



## Case One: "Floria"

### Writings on Workplace Violence

By J.R. Roberts

*"Homicide is the number one cause of death for women in the American workplace"[1]*

**Floria was an almost perfect example** of the American dream. As a young woman, she fled the tyranny of Castro's Cuba for a new life in the United States. She learned English and worked hard, eventually becoming a pharmacist and going to work for a well-known national chain of drug stores.

Now 62 years old, Floria had worked for the same company for almost 30 years, had won the admiration and respect of her customers and co-workers, and was a devoted wife and loving grandmother. The night before her murder, Floria visited her daughter. Although it was late, she insisted on going upstairs to give her grandchildren "besitos" (little kisses).

"I could tell she was upset." Her daughter later remembered in a deposition. "She was almost in tears and a nervous wreck. I knew why, of course. It was the continuing problem at work. It was him."

"Him" was a man named Robert. Standing over 6' 2", the 32 year-old was also a pharmacist in the drug store where Floria worked. Co-workers referred to Robert as a "firecracker". A man with a violent and volatile temper, Robert also experienced severe mood swings. The manager of the store commented that it was common for him to go for several weeks without saying a word to anyone.

During the course of the year that he worked at this particular store, Robert had to be restrained from attacking a customer. The assistant manager on duty at the time testified "He was out of control, wanting to fight this guy. We had to hold him back. He (Robert) said he was going to go to his car and get his gun to shoot the guy."

During this same time - period, numerous customer complaints cited Robert as rude and abusive. On several occasions he was heard swearing at co-workers, and wrote a letter to a doctor calling the physician "an incompetent motherf\*\*ker and so called doctor."

Despite complaints and reports, no disciplinary action was taken against the pharmacist.

Floria and Robert worked overlapping shifts for several peak hours at the busy pharmacy.

**Robert often left his work undone**, the pharmacy area a mess, and supplies low. When Floria complained to the younger man, he responded by yelling at her, blaming others, or lapsing into sullen silences.

Floria complained to the store manager and told her that she was becoming fearful of Robert. The manager confessed that she too feared the man. Some months before, Floria arrived on duty just as a customer discovered that they had been given the wrong medication.

The pharmacist on duty was Robert. When the error was brought to his attention, Robert began to scatter pills in all directions, hurl a clipboard across the room, and scream at the top of his lungs. As frightened customers fled the store, Robert continued his rant at Floria, calling her "an old hag from Hell" and "a sh\*t eater." He announced to all that he "would get her."

The following day, Floria wrote a lengthy letter of complaint to the district manager of the store and to the human resources department at the corporate headquarters.

It was weeks before she received a form letter back, telling her that her complaint had been received. No action was taken against Robert, and his behavior continued to deteriorate, becoming more erratic. Later that year, the regional manager responsible for the pharmacists conducted his annual review. As she had for 30 years, Floria received the highest accolades for her job performance.

For the first time in six years of employment, Robert was rated as "needing to improve in all areas". "In my entire career in the industry, I have never had someone react to an evaluation the way Robert did." The regional manager would later admit. "It's not unusual for people to be disappointed or defensive when given a poor job performance rating, but Robert immediately began to raise his voice. He was shouting at me and telling me I didn't know what I was doing. It took me over an hour to calm him down. He left, saying he would consult a lawyer and sue the company."

In fact, Robert wrote a long, rambling letter that he delivered in person to the local administrative offices for the company.

Perhaps because of the letter, perhaps because of increasing customer complaints, or tensions at the store, a meeting was scheduled two days before the final act of this tragedy was played out. Present at the meeting were Floria, Robert, the store manager, two employees of the store and a district manager who had been newly promoted and on the job for less than a month.

The district manager freely admitted after the fact that he had never seen or reviewed the personnel records for any of the individuals present. As the meeting progressed, Robert sat to one side, rhythmically banging a metal combination lock onto the table.

