior by bartender Alyssa Butler, she told Butler “you do whatever you feel like you need to do. Your discretion and I’ll back you 100%.”⁷⁷ How to handle situations like this should absolutely not be left to the employee’s ‘discretion.’

Deana McDowell’s testimony demonstrated exactly why discretion can become problematic.

Q: So there could have been six or seven different versions of what they were to do when that happened, based on who they talked to or you talked to them?

A: It was the discretion of the bartender what to do when someone did something unacceptable.

Q: You may be talking about personal knowledge. That’s why I’m asking about written procedures. Was there anything in writing at the Elks that said that the employees had to be trained; that it was --

A: No. (pp. 28-29)

The STAR program for responsible alcohol service dictates, too, that “A licensee cannot permit its premises to be disorderly because of violence, fighting, loud noise, public nuisance, hazardous condition, criminal activity, or violation of a minimum health, fire, safety or sanitary standard.” Thus far I have not seen the STAR certificates for Alyssa Butler or Christine Cooley, which might explain why the first altercation was allowed to occur without consequence. Despite the fact a local ordinance requires that both be trained within 60 days *and* that the Elks lodge maintain records of that training.⁷⁸

Steve Wallace confirmed other than the STAR training, there is no other in-house training of any kind at the Lodge.⁷⁹

⁷⁶ (Fennelly & Lombardi, 1997), P. 16

⁷⁷ See Cooley Police Interview 4/18/17

⁷⁸ See Section 4.22 of Princeton Ordinance 9-17-2012-1 (as amended by Ordinance No. 12-02-2013-1)

⁷⁹ Wallace Deposition, P. 32

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The sequence of events described above include a number of failures of these principles. Anderson and Beckner were not properly removed. The exit nor parking lot was monitored to deter further incident. As a result, Anderson felt free not only to continue the assault but to escalate the violence with a knife.

e. Incident Reporting

Defendant breached the standard of care as recognized by ASIS International which teaches the importance of generating incident reports, conducting an evaluation of those reports and maintaining the reports for future action.

Data-driven incident management applies to all businesses, including restaurants, bars/nightclubs, hotels and hospitals, retail establishments, and financial institutions. Maintaining a proper incident management system could mean diminished liability in a reasonable effort to maintain a safe and comfortable environment for patrons and employees.

According to a published security expert and colleague, John J. Fay, also a contributor to the Standards of Care published by ASIS International, "It should be obvious that the massive amounts of relevant data that cross security managers' desks must be turned into corporate intelligence. The only way this can be achieved is by using the power of a computerized database management to track incidents, determine their root causes and their disposition. The answers to who, what, when, where, and how enabled trend and relationship management which, in turn, facilitates corrective action and justifies any countermeasures."⁸⁰

Fay further writes: "If an organization requires additional motivation to become serious about reputation management, all they have to consider is the vast sums of money that may be awarded by juries in cases where companies are found negligent. Good records are of paramount importance when defending against negligence, especially records that show the company to be a good corporate citizen. A demonstrable commitment to collecting and constructively acting on the information is at the heart of mitigating liability when the prosecution argues that the defending organization could have foreseen and prevented violent and other damaging events. The types of incidents that a company or organization must document and respond to include [but are not limited to]:

⁸⁰ (Fay, 2007), P. 75

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- Violent crime: Senseless shootings...and violent attacks. These incidents cause extreme disruption, personal loss and huge lawsuits."⁸¹

The importance of preparing, reviewing, and responding to incident reports cannot be understated. However, it is essential these reports be truthful and accurate. "Serious assaults should always be the subject of a uniform incident report being completed by a managerial level employee of the establishment who was present at the time of the incident. This manager need not be a witness to the incident, but is responsible for interviewing the witnesses and completing the report."⁸²

Defendant concedes they do not maintain any type of incident log nor have I seen evidence of any type of incident report having been prepared in connection with the subject murder.⁸³ Even the STAR manual recommends establishments use incident report logs for anytime someone is 'cut off.'

I have also not seen an incident report for Anderson's brutal assault of Sissy Redd in March 2017. Jarrod Jackson confirmed that there was never any formal action taken or report created for the assault.⁸⁴

The lack of incident reporting prevented any trends in behavior or incidents from being observed. Anderson's prior violent tendencies were not noted and therefore not responded to. Steve Wallace even said at the ABC hearing that he was unaware of many of the incidents testified to. "I've been kind of enlightened sitting here today. You know, me being the Exalted Ruler for three years in a row, any, any altercations would come before the board, which I'm a board member. And, you know, we've not had any, any magnitude of what I'm hearing here. So I don't understand where all that information has come from." This lack of awareness, and therefore response, is precisely why incident reports and the audit of same is essential.

f. Deployment

It is the facility manager's responsibility to ensure proper positioning of personnel. Personnel should be assigned strategically throughout the venue. "Effective positioning of officers is an additional factor in identifying, thwarting, or dissipating a dispute, as time is of the essence."⁸⁵

⁸¹ Ibid.

⁸² (New York Nightlife Association, 2011), P. 10

⁸³ See Elks Lodge Response and Objections to Plaintiffs Notice to Take Corporate Designee Deposition, Schedule of Documents #10, 14

⁸⁴ Jackson Deposition, P. 39

⁸⁵ (Abbot & Geddie, 2001), P. 262

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There were no capable personnel in the area where the second altercation/murder ultimately occurred, despite the fact two altercations had occurred in the area just a month prior.

g. Lighting

Surveillance is the ability to look into an area, and the ability to look back out. It can be formal or informal. Things that inhibit surveillance are structural elements, block walls, and poor lighting. Natural surveillance is when good visual connection and observation is naturally occurring. As people are moving around an area, they will be able to observe what is going on around them, provided the area is open and well lit.⁸⁶

A threat cannot be detected, either by camera or in person, if there is no light.⁸⁷

Specifically, parking areas need to be saturated with light. The same applies for walkways and entrances to buildings.⁸⁸ According to ASIS, "Open Parking" is one of the most important places to illuminate.⁸⁹

Without proper lighting, CCTV systems become relatively useless.⁹⁰

Lighting can help create a psychological deterrent to criminals.⁹¹ In fact, one of the primary functions of security lighting is to deter criminal activity.⁹²

Not only are the Elks lodge required to have adequate lighting based on the above, a local ordinance mandated it as well. As stated above, part of the Lodge's requirements as licensee are to maintaining security on his or her premises, including providing outside lighting to permit customers to utilize the parking area and to promote the safety, health and welfare of the general public utilizing the licensed premises and to discourage unlawful activity in and around the licensed premises."

⁸⁶ (Atlas, 2013) P. 71

⁸⁷ (Vellani, 2007), P. 203

⁸⁸ (Fennelly & Lombardi, 1997), P. 148

⁸⁹ ASIS International, Protection of Assets Manual (POA), PP. 179-180

⁹⁰ (Atlas, 2013), P. 651

⁹¹ (Atlas, 2013), P. 724

⁹² ASIS International, Protection of Assets Manual (POA), P. 169

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Q: And that would include having adequate outside lighting?

