

# Kentucky Transportation Cabinet

Central Office  
Right of Way

No Trespassing

Right of Way & Utilities  
*Agents Safety Guide*



KENTUCKY  
TRANSPORTATION  
CABINET

# Right of Way & Utilities Agents Safety Guide

Provided by:  
Kentucky Transportation Cabinet  
Central Office  
Right of Way



## PREFACE

Right of Way Agents find themselves in situations in which they are alone with homeowners with whom they have very little information about. The very nature of acquiring private property for public or private use may not be ideal in all situations. Distressed homeowners or tenants who are virtual strangers can make agents, both men and women, susceptible to becoming victims of violent crimes.

Recognizing the need for greater attention to the Right of Way Agent safety, the Kentucky Transportation Cabinet, Central Office Right of Way and Utilities agreed to cooperate in promoting the education of agent safety. Through the leadership of these individuals, this safety guide was published to assist in this educational effort. This guide contains some common sense safety tips that have been compiled from crime victims and ROW staff statewide.

The Kentucky Transportation Cabinet, Central Office Right of Way and Utilities encourage every office to implement a formal safety program. Each district should implement procedures and education programs that include everyone in the office. This booklet is intended as a resource for designing your safety program. Moreover, every right of way agent can and should individually use the safety tips addressed in this guide to practice in a safe manner, even if your office does not have a formal safety program.

*Don't be a crime statistic. Use this safety guide and make  
Personal Safety your first priority.*

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Ordering Information: This booklet may be obtained by accessing the Kentucky Transportation Cabinet website at <http://transportation.ky.gov/> or you can call at 1-502-564-3210

## INTRODUCTION

Incidents like this can happen anywhere--and to any one. Consider the following incidents:

For my first appraisal job, I went to the project and climbed the fence in front of one of the houses and took photos of a small park-like area that had picnic tables, flowers, a small manicured stream and a well-mowed area that was obviously someone's pride and joy. I later met (the same day) with the owner of that parcel and he was relieved that the plans I had were considerably different from the original design that was going to take his park. He was very cordial and we had a great conversation and he even signed the appraisal contact form. When I returned to the office, I found out that my original phone call to the owner that I made before going to the project had been returned with threats that if anyone stepped foot on his property where his park was he would shoot them for trespassing. Back then we didn't have cell phone and the district had actually sent someone out to find me so I wouldn't get shot.

I was in a meeting with the owners and our attorney one time in the district office and we were discussing the offer and that we weren't going to do what the owner was proposing when the wife busted into tears and left the room. The husband stood up, cussed, stormed out of the room, and went to his truck and then came back in the building. The attorney and I didn't know whether to run, call 911 or just hide. Being that an attorney was involved, while we were discussing our options, the husband came back into the room holding something in his hand and we just knew it was a gun. He then produced a receipt where he had done some work on the area being taken and was arguing that we owned him some more money. We apologized for upsetting his wife and he said "that's all right she'll get over it, she just get emotional at times."

One of the District buyers was making an offer in the field. When he handed the offer to the property owner, he dropped it on the ground, stepped back, unzipped his pants, and proceeded to urinate on the offer. This is the same owner that moved the right of way stakes and when the utility company came out to set poles to move the right of way line, the owner waited until the utility pole guy climbed the pole and then told him that if his feet touched the ground he would shoot him. Supposedly the guy stayed on the pole for several hours afraid to come down. I bought R/W from this owner later on a project and found out after I made the offer that he was going to shoot the next highway person that set foot on his property. Once again this would have been good information to know before I walked up to his house and knocked on the door. After we talked a while, I discovered that I had classes with his son at ECU and we had got along great. The later verified the first other stories about him.

## Summary of Basic Safety Practices

- \* Identify the person you are working with before you join him or her alone, in a house.
- \* Always carry your cell phone with you and make sure it is fully charged and has reception. Program 911 into speed dial and don't hesitate to call for help.
- \* Trust your instincts. If you have a bad feeling, don't second guess what it's telling you. Listen to your gut feeling and protect yourself.

