



TRIDENT

PUBLIC RISK SOLUTIONS
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Risk Control Best Practices: Police Safe Transaction Zones

As the online marketplace continues to expand from traditional e-commerce sites such as Craigslist, LetGo, and Etsy, to home based boutiques and garage sales, more and more communities are considering providing a safe transaction zone. Some are called a Safe Deal Zone, Safe Trade Zone, or Safe Trade Station but the premise is still the same, a safe location for residents to meet in person to hold their online transactions, typically in a police station parking lot.

With the increased frequency for these transactions comes an increase in risk for things to go wrong. Crimes associated with such transactions are on the rise and although the duty to protect the public is vital, there are some risk management considerations to weigh before you move forward with providing a safe transaction zone in your community. Below are some recommendations to help reduce your liability exposure regarding safe transaction zones:

Develop a policy and communicate it through your website and social media outlets

The policy should also be posted onsite at the transaction zone. As with any policy, it should be reviewed with counsel prior to distribution. Below are some key points to include:

- Specify hours of operation-preferably during normal business hours when staff is onsite.
- The specific address of the transaction zone. (if you are designating certain parking spaces, those spaces should be clearly marked and referenced in your policy)
- Clearly indicate that ongoing displays are not permitted.
- Clearly indicate that no officers will monitor the transactions and that they are available only for emergency situations. In other words, it should be clear that you are providing this service solely as a safe location for completing online transactions in order to deter crime but that you will not be involved in the monetary negotiations and that you are not guaranteeing the safety of those involved.
- Clearly indicate that you are not guaranteeing or warranting any of the items sold or traded.
- Provide a detailed list of what is prohibited for sale at the transaction zone including weapons, drugs, alcohol, etc. Depending on the amount of space available, it may also be a good idea to prohibit any automobiles or equipment that requires a trailer.

Ensure the safe transaction zone is indeed a safe location.

A police station parking lot is preferable over a police station lobby as it is less likely to impact law enforcement staff resources and reduce liability for any trip and falls that could occur. Although you may have great intentions by offering this service you do not want to create a liability exposure if your parking lot is in need of repair either. The parking lot should be:

- Free of slip/trip/fall hazards
- Well lit
- Preferably in an area that is already monitored by closed circuit television as part of ongoing station safety protocol.
- Closed in extreme weather conditions

Avoid charging fees

When fees are charged for public services on public property it can potentially increase the liability exposure. Some state laws specifically reference this issue in their recreational use laws. Either way, when a fee is charged for a service on public property it can complicate a liability claim by implying individual safety. This can be further complicated if fees are not collected consistently. If this service cannot be provided without charging a fee, it is recommended that it not be provided at all.

Resources The following site can help users locate a safe trade location. www.safetradestations.com