A: Yes.

Q: And adequate outside lighting to help provide for the safety of people using the premises?

A: Yes.

Q: And also to discourage unlawful activity on the premises?

A: Yes.⁹³

The minutes from July 20, 2016 indicate that the Board discussed adding lighting to this area but there is no evidence this was ever done prior to subject murder.

Multiple members testified or gave statements that Anderson used his knowledge of the layout of the exterior, and which area was the darkest, to essentially lie in wait with the knife.⁹⁴ Vicki Cotton said in her interview with the ABC that "Joey, instead of going out where all the big grass is was first then turned right and then right again into this dark corner. He's an employee of the Elks, he knows where the cameras shine, he knows when they are on and when they're not, he knows the grounds, I mean, he knows that. And I have, I feel like, Joey Anderson walked out of that building, went directly to that spot knowing it was darker, harder to see, and I believe he took his knife out and had it ready when he got around that corner. That's what I believe."⁹⁵ At the ABC hearing in 2019 she reiterate the sentiment, "he chose to go over to a dark, dark area on the premise, I think he had the intent to hurt someone that night."⁹⁶

Kevin Reed, too, told police "I think he went to that specific spot on purpose, because he works there. He's familiar with the cameras, he knows how dark it was over there, and he didn't want nobody to see the knife, and he wanted, I'd say, to use it immediately."⁹⁷

Austin Boaz described the area as "dark, there wasn't any lights."⁹⁸ Tyler Mahan, too, testified that "you couldn't really see anything, it was too dark."⁹⁹

Steve Wallace himself conceded the area was not well lit and unsafe.¹⁰⁰

⁹³ Jackson Deposition, P. 26

⁹⁴ See Mahan ABC Interview 5/4/17; See Kevin Reed Criminal Trial Testimony 8/21/18

⁹⁵ See Cotton ABC Interview 5/4/1

⁹⁶ See Cotton ABC Hearing Testimony 9/11/19

⁹⁷ See Kevin Reed Police Interview 4/19/17

⁹⁸ See Austin Boaz Criminal Trial Testimony 8/21/18

⁹⁹ See Mahan Criminal Trial Testimony 8/21/18

¹⁰⁰ See Wallace ABC Hearing Testimony 9/11/19

h. CCTV (video surveillance)

A closed-circuit television (CCTV) system is another important security tool used by property owners and/or managers in the deterrence and prevention of criminal activity. Cameras provide detection if they are being monitored and provide deterrence if they are visible to would-be offenders.¹⁰¹

However, surveillance without analysis of the activity under observation is operationally inadequate and not cost justifiable.¹⁰² As stated above, two altercations are captured on video in March 2017, one involving Anderson himself. Had someone been monitoring these cameras, Anderson's behavior would have been observed, documented, and appropriately responded to. The lack of awareness as to this prior vicious assault was evidenced when Steve Wallace denied it occurred in his written discovery responses.¹⁰³

Christina Cooley testified at the criminal trial that the monitor that members and employees alike could observe was not even turned on the night of incident.¹⁰⁴ Despite the fact those same monitors are what alerted members to Anderson's brutal assault on Sissy Redd just a month prior to the murder.¹⁰⁵

The Board seemed to acknowledge the need to upgrade the camera system in July of 2016 but there is no evidence they did so prior to the subject incident.

i. Negligent Hiring/Supervision/Retention

Negligent hiring is the employment of a person that poses danger to others.¹⁰⁶ This means employers must screen individuals adequately *before* they are hired."¹⁰⁷

Every employer has a legal duty of care to take reasonable steps to avoid hiring workers who pose a foreseeable risk of harm to co-workers, the public, or vulnerable

¹⁰¹ (Clifton, 2012), P. 22

¹⁰² (Fennelly & Lombardi, 1997), PP. 191-192

¹⁰³ See Wallace Response to Request for Admissions #3

¹⁰⁴ See Cooley Criminal Trial Testimony 8/22/18

¹⁰⁵ Nelson Deposition, P. 39

¹⁰⁶ (Fay, 2007), P. 233

¹⁰⁷ (Vellani, 2007), P. 273

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individuals.¹⁰⁸ Management must work to bar from the organization those who are at risk for violence, theft, illegal drug use, and other harmful behavior.¹⁰⁹

Negligent supervision is when an employer knows, or should have known through the exercise of ordinary care, that an employee's conduct would subject third parties to an unreasonable risk of harm.¹¹⁰ There must be facts and occurrences that put the employer on notice that the supervised person poses a danger to third parties.

Finally, negligent retention exists when during the course of employment, the employer becomes aware or should have become aware of problems with an employee who indicated his unfitness, and the employer fails to take further action to prevent such conduct such as investigation, discharge, or reassignment.¹¹¹

Defendant, in my opinion, has violated all three. Anderson should not have been rehired after he first left the bartender position following a hostile blow up in the presence of other staff.¹¹² However, after his behavior worsened in 2017, including the assault on camera of Sissy Redd, while he was on duty, and captured on camera, Anderson should have been disciplined in *some* way. There is no evidence Anderson has ever been disciplined for his behavior prior to the subject murder, which Steve Wallace appeared to confirm.

In fact, there is reference to Anderson having disrespected an Elks member while on duty as a bartender as early as May 2016.

j. Conclusion and Opinions

The Defendant for the reasons stated herein, materially deviated from the applicable security standards, substantially breached their duty and/or assumed the duty to undertake reasonable measures to provide a safe place for their patrons and failed in protecting their patrons from harm. These breaches and failures were fundamental, far-reaching, outrageous and created the violent and unsafe environment that resulted in the severe injuries and ultimate death of Grant Beckner which was both predictable and preventable.

¹⁰⁸ (Fay, 2007), PP. 384-385

¹⁰⁹ (Purpura, 2013), P. 136

¹¹⁰ (Rosen, 2012), P. 26

¹¹¹ (Rosen, 2012), P. 25

¹¹² Nelson Deposition, PP. 99-100

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My professional opinions are based on the results of my review and analysis of the reviewed materials and documents identified in my report, as well as my knowledge, experience and research of security standards, theories and principles and my knowledge, experience, expertise and training in responsible alcohol management and bar and venue security, my experience as a Licensed Private Detective, Board Certified Criminal Defense Investigator, Crime Prevention Through Environmental Design Instructor, and Security Consultant and Practitioner, Certification in Homeland Security, certified in Security by the states of New Jersey and Connecticut, NIMS training and continuous education, including a Bachelor of Science degree in Security Management and extensive education and training in the fields of security and investigation for over 50 years in the private sector and 4 years in the Intelligence and Security service in the United States Marine Corps, including service in Vietnam.