## Organization of Safety Guide

This guide contains 12 general safety tips with numerous more specific tips for each of the 12 general tips.

### **Safety Tip #1 - Know Who You Are Dealing With When You Have New Homeowners/Tenants:**

Let someone in your office know with whom you are meeting with and the location and time of your meeting.



(Right of Way Agent meeting with home owners)

## Safety Tip #2 - Tell Someone

This guide contains 12 general safety tips with numerous more specific tips for each of the 12 general tips.

- \* Who you are with
- \* Where you are going
- \* When you will be back

Make sure you tell someone where you are going, who you are going with and when you will be back. Whenever possible, make sure the homeowner/tenant knows you have shared this information with someone. You are less likely to be attacked if the criminal knows you will be missed and he or she can be identified.

If you work alone in the field, consider telling your co-worker, or your supervisor when to expect you back. Even leaving behind a note on your desk could help the authorities find you in an emergency situation. ***If at all possible always take along a co-worker.***



(Discussing field destination with co-worker)

### **Safety Tip #3 - Keep a Cell Phone at Your Side**

Program your emergency numbers into speed dial. These numbers should include 911, emergency road service, your office, your buddy and your family numbers. Keep your cell phone fully charged.

Carry your cell phone with you at all times. Get a holster and make it a part of your apparel, or keep it in your hand at all times. Your greatest source of help is your cell phone. If you keep your cell phone in a purse or briefcase, it may not be available when you need it most.

It's a good idea to keep a cell phone charging adaptor in the vehicle for emergency situations.

Create and share a distress signal with people in the office. If you have an emergency situation and call 911, stay on the line and do not hang up.

Rehearse in your own mind how you would react to an emergency situation such as a mugging or physical attack. Know when you will fight back, when you will run and when you will have an opportunity to call 911 for assistance.



(Emphasizing importance of easily accessible cell phone)



## Safety Tip #4 –Practical Safety Measures

- \* Call the office before/after meeting
- \* Keep your keys and cell phone with you
- \* Park where you can get out quickly

Avoid attics, basements and getting trapped in small rooms. Always let prospective homeowners/tenants lead the way into rooms, while you stay close to the door.

Notify neighbors in advance or, if time permits, introduce yourself to the neighbors and let them know when you will be visiting the area. They will be more alert to unusual sounds and you will have somewhere to run to if you need help.

Do not leave your briefcase, purse or laptop sitting on a counter. Remember, that nice looking couple could actually have other motives, then just settling the property issue. Thieves often work in teams; while one is keeping you occupied, the other is stealing whatever they can.

Be aware of suspicious behavior and your surroundings.



(Agent discarded purse while talking to Renters, leaving purse open for theft)

## Safety Tip #5 - Have a Distress Code

*Have a prearranged distress signal:*

"I'm at the Jones house at (address) and I need the red file right away."

You may be in a situation where you think you might need help; you can use the phone, but the person you are with can overhear the conversation and you do not want to alarm him or her. This is where a prearranged distress code can help.

For example, you are meeting with the homeowner/tenant who is beginning to make you nervous - for one reason or another, you feel uneasy about the person. You do not want to be in a house alone with him or her. Call the office and tell someone where you are going and you can ask them to pull out the RED FILE. In this case, RED FILE is the prearranged distress code to have someone meet you at the site so you will not be alone. You can make up your own distress code; however, it may be advisable to have a single distress code that is used by the entire office.

The distress code should be used if you are uneasy, but do not feel you are in danger. If you are in immediate danger - stop the car and leave the area, or jump out of the car at the next stop. Do not hesitate to call 911.

Authorities agree that most rapists and thieves are looking for easy targets. Be assertive and leave a dangerous situation early, but have a distress code for times you feel uneasy. Share and practice your distress code with: Your office, colleagues, family and friends.



