



## News

### Philip Kujawa Authors Security Dealer & Integrator Article on Privacy Rights of Third Persons Recorded on a PERS

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Philip R. Kujawa, a partner in the Alarm & Security Law Practice, authored the article "[Case Law: When PERS Does More Than Intended](#)," which appears in the October 2014 issue of *Security Dealer & Integrator*.

The article discusses a case recently decided in the state of Washington involving a personal emergency reporting system (PERS) recording that: (1) was activated for something beyond its intended use; (2) recorded a third person without his consent; (3) included an admission by the third person of a murder he had committed; and (4) was introduced into evidence in the third person's criminal trial involving the murder. The trial and appellate courts that heard the case all determined that the third person's/defendant's rights were not violated. Also discussed in the article are the many unanswered questions that remain for PERS providers as to how to handle a PERS recording that captures something beyond its intended use, in particular because of the varying laws that states have as to privacy laws regarding the recording of private conversations.

Mr. Kujawa represents alarm and security service companies in catastrophic claims and contract matters. His clients include national and regionally based alarm and security service companies and Fortune 100 companies. He serves as lead national counsel for all alarm and security companies for a major insurance company.

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