My experience includes Risk Assessments, Vulnerability Assessments, Security Surveys and prior civil cases involving entertainment and hospitality venues, parking lots, multi-unit residential and commercial properties including shopping centers and malls. Through this experience I have taught and trained business and property owners, managers and employees of the need and how to conduct various types of assessments. I have also addressed organizations such as Bar Association CLE's, Professional Security Organizations, Lions Clubs, tenants' associations, property management and conducted security and safety seminars. I have taught and mentored my peers in the Security industry; Legal Aspects and Principles of Security and Security Management. All of my education, training, experience and expertise have been used in rendering this opinion.

I am also a Certified SORA¹¹³ Instructor in the State of New Jersey and a member of the faculty at the University of Louisville, Southern Police Institute where I teach classes on Crime Prevention and Crime Prevention Through Environmental Design (CPTED) to ranking law enforcement and security management personnel.

All my opinions are stated to a reasonable degree of professional certainty in my profession as an expert in liquor liability, bar and venue hospitality operations and commercial security. My Curriculum Vitae is attached with this report.

¹¹³ New Jersey State Police and Homeland Security Certified Instructor of Security Officers

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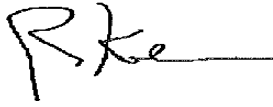
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Sincerely,



Russell Kolins, CCDI, BSSM, ICAC

RDK/wh

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¹¹⁴ Not all references are cited in this report however I reserve the right to utilize them upon receipt of additional information. Security principles overlap which may cause some resources cited to contain information included in other references.

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APPENDIX "A"

METHODOLOGY

My analysis is consistent with the best practices and forensic methodology by ASIS International, *Protection of Assets Manual (POA)* and the International Association of Professional Security Consultants (IAPSC).

ASIS International is the preeminent worldwide Professional Security organization, consisting of vetted qualified members in every discipline of security. The Protection of Assets Manual is recognized in the security industry as the "*Bible*" of security. Its contents are comprised of accepted industry standards and accepted best practices. It also contains sections of published books and other literature for the education and advancement of all principles and disciplines of security. ASIS International also has certified many Councils that are comprised of only qualified and accepted leaders in their respective field of expertise. Membership is limited for each Council. Councils are charged with the responsibility of continuous monitoring of their respective objectives and developing recommendations for the Standards and Best Practices Commission for the advancement of those standards. I serve as the Liaison to the Commission.

I have been an active member of the Hospitality, Entertainment and Tourism Security Council on which I currently serve as Chairman (2017, 2018 and 2019). I also Chair a Committee on the Crime Prevention and Loss Prevention Council. I earned a Bachelor of Science Degree in Security Management.

The International Association of Professional Security Consultants (IAPSC) is the preeminent organization restricted to recognized qualified professionals in their respective security disciplines.

Furthermore, the forensic methodology used to arrive at my opinions include the review of the aforementioned materials, my knowledge and experience obtained through studies of theories and applications of those theories, as well as research and review of qualified written materials describing the accepted practices and standards of security principles and benchmarking practices.

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APPENDIX "B"

REVIEWED MATERIALS

1. Pleadings

- a. Complaint
- b. Defendants' Answer to Plaintiff's Complaint
- c. Agreed Order Setting Pre-Trial Guidelines for Written Discovery
- d. Subpoena Duces Tecum
- e. Agreed Protective Order
- f. Motion to File Third Party Complaint
- g. Order After Status Conference
- h. Case Management Order
- i. Order Referring to Mediation
- j. Entry of Appearance

2. Discovery

- a. 2019 Motion September Motion to Compel:
 - i. Princeton Elks Lodge #1115, Benevolent and Protective Order of Elks of the United States of America, Inc.'s Response to Plaintiffs' Motion to Compel
 - ii. Email Correspondence
 - iii. Motion to Compel Production of Documents and Witnesses
 - iv. Order Compelling Production of Documents and Witnesses
 - v. Majestic Building Maintenance, Inc. v. Huntington Bancshares Incorporated Civil Action (July 10, 2018)
 - vi. Royal Consumer Products, LLC v. Buckeye Boxes, Inc. Court of Appeals of Kentucky (June 28, 2019)
 - vii. WPSD Article April 17, 2017
 - viii. Vanda Collins v. Honorable Paul Braden and Baptist Regional Medical Center October 25, 2012
- b. 2020 Motion October Motion to Compel (Minutes)
 - i. Motion to Compel Production of Documents
 - ii. Order Compelling Production of Documents and Witnesses
- c. 2021 April Discovery Requests to Defendant
 - i. Plaintiff's Discovery to Princeton Elks
 - ii. Plaintiff's 2nd Discovery to Jessica Board
 - iii. Plaintiff's 2nd Discovery to Jarrod Jackson
 - iv. Plaintiff's 2nd Discovery to Steve Wallace
- d. 2021 Board Discovery Responses:

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- i. Defendant Jessica Board's Answers to Plaintiffs' Second Set of Interrogatories
- ii. Defendant Jessica Board's Responses to Plaintiff's Second Set of Request for Production
- e. 2021 Elks Discovery Responses:
 - i. Defendant Princeton Lodge #1115's Responses to Plaintiffs' First Requests for Admissions
 - ii. Princeton Elks Lodge #1115, Benevolent and Protective Order of Elks of the United States of America, Inc.'s First Amended Responses to Plaintiffs' First Requests for Admissions
 - iii. Princeton Elks Lodge #1115, Benevolent and Protective Order of Elks of the United States of America, Inc.'s Answers to Plaintiffs' First Set of Interrogatories
 - iv. Princeton Elks Lodge #1115, Benevolent and Protective Order of Elks of the United States of America, Inc.'s Responses to Plaintiffs' First Set of Requests for Production
 - v. ELKS001183 – ELKS001227:
 - 1. Meeting Minutes:
 - a. 04/22/2013
 - b. 05/06/2013
 - c. 05/13/2013
 - d. 07/01/2013
 - 2. Email Correspondence Subject: TV
 - 3. Meeting Minutes:
 - a. 09/16/2013
 - b. 09/19/2013
 - c. 10/21/2013
 - d. 01/13/2014
 - e. 03/10/2014
 - f. 06/04/2015
 - g. 07/06/2015
 - h. 08/20/2015
 - i. 05/04/2016
 - j. 06/02/2016
 - k. 11/02/2017
 - 4. Handwritten Notes
 - 5. Meeting Minutes:
 - a. 07/19/2018
 - b. 09/06/2018