(Emphasis on code word amongst co-workers)

## Safety Tip #6 - Don't Make Business Too Personal

- \* Your work materials should be polished and professional.
- \* Limit the amount of personal information you share.
- \* Use your cell number, not your home phone number.
- \* Use your office address rather than your home address.

Be careful how much personal information you give verbally as well. "Getting to know your homeowner/tenant" does not need to include personal information about your children, where you live and who you live with. Be guarded with your personal information.



(ROW Agent socializing with homeowner, outside of work)

## Safety Tip #7 - Be a Buddy

*Know in advance who you are going to call when:*

- \* Your instincts tell you to get help
- \* You're just a little nervous
- \* You need help at a home owner/tenant visit

*(The following is excerpts from a story written by Timothy R. Dougherty appearing in REALTOR® Magazine, this career is similar to that of a Right of Way Agent)*

**Claudia Perry-Vance**, a 23-year veteran in the business, was the buddy of a co-worker in Columbus, Ohio. Her buddy was a 26-year old female agent who fell victim to a man who called himself Jack Martin and said he was a nuclear physicist from Tennessee. He was, in fact, Thomas H. Chappell, a local commercial cleaning service operator and a convicted rapist. The salesperson met with Chappell several times at her office but didn't ask for identification. He told her that he wanted a high-end residential property and would pay cash for it. After developing a casual rapport with the salesperson, Chappell called her to come take a look at the property. Just before she left her office, she asked her buddy, Claudia, to come along. "The only reason I went with her was that she felt a little nervous," Perry-Vance was quoted in a REALTOR® Magazine article. Chappell met both women at the house. During the tour, Chappell was able to separate them and attacked the younger agent with a stun gun. She didn't lose consciousness and struggled with her attacker. "She let out the most horrible scream I've ever heard," says Perry-Vance, who was in another room when the attack occurred. The scream sent Chappell running to his van, but the agents got his license number and called police.



(Always mentally prepare for whom you would call for a buddy)

When he was caught, police found an MLS book in the van with the young salesperson's photo circled in ink. Excerpts from a story written by Timothy R. Dougherty appearing in REALTOR® Magazine.

## Safety Tip #8 - Dress for Safety

- \* Don't wear expensive jewelry
- \* Always wear your cell phone
- \* Dress for the weather
- \* Only carry the cash or credit cards you need

Your image is important, so dress professionally. However, dress for safety as well.

Expensive jewelry can make you a target. We recommend that you save the flashy jewelry for formal occasions.

Dress for the weather. Your mom used to tell you this for good reason. If the vehicle breaks down or you need to escape a dangerous situation on foot, you could find yourself exposed to harsh weather conditions for an extended period of time. In the winter, bring a coat with you and keep a blanket in the trunk of the vehicle.

Don't wear shoes that will hamper your ability to move quickly if necessary!



(Dress for Work Conditions)

## Safety Tip #9 - Danger is Not Always Easy to Identify

- \* Gut feelings
- \* Hesitation
- \* Unexplained fear
- \* Apprehension

These are signals that something isn't right! (*Again a story of relating career path*)

Joan Malone knows by firsthand experience that intuition can be a valuable tool for survival. She had told her husband that a particular customer had made her uncomfortable, but she agreed to show the man more homes despite her gut feeling. Other indicators talked her out of listening to her unexplained fear - she had met with the well-dressed man who said he was an attorney twice before; once with family members present. On the day of the attack in March 1997, she showed the man 5 homes. Returning to a home they had previously viewed, he suddenly attacked her, stabbing her in the chest and neck, and leaving her to die. Barely conscious, she managed to get to a phone and dial 911. "The nature of our business puts us in a very vulnerable situation," Malone told Blanche Evans of Realty Times. "The one thing I could say to people is if you have a bad feeling; don't second guess what it's telling you. Listen to your gut feeling and protect yourself."



Safety experts agree that it is best to assume that your instincts are right and to take the necessary precautions. Use these same instincts before you give out your phone number or address.