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- c. 09/20/2018
 - d. 10/18/2018
 - e. 12/06/2018
 - f. 12/20/2018
 - g. 01/03/2019
 - h. 02/07/2019
 - i. 03/07/2019
 - j. 03/28/2019
- vi. ELKS001248 – ELKS001260:
 - 1. Letter to Frances Sissy Redd regarding Suspension
 - 2. Incident Report regarding Clayton Boaz being Heavily Intoxicated
 - 3. Letter to Clayton Boaz regarding Suspension
 - 4. Letter to Kayla Stevenson regarding Suspension
 - 5. Letter to David Brightwell regarding Violation of Bylaws
 - 6. Memo regarding Kayla Stevenson and Missing Funds
 - 7. DDA Activity Report
 - 8. Bank Statement
 - 9. List of Payments
- vii. 2021 Motion July to Compel Elks to Answer Discovery:
 - 1. Motion to Compel Discovery Responses
 - 2. Order Compelling Discovery
- viii. 2021 Motion Second Motion to Compel Laptop:
 - 1. Case Law
 - a. Memorandum of Decision and Order Granting the Plaintiff's Motion to Compel Data Preservation and Forensic Imaging by a Neutral Court-Appointed Expert, and for sanctions [Doc. #34]. (Genworth Financial Management)
 - 2. Second Motion to Compel Production of Laptop
 - 3. Agreed Order regarding Examination of Laptop (1)
 - 4. Agreed Order regarding Examination of Laptop (2)
 - 5. Second Order Compelling Production
 - 6. Case Law: Frees, Inc. v. McMillian (1/22/2007)
 - 7. Case Law: Ameriwood Indus. v. Liberman (12/27/2006)
 - 8. Agreed Order regarding Laptop Discovery Protocol
 - 9. Case Law: Mohideen v. Calnet et al v. Mohideen (3/14/2014)
- ix. 2021 Motion to Retain Laptop:

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1. Affidavit of D.L. Coleman
2. Plaintiffs' Motion Related to Laptop Computer Evidence
3. Order on Laptop Computer Evidence
4. Report by Donald Coleman, II, Stidham Reconstruction & Investigation
5. Laptop Use Calendar
6. Excerpt from Jessica Board's Deposition
- x. 2021 Telephone Records
 1. Agreed Order regarding AT&T's Production of Steve Wallace's Phone Records
 2. Response to Defendant's Motion to Quash
- xi. 2021 Wallace Discovery Responses:
 1. Defendant Steve Wallace's Answers to Plaintiffs' Second Set of Requests for Admissions
 2. Defendant Steve Wallace's Answers to Plaintiffs' Second Set of Interrogatories
 3. Defendant Steve Wallace's Responses to Plaintiffs' Second Set of Requests for Production
- xii. Defendant's 30.02 Documents 1 84-348
 1. Audio Interviews:
 - a. Christina Cooley (5/1/2017)
 - b. Vicki Cotton (5/4/2017)
 - c. Tyler Mahan (5/4/2017)
 - d. Bryan Martin (5/10/2017)
 - e. Ryan Martin (5/10/2017)
 - f. Kevin Reed (5/4/2017)
 2. ELKS000084 – EKLS00348):
 - a. STAR – Serving Training In Alcohol Regulations
 - b. Accident/Claim Prevention Manual
 - c. House Committee Handbook
 - d. Guide for Board of Directors
 - e. New Hire Package 2/2017
 - f. By-Laws and Rules of Order
 - g. Statement from Keith Sigler Red Man Electric
 - h. Petition for Judicial Review of the Findings of Fact, Conclusions of Law & Final Order of the Alcoholic Beverage Control Board in Administrative Case No. 17-ABC-109

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- i. Joint Answer of Respondents, Department of Alcoholic Beverage Control and Alcoholic Beverage Control Board, to Petitioner's Petition for Review of ABC's Final Order
 - j. "Warning to Minors" Sign
 - k. Sign regarding the Dangers of Drinking Alcoholic Beverages During Pregnancy
 - l. "No Persons Under 21 Allowed" Sign
 - m. Responsible Beverage Service Manual
 - n. Exalted Rulers – Lodge Officers – Committee Members – Manual
 - o. Elks Care – Elks Share (Cover Page)
 - p. Photograph
- f. Defendant's 30.02 Documents 2 349-580
- i. ELKS000349 – ELKS000580
 - 1. Meeting Minutes (09/24/2015)
 - 2. Meeting Minutes (09/15/2015)
 - 3. Complaints against Rob Allen
 - 4. Appeal from Jarrod Jackson
 - 5. Statutes
 - 6. Complaint against Sissy
 - 7. Complaint against Patrick Sheridan
 - 8. Letter to Patrick Sheridan regarding Suspension
 - 9. Complaint against Tony Mesaris
 - 10. Letters to Tony Mesaris regarding Suspension
 - 11. Complaint against Brock Lady
 - 12. Letter to Brock Lady regarding Suspension
 - 13. Employee Pay Stubs
 - 14. Payroll Summaries
 - 15. Financial Statements
 - 16. Elks USA Rapid Report
- g. Defendant's 30.02 Documents 2B 581-599
- i. ELKS000581 – ELKS000599
 - 1. Inspection Report 2019/2020
 - 2. Inspection Report 2018/2019
 - 3. Inspection Report 2017/2018
 - 4. Inspection Report 2016/2017
 - 5. Inspection Report 2015/2016
 - 6. Inspection Report 2014/2015

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h. Defendant's 30.02 Documents 3 600-911

- i. Letter to David Barber from James Coltharp, Jr. (9/24/2020)
- ii. ELKS000600 – ELKS000911
 1. Tax Returns for Benevolent and Protective Order of Elks of the USA 1115 Princeton / Timmy Vance
 - a. 2015
 - b. 2016
 - c. 2017
 - d. 2018
 2. Copies of Checks
 3. Auditing and Accounting Manual
 4. A&A Elks USA
 5. Employment Application for Michelle Deckman
 6. Note to Iva regarding Sissy's Suspension
 7. Letters to Ms. Sissy Redd regarding Suspension
 8. Complaints regarding Sissy Redd
 9. Uniform Citations - Frances Lee Redd
 10. Letter to Joe F. Clift regarding Suspension
 11. Letter to Tim Vance regarding Suspension
 12. Letter to Mr. Thurman regarding Suspension
 13. Letter to Mr. Oliver regarding Suspension
 14. Letter to Mr. Minton regarding Suspension
 15. Letter to Mr. Boaz regarding Suspension
 16. Letter to Mr. Williamson regarding Suspension
 17. Letter to Mr. Vance regarding Suspension

i. Defendant's 30.02 Documents 4 912-937

- i. Letter to David Barber from James Coltharp, Jr. (10/5/2020)
- ii. ELKS000912 – ELKS000937
 1. Meeting Information (3/16/2016)
 2. Meeting Minutes (7/20/2016)
 3. Meeting Information (8/18/xxxx)
 4. Meeting Information (12/15/xxxx)
 5. Meeting Minutes
 - a. 4/5/2018
 - b. 4/19/2018
 - c. 5/xx/2016
 - d. 4/17/2018
 - e. 5/3/2018
 - f. 5/17/2018

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- g. 5/31/2018
- h. 6/21/2018
- 6. Meeting Information
- 7. Meeting Information
- 8. Meeting Minutes (5/xx/2016)
- 9. Meeting Minutes (10/18/2011)
- 10. Meeting Minutes (1/27/2016)
- j. Defendant's 30.02 Documents 5 938 – 1000
 - i. Letter to David Barber from James Coltharp, Jr. (10/13/2020)
 - ii. ELKS000938 – ELKS001000
 - 1. Training Certificates
 - 2. Meeting Minutes ((10/19/2017)
 - 3. Incident Reports Involving:
 - a. Cabot Coleman (3/30/xxx)
 - b. Bruce Redd & Suzanne Dorrah/Butz (11/29/xxxx)
 - c. Sandy Boaz (12/11/2019)
 - 4. Complaint
 - 5. Letters to Mr. Boaz regarding Complaint
 - 6. Letters to Mr. Hooks regarding Complaint
 - 7. Letters to Mr. P'Pool regarding Complaint
 - 8. Letters to Ms. Stevenson regarding Complaint
 - 9. Meeting Minutes:
 - a. 10/31/2019
 - b. 12/18/2019
 - c. 1/2/2020
 - d. 2/25/2020
 - e. 3/4/2020
 - 10. Roll of Officers:
 - a. 4/5/2007
 - b. 4/2/2009
 - c. 4/1/2010
 - d. 4/1/2011
 - e. 4/1/2012
 - f. 4/1/2013
 - g. 4/1/2014
 - h. 4/1/2016
 - i. 4/1/2017
 - j. 4/1/2018
 - k. 1/1/2019

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- I. 8/2019
 - m. 10/2019
 - n. 4/2020
 - k. Defendant's 30.02 Documents 6 1001-1036
 - i. Letter to David Barber from James Coltharp, Jr. (10/23/2020)
 - ii. ELKS001001 – ELKS001036
 - 1. Notice regarding Loss of Member
 - 2. Meeting Minutes:
 - a. 7/14/2014
 - b. 2/5/2015
 - 3. Policies and Procedures
 - 4. Handwritten Notes
 - 5. Meeting Minutes:
 - a. 8/16/2018
 - b. 7/16/2018
 - c. 7/23/2018
 - d. 11/15/2018
 - e. 1/9/2019
 - f. 1/17/2019
 - g. 3/21/2019
 - h. 6/6/2019
- l. Defendant's 30.02 Documents 7 1058-1064
 - i. ELKS001058 – ELKS001064
 - 1. Meeting Minutes
 - a. 5/13/2013
 - b. 6/10/2013
 - c. 4/7/2015
 - 2. Items Report
- m. Defendants 30.02 Documents 7B 1065-1182 POS Receipts
 - i. ELKS001065 – ELKS001082
- n. Jessica Board Laptop:
 - i. Motion for Defendants to Produce Laptop and Filing Cabinet
 - ii. Order to Produce Laptop
- o. First Discovery Response from Plaintiff to Defendants
 - i. Facts Discovered by Plaintiff
 - ii. Agreed Order of Production and Protection
 - iii. Witnesses Discovered by Plaintiff
 - iv. Documents Discovered by Plaintiff

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- p. Motion to Compel Overdue Discovery from Defendant Princeton Lodge #1115 B.P.O.E. of The USA Inc.
- q. Princeton Elks Lodge #1115 Benevolent and Protective Order of Elks of the United States of America, Inc.'s Response and Objections to Plaintiff's CR.30.02(6) Notice
- r. Princeton Elks Lodge #1115, Benevolent and Protective Order of Elks of the United States of America, Inc.'s Second Supplemental Response and Objections to Plaintiff's CR 30.02(6) Notice
- s. Princeton Elks Lodge #1115, Benevolent and Protective Order of Elks of the United States of America, Inc.'s Third Supplemental Response and Objections to Plaintiff's CR 30.02(6) Notice
 - i. Elks Lodge Receipts
- t. Order Compelling Discovery
- u. Agreed Order
- v. Order on Plaintiffs' Motions Related to Laptop Computer Evidence
- w. Order on Motion by Defendant Jessica Board to Quash Subpoena Issued to Straight Talk Wireless
- x. ELKS000001 – ELKS000083
 - i. 2015 – 2016 Constitution and Statutes
 - ii. By-Laws – House Rules
- 3. Plaintiff's Response to Second Set of Interrogatories
- 4. Expert Witness Disclosure of Florence Lodge No. 314, Inc., Benevolent and Protective Order of the Elks, David Roy Farmer and Michael R. Jaggars
- 5. POS Records
 - a. ELKS001065 – ELKS001182
 - i. Receipts
- 6. Elks Documents and Local Ordinance
 - a. Ordinance Number 09-17-2012-1 (as amended by Ordinance Number 12-02-2013-1)
 - b. House Rules (Excerpt)
 - c. Accident/Claim Prevention Manual Sixth Edition revised 2016
 - d. New Hire Package
 - e. Security Minutes and Joey Anderson
 - i. 5/xx/2016
 - ii. 7/20/2016
 - f. Sissy Redd Documents and Minutes
 - g. Disciplinary Records and Minutes other than Sissy Redd
 - i. Joe Clift
 - ii. Tim Vance

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- iii. Mr. Thurman
 - iv. Mr. Oliver
 - v. Mr. Minton
 - vi. Mr. Boaz
 - vii. Mr. Williamson
 - viii. Special Meeting Minutes regarding Mr. Allen (9/24/2015)
 - ix. Meeting Minutes (9/15/2015)
 - x. Mr. Allen
 - xi. Mr. Vance
 - xii. Jarrod Jackson
 - xiii. Statutes
 - xiv. Patrick Sheridan
 - xv. Tony Mesaris
 - xvi. Brock Lady
 - h. Theft Allegations Minutes
 - i. 4/15/2018
 - ii. 4/17/2018
 - iii. 4/19/2018
 - iv. 5/3/2018
 - v. 5/17/2018
 - vi. 5/31/2018
 - vii. 6/21/2018
 - viii. 10/20/18
 - ix. 1/3/2019
 - i. Article in The Advocate by David Bryce Barber "The Evolution of Dram Shop to Negligent Security Law"
-
7. Elks Prior Incidents from Public Records
- a. Caldwell County Dispatch
 - i. 911 Detail Call Sheets and Recordings
 - 1. 11/1/2014
 - 2. 2/26/2017
 - 3. 3/19/2017
 - 4. 2/28/2018 (no recording)
8. KY State ABC Investigation and Criminal Documents
- a. 911 Call
 - i. Audio Recording
 - ii. Detail Call Sheet
 - b. Princeton Elks ABC File before Hearing
 - i. Findings of Fact, Conclusions of Law & Final Order