(Pay attention to warning signs or gut feelings when making home visits)

## Safety Tip #10 - Practice Car Safety

- \*Always have your keys with you
- \*Keep car doors locked at all times
- \*Park in a well-lit area
- \*Don't get blocked in
- \*Beware of dead-end streets
- \*Keep the vehicle in good running condition

When you are alone, the first thing you should do when you get into the vehicle is lock the doors. Be observant when approaching the vehicle, looking underneath and in the back seat before you get in.

You spend a lot of time in the vehicle. This, in itself, exposes you to a greater likelihood of running out of gas, a mechanical failure or an accident. Make sure you have a fully charged cell phone, tools, blankets, flares, first aid kit and warm clothes in the trunk of the vehicle.

Keep a spare key hidden somewhere on the outside of the vehicle, just in case you cannot get to your main set of keys. A strong magnet key holder works well for this. Using a cell phone while driving can cause an accident. For driving safety, purchase a hands-free phone kit. And never attempt to take notes while driving - pull over and stop in a safe place first.

Make sure all doors are locked when you are driving. Secure valuables out of sight.



(Be aware of surroundings)

## Safety Tip #11 - Let Them Lead the Way

- \* Be aware of possible escape routes
- \* Leave doors open
- \* Be wary in attics and basements
- \* Walk behind your clients

When you visit a house, be aware of possible escape routes and leave doors open if possible.

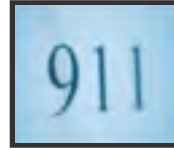


(Staff meeting, discussing the best approach to maintain agent safety)



## Safety Tip #12 - Fight or Flight?

- \* Yell "fire" to get attention
- \* Select response that fits the situation
- \* Run and call 911 when you can
- \* Take a self-defense training course
- \* If you strike, mean it



It's not pleasant to think about, but even the most safety-conscious right of way agents might find themselves in a dangerous situation. If this happens, remember that the primary goal in any incident is to escape from the danger and call for help. Try to find a discreet way of removing yourself from the situation, such as saying you need to step outside to make a phone call and then not going back inside.

If an attack does occur, trust yourself and stay as calm as possible. Think rationally and evaluate your options. There is no one right way to respond to a confrontation, because each situation is different. The response depends on the circumstances: location of the attack, your personal resources, the characteristics of the assailant and the presence of weapons. There are many strategies that are effective, but you must rely on your own judgment to choose the best one:

### Possible Responses to an Attack

*No resistance* - Not resisting might be the proper choice in a given situation. An attacker with a gun or a knife may put you in a situation where you think it is safer to do what he or she says. If someone tries to rob you - give up your property - don't give up your life.

*Stalling for time* - Appear to go along with the attacker. This might give you time to assess the situation. When his or her guard is down, try to escape. This worked for one N.C. victim who treated her attacker as politely as possible while telling him she wouldn't report the attack to the police.

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*Distraction and then flight* - Obviously you should try to get away - but whether you can depends on your shoes, clothing, your physical stamina, the terrain and how close your attacker is.

*Verbal assertiveness* - If someone is coming toward you, hold out your hands in front of you and yell, "Stop" or "Stay Back!" Several criminals interviewed said they'd leave a woman alone if she yelled or showed that she was not afraid to fight back.

*Physical resistance* - If you decide to respond physically, remember that your first priority is to get away. Act quickly and decisively to throw the attacker off guard while you escape.

Be sure to make an effort to get an accurate description of your attacker(s). Even the smallest details may give authorities a clue to finding the suspect.

## **A Special Thanks:**

We gratefully acknowledge the Kentucky Association of REALTORS® (KAR) and the Kentucky Real Estate Commission (Commission).

For allowing us to use their Personal Safety Guide, respectively, as a basis for this brochure.

## **Right of Way & Utilities Agent Safety Guide**

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Kentucky Department of Transportation, the Division of Right of Way and Utilities reserve the right to modify, delete, or update this information as deemed necessary by the Cabinet.



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