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- ii. Notice of Violation(s) (9/8/2016)
- iii. Case Reports (4/15/2017)
- iv. Photograph Stamped "Inside altercation location"
- v. Photograph Stamped "Outside altercation" and "Security camera"
- vi. Detail Call Sheets
 - 1. 1/21/2010
 - 2. 4/15/2017
 - 3. 7/9/2014
 - 4. 11/1/2014
- vii. Receipts
- viii. Organization Search Report
- ix. Case Report (9/8/2016)
- x. Warning Notice – Alcohol Violation
- xi. Photographs:
 - 1. Scene 1 "Weekly and month drawings, under the bar"
 - 2. Scene 2 "Money collection box, under bar"
 - 3. Scene 3 "Daily drawing, on bar"
 - 4. Scene 4 "Pro football pick sheets, on bar"
 - 5. Scene 5 "NASCAR box, under bar"
 - 6. Scene 6 "NASCAR box, pulled out for ID"
 - 7. Scene 7 "Football money box, under counter"
 - 8. Scene 8 "Football advertisement/instructions, posted on wall behind bar"
 - 9. Scene 9 "NASCAR "paid" sheets, posted on wall behind bar"
 - 10. Scene 10 "\$5 and \$10 pro football money envelopes"
 - 11. Scene 11 "Drawing mechanism"
 - 12. Scene 12 "Drawing mechanism, open to see drawing pieces"
 - 13. Scene 13 "State ABC License, Princeton Elks Lodge 1115"
- xii. Organization Search Report
- xiii. Affidavit of Publication
- xiv. Information from Administrative Courts on
 - 1. Jarrod H. Jackson
 - 2. Matthew E. Schalk
 - 3. Tim Vance
 - 4. Patrick Sheridan
- xv. Letter from Farmer & Wright Attorneys to KABC Appealing the Denial of Club License dated 12/18/2012
- xvi. Letter Princeton Fire Department regarding the Denial of Club License dated 12/18/2012

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- xvii. Donation Sheet
- xviii. Letter Princeton Fire Department Reconsidering Denial of Club License dated 1/10/2013
- xix. Field Report
- xx. Deed of Conveyance dated March 6, 1997 between BPO ELKS, Lodge No. 1115, and Princeton Elks Lodge #1115 (130)
- xxi. ABC Field Card
- xxii. Sketches
- xxiii. ABC License 2018
- xxiv. ABC License 2015
- xxv. Sketches
 - 1. Scene 1 "Princeton Elks Lodge #1115"
 - 2. Scene 2 "Exterior"
 - 3. Scene 3 "Front of Building"
 - 4. Scene 4 "Dining Room"
 - 5. Scene 5 "Meeting Hall"
 - 6. Scene 6 "Bar Area"
 - 7. Scene 7 "Game Room"
- xxvi. ABC Application
- xxvii. Organization Search Report
- xxviii. Articles of Incorporation of Princeton Elks Lodge #1115, Benevolent and Protective Order of Elks of the United States of America, Inc. signed June 21, 1996
- xxix. Supplemental License Application stamped January 9, 2014
- xxx. Findings of Fact, Conclusions of Law, & Final Order
- xxxi. Notice of Violation(s) (9/8/2016)
- xxxii. License Renewal Information
- xxxiii. Case Reports (4/15/2017)
- xxxiv. Photographs
 - 1. Scene 1 "Exterior premises sketch"
 - 2. Scene 2 "Inter premises sketch"
 - 3. Scene 3 "Road side sign"
 - 4. Scene 4 "Street view"
 - 5. Scene 5 "Closer front view"
 - 6. Scene 6 "Licensee name/numbers identification by rear entrance"
 - 7. Scene 7 "Bar to the left, area where altercation took place"
 - 8. Scene 8 "View of outside altercation location"
 - 9. Scene 9 "Closer view of outside altercation location"

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xxxv. Detail Call Sheets

1. 1/21/2010
2. 4/9/2015
3. 4/15/2017
4. 7/9/2014
5. 11/1/2014

xxxvi. Receipts

xxxvii. Organization Search Report

xxxviii. Case Report (9/8/2016)

xxxix. Photographs:

1. Scene 1 "Weekly and month drawings, under the bar"
2. Scene 2 "Money collection box, under bar"
3. Scene 3 "Daily drawing, on bar"
4. Scene 4 "Pro football pick sheets, on bar"
5. Scene 5 "NASCAR box, under bar"
6. Scene 6 "NASCAR box, pulled out for ID"
7. Scene 7 "Football money box, under counter"
8. Scene 8 "Football advertisement/instructions, posted on wall behind bar"
9. Scene 9 "NASCAR "paid" sheets, posted on wall behind bar"
10. Scene 10 "\$5 and \$10 pro football money envelopes"
11. Scene 11 "Drawing mechanism"
12. Scene 12 "Drawing mechanism, open to see drawing pieces"
13. Scene 13 "State ABC License, Princeton Elks Lodge 1115"

xl. Organization Search Report

xli. Information from Administrative Courts on

1. Jarrod H. Jackson
2. Matthew E. Schalk
3. Tim Vance
4. Patrick Sheridan

xlii. Letter from Farmer & Wright Attorneys to KABC Appealing the Denial of Club License dated 12/18/2012

xlili. Letter Princeton Fire Department regarding the Denial of Club License dated 12/18/2012

xliv. Donation Sheet

xlv. Elks Contributions

xlvi. Letter Princeton Fire Department Reconsidering Denial of Club License dated 1/10/2013

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- xlvi. Deed of Conveyance dated March 6, 1997 between BPO ELKS, Lodge No. 1115, and Princeton Elks Lodge #1115
 - xlvi. ABC Field Card
 - xlix. Field Reports
 - I. Sketches
 - li. ABC License 2018
 - lii. ABC License 2015
 - liii. Sketches
 - 1. Scene 1 "Princeton Elks Lodge #1115"
 - 2. Scene 2 "Exterior"
 - 3. Scene 3 "Front of Building"
 - 4. Scene 4 "Dining Room"
 - 5. Scene 5 "Meeting Hall"
 - 6. Scene 6 "Bar Area"
 - 7. Scene 7 "Game Room"
 - liv. ABC Application
 - lv. Organization Search Report
 - lvi. Articles of Incorporation of Princeton Elks Lodge #1115, Benevolent and Protective Order of Elks of the United States of America, Inc. signed June 21, 1996
 - lvii. Supplemental License Application stamped January 9, 2014
9. Videos
- a. Joey Anderson Assaults on Sissy Redd
 - b. Jarrod Jackson Fight
 - c. Anderson Beer Three and Departure for Lake
 - d. Outdoor Stabbing and Anderson Departure from Elks
 - e. Video with 911 Audio Added
10. Princeton Police Department Records:
- a. Coroner Report
 - b. EMS Record
 - c. Princeton Police – Anderson Criminal Records PPD00001- PPD000248
11. Anderson / Murder Case:
- a. Court File:
 - i. Affidavit for Search Warrant
 - ii. Commonwealth of Kentucky Uniform Citation
 - iii. Order Denying Defendants' Renewed Motion for Modification of Bond Conditions
 - iv. Findings, Conclusions, and Order on Defendant's Motion to Dismiss

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- b. Medical Records
 - c. Photographs:
 - i. Bar
 - ii. Camera Location
 - iii. Victim
 - iv. Joseph Anderson
 - d. Statements to Judge Woodall:
 - i. Brittany Anderson
 - ii. Lee Anderson
 - iii. Nathan Anderson
 - iv. Doris Belcher
 - v. Ronda Belcher Gray
 - vi. Megan Curtner
 - vii. Don Gray
 - viii. Brandon Hardrick
 - ix. Brenda Holder
 - x. Chelsea Hopper
 - xi. Gary Jackson
 - xii. Misty Long
 - xiii. Justin McIntosh
 - xiv. James A. Noel
 - xv. Adam Ortt
 - xvi. Mary Richardson
 - e. Videos of Criminal Trial:
 - i. Joseph Anderson
 - ii. Bench Conference
 - iii. Tammy Brown
 - iv. Vicki Cotton
 - v. Trent Fox
 - vi. Jarrod Jackson
 - vii. Brian Martin
 - viii. Dr. Mitchell
 - f. Domestic Violence Matter (Robin Lynn vs. Anderson, Joseph Wayne - 03/19/2004)
12. Depositions and Statements:
- a. Statements to Princeton Police Department:
 - i. Alyssa Butler (4/15/2017)
 - ii. Vickie Cotton (4/15/2017)
 - iii. Jarrod Jackson (4/15/2017)

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- iv. James Mahan (4/15/2017)
- b. Written Statements to Princeton Police Department:
 - i. Alyssa Butler (4/15/2017)
 - ii. Vickie Cotton (4/15/2017)
 - iii. Jarrod Jackson (4/15/2017)
 - iv. Jerald Wesley Lynn (4/17/2017)
 - v. James Mahan (4/15/2017)
 - vi. Christopher Pool (4/17/2017)
 - vii. Kevin Lynn Reed (4/15/2017)
 - viii. Sarah Spurlock (4/17/2017)
 - ix. Melissa Elaine VanCleve (4/17/2017)
- c. ABC Statements:
 - i. Alyssa Butler (4/26/2017)
 - ii. Christina Cooley (4/28/2017)
 - iii. Christina Cooley (5/1/2017)
- d. ABC Audio Interview Transcripts:
 - i. Christina Cooley (5/1/2017)
 - ii. Vicki Cotton (5/4/2017)
 - iii. James Tyler Mahan (5/4/2017)
 - iv. Bryan Wayne Martin (5/10/2017)
 - v. Mary Ryan Martin (5/10/2017)
 - vi. Kevin Reed (5/4/2017)
- e. Princeton Police Interviews:
 - i. Transcripts
 - 1. 911 Transcript
 - 2. Trent Fox Interview of Joey Anderson (4/16/2017)
 - 3. Trent Fox Interview of Taylor Page (4/21/2017)
 - ii. From Caldwell CAO:
 - 1. Joseph Anderson Grand Jury Testimony
 - 2. Joseph Anderson Preliminary Hearing
 - 3. Elijah Anderson (4/20/2017)
 - 4. Elijah Anderson (5/5/2017)
 - 5. Austin Boaz (4/20/2017)
 - 6. David Brightwell (4/21/2017)
 - 7. Tammy Brown (4/24/2017)
 - 8. Alyssa Butler (4/24/2017)
 - 9. Cabbott Coleman (4/18/2017)
 - 10. Cabbott Coleman (5/10/2017)
 - 11. Christina Cooley (4/18/2017)

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12. Vicki Cotton (4/20/2017)
13. Jarrod Jackson (4/25/2017)
14. Jeff Jones and Robin Jones (4/21/2017)
15. Robin Jones (5/5/2017)
16. Tyler Mahan (4/21/2017)
17. Brian Martin (4/24/2017)
18. Mary Ryan Martin (4/18/2017)
19. Bruce Redd (4/21/2017)
20. Bruce Redd (5/4/2017)
21. Kevin Reed (4/18/2017)
22. Kayla Stevenson (4/24/2017)
23. Terry Wood (4/28/2017)

f. Criminal Trial Testimony:

- i. Joseph Anderson
- ii. Austin Boaz
- iii. Tammy Brown
- iv. Cabot Coleman
- v. Christina Cooley
- vi. Vickie Cotton
- vii. Jarrod Jackson
- viii. Tyler Mahan
- ix. Bryan Martin
- x. Ryan Martin
- xi. Kevin Reed
- xii. Kayla Stevenson

g. ABC Hearing:

- i. Vickie Cotton
- ii. Jarrod Jackson
- iii. Kevin Reed
- iv. Steve Wallace

h. Depositions (Princeton Elks Corporate) of:

- i. Vickie Cotton (1/29/2020)
- ii. Jarrod Jackson (1/29/2020) with Exhibits:
 1. (Exh.11) IRS Form 990 from Benevolent and Protective Order of Elks of the USA 1115 Princeton
 2. (Exh. 12) Self-Inspection Forms
 3. (Exh. 13) Ordinance Number 09-17-2012-1
- iii. Tim Lane (1/29/2020) with Exhibits:
 1. (Exh. 14) Elks BPOE #1115 2/2017 New Hire Package

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- iv. Deana McDowell (1/29/2020)
- v. Steve Wallace (1/29/2020) with Exhibits:
 - 1. (Exh. 1) Excerpts of Accident/Claim Prevention Manual
 - 2. (Exh. 2) Newsletter Fall 2018
 - 3. (Exh. 3) Elks Board Special Meeting dated September 24, 2015
 - a. Complaints against Mr. Allen
 - 4. (Exh. 4) Notice of Appeal
 - a. Statutes
 - 5. (Exh. 5) Complaint against Tony Mesaris
 - 6. (Exh. 6) Complaint against Brock Lady
 - 7. (Exh. 7) Complaint against Patrick Sheridan
 - 8. (Exh. 8) Complaint against Sissy
 - 9. (Exh. 9) Elks By-Laws – House of Rules and Rules of Order
 - 10. (Exh. 10) Elks USA Exalted Rulers – Lodge Officers – Committee Members – Manual
- i. Depositions (Personal) of:
 - i. Jessica Board (10/14/2020) with Exhibits:
 - 1. 9/24/15 Special Meeting Minutes
 - 2. 4/17/18 Board Meeting Minutes
 - ii. Vickie Cotton (10/27/2020) with Exhibits:
 - 1. 5/13/18 Board Meeting Minutes
 - 2. 1/9/19 Handwritten Meeting Notes
 - 3. 1/17/19 Handwritten Meeting Notes
 - 4. 6/6/19 Handwritten Meeting Notes
 - 5. Redacted - Tony Mesaris Write-Up and Letters
 - iii. Jarrod Jackson (11/24/2020) with Exhibits:
 - 1. Letter to ABC
 - 2. Alcohol License Application
 - 3. Elks House Rules
 - 4. Board Meeting Minutes
 - 5. Common Signs of Intoxication
 - 6. Jackson Written Statement
 - iv. Denise Nelson (4/16/2021)
 - v. Steve Wallace (10/27/2020) with Exhibits:
 - 1. 7/20/16 Board Meeting Minutes
 - 2. Coltharp Letter to Barber
 - 3. 5/2016 Board Meeting Minutes
 - 4. Rolls of Officers

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5. May 2016 Special Meeting Minutes
6. Tim Vance Suspension Letter
7. Jackson Appeal of Suspension Letter
8. Bylaws Excerpt
9. Sissy Redd Suspension Letter
10. Butler Write-Up of Sissy Redd
11. Handbook (Managing House Committee)
12. Bylaws Excerpts
13. District Deputy Checklist
14. 4/17/18 Board Meeting Minutes
15. 11/15/18 Board Meeting Minutes
16. 2017 Form 990 with Officer List
17. 5/17/18 Board Meeting Minutes
18. 5/31/18 Board Meeting Minutes
19. 1/9/18 Board Meeting Minutes
20. Bar/Canteen Policies and Procedures

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APPENDIX "C"**QUALIFICATIONS**

I am a practicing Licensed Private Detective and Security Consultant/Practitioner. I celebrated my 52nd year in private practice in August 2021. I am a Board-Certified Criminal Defense Investigator and hold a specialized Bachelor of Science Degree in Security Management. I served three terms as the elected Chairman of the ASIS International Hospitality, Entertainment and Tourism Council. I have extensive experience in the hospitality industry both as an investigator for the insurance industry and for plaintiffs' Counsel as well as a consultant to attorneys for litigation support. I am a security consultant to retail commercial venues.

I serve on the faculty of The University of Louisville, Southern Police Institute where I teach Crime Prevention, Theory and Practice; and Crime Prevention Through Environmental Design (CPTED).

I graduated the New Jersey State Police and Homeland Security SORA Instructor's School Certification Program and am a Certified SORA Instructor.

I am an elected member of the Board of Directors of ASIS International Crime Prevention and Loss Prevention Council and serve as the Chair of the Membership Committee.

I am Board Certified in Crime Prevention Through Environmental Design.

I was honored to be awarded the prestigious Resolution voted on unanimously and presented by the City Council of Philadelphia for my consultation on numerous security and safety issues since 2005 which has successfully achieved a higher level of security within the City's commercial and entertainment districts. My work is ongoing.

I am a former owner of a bar/nightclub for 10 years and Director of the Tavern Owner's Association.

I am an active member of the International Association of Professional Security Consultants (IAPSC: the preeminent organization dedicated to the advancement of qualified Security Consultants); and ASIS International (International leading organization for security leadership and standards). My experience, education and training include, but are not limited to the following:

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- Bachelor of Science Degree in Security Management;
- Active Member and Subject Matter Lecturer ASIS International;
- Active Member IAPSC;
- Elected to the Crime Prevention and Loss Prevention Council (ASIS International) and serve as a Director and Chairman of the Membership Committee;
- Elected Chairman for terms (2017, 2018 and 2019) to the Hospitality, Entertainment and Tourism Council (ASIS International);
- Board Certified in Crime Prevention Through Environmental Design;
- Review and analysis of the aforementioned documents (I);
- Certified Trained Crowd Control Manager (International Association of Venue Managers);
- Certified Instructor: Training for Intervention ProcedureS (TIPS);
- Certified Instructor: Techniques of Alcohol Management (TAM);
- Certified Instructor: Bar Security Management;
- Training and Certification by National Incident Management System (NIMS, FEMA);
- Certified in Homeland Security;
- My knowledge and experience obtained through theory and the practice and applications of those theories learned and exercised in over forty-nine years as a professional Licensed Investigator and Security and Liquor Liability Consultant;
- Continuing education in Security Management (teacher & student);
- Continuing education Responsible Alcohol Management (teacher & student);
- Review of written materials and accepted practices and standards of accepted security principles;
- My experience as a Licensed Investigator and Security Consultant involving security issues, premises liability and premises security;
- My experience in the United States Marine Corps where I trained and exercised in Counter-Intelligence;
- Multi-state court qualified Security; Crowd Control; Liquor Liability; Bar Operations and Premises Liability Expert.

In addition to my other work and studies, I specialized in the insurance defense industry during the first two decades of my Practice during which I received extensive training and education in the fields of Risk Management; Risk Assessments; Premises Liability; Security Inspections and Civil Liability. I was elected for three terms as President of the Philadelphia/Bucks County Claims Association and was an active participant in the educational program planning at the annual Pennsylvania State Claims Association Conferences for several years.

Beckner vs. Princeton Lodge #1115, et al

Expert Liability Report by Russell Kolins, BSSM, CCDI, ICACP

D/I: April 15, 2017

November 17, 2021

I received formal specialized education in the field of Security Management and Security Principles and earned a Bachelor of Science Degree in Security Management as well as numerous certificates after attending hundreds of seminars in the field of security and liquor liability. I was trained by the International Association of Venue Managers, Inc. (IAVM) as a Certified Trained Crowd Manager (CTCM), which included the safe handling of persons in parking lots.

I am a member of the National Crime Prevention Council and have been certified in both Homeland Security and The International Association of Crime Prevention Through Environmental Design (CPTED). I am a long time member of ASIS and have instructed classes on Legal Aspects of Security and Principles of Security to members of the Greater Philadelphia and South Jersey regional chapters of ASIS.

I was also recruited in 2010 as a Special Advisor to the Philadelphia City Council to assist with drafting a bill that would require Security Personnel employed in a retail liquor service establishment to be formally trained and certified in order to qualify for employment. I testified before the City Council Sub-Committee on Safety and Security. The bill was passed by Council and signed into law by Mayor Nutter in December, 2011.

I was a Special Advisor to the Commanding Officer of the South Street Entertainment District for over one year to help plan and develop a safer late night entertainment district.

I was then recruited to consult with the City Managing Director's Office to develop a formal comprehensive training program as well as developing the criteria for certifying trainers to teach the curriculum. The course consists of 16 hours that includes Responsible Alcohol Management, The Role of the Security Staff, Legal Aspects, First Aid, Identification, Handling Situations, Non-Lethal Defensive training, and verbal judo.

I consulted the City of Pittsburgh, Mayor's Office, City Council, Police Department and stake holders for the purpose of conducting a study of the City's 7 Entertainment Districts and making recommendations on how to make them safer.