Floria was asked if she were afraid of Robert, and when she responded that she was, the district manager turned to Robert to ask if she had any reason to fear him. After a moment, Robert replied "I will only hurt her if she hurts me." The meeting concluded without any resolution or action.

The following day, Robert did not come into work.

Floria asked yet again, if either Robert or she might be transferred to another store. She reiterated that she was terrified of him and couldn't work with him. The store manager assured her that "something would be done" and to continue to work the old schedule "just for a few more days." Reluctantly, Floria agreed.

**The following day** as the time neared for Robert to arrive, Floria went one last time to the store manager and tearfully pleaded to be allowed to leave work in order to avoid her colleague. The manager asked her to stay and again promised a change.

Robert arrived at the usual time and went to his work-station. He spoke to no one and did not return the greetings extended by various employees. Shortly after his arrival, Robert received a telephone call from the district manager inquiring about personal long distance telephone calls made from work.

Robert lost control and began to scream into the telephone, calling the manager a "son of a bitch" repeatedly, then challenging him to come to the store to fight. At this point Robert slammed the telephone down, picked up a stool and smashed a computer to pieces. Floria and another employee walked quickly away from the area. Robert followed, seized Floria by the neck with his arm, drew the diminutive woman to him and shot her twice in the head at point blank range.

Floria died instantly.

### **Analysis:**

This case could almost serve as a blueprint of corporate negligence. The overwhelming failure to take corrective or interventive measures by the company to protect employees and customers is made even more egregious by knowledge the company had of prior acts by this employee. During his first 90 days of employment, (six years before murdering Floria ) Robert had to be physically restrained by two co-workers from physically assaulting a customer. The customer was a pregnant woman. The reason for the assault given was that Robert "didn't like the way she was looking at him." In a defiant letter, Robert wrote his manager "he would do the same thing again if necessary."

Rather than terminate the pharmacist, this company chose to engage in a practice all too common in many corporations. They simply began to transfer the problem employee from store to store. At every subsequent location without exception,

customers and employees complained of Robert's behavior. These complaints ranged from foul and abusive language, to the fact that at least two employees repeatedly witnessed Robert carrying a gun at work.

Over a six-year period, there was a systemic failure by human resources and loss prevention to identify and correct a problem that led to a foreseeable, unnecessary tragic death. Given the awesome life and death power a pharmacist wields over his customers, perhaps the only positive element in this case, is that other innocent lives were not lost. In the name of expediency, hundreds of thousands of employees and innocent consumers are put at risk each year by companies who fail to properly evaluate two critical components of security management essential to "best practices". They are:

**- Background**

**- Behavior**

*"Past performance indicates future behavior"[2]*

**A thorough and adequate background check** is intended to eliminate obviously unsuitable candidates and to make potential employers aware of "gray area" candidates. In other words, those that merit more scrutiny and investigation before hire.

An evaluation of "Robert" (the subject/killer in this case) would have shown that he was dismissed from a foreign medical school for "improper behavior." He then enrolled in a pharmacy school where he had low grades. His senior year, Robert became convinced that a fellow student had "defaced" his notebook. He threatened the student repeatedly, then informed his roommate that he was going to purchase a gun and shoot the "offender". School security detained him and he was remanded to mandatory counseling. The school psychologist considered Robert "potentially violent".

A number of reputable firms throughout the country offer pre-employment screening instruments designed to identify aggression. Perhaps more telling in this particular instance was behavior. In addition to the instances previously mentioned, Robert exhibited almost classic behavior consistent with the profile of those more likely to commit violent acts in the workplace.

These behaviors included the following:

- Robert was a "loner". At 32 he had no social life, had never had a significant relationship, and lived in a room in his parents' home.
- He had no outside activities or hobbies.
- He was dishelved and unkempt in his appearance.

- He had extreme mood swings, ranging from friendly, to completely withdrawn or hostile.
  
- He rejected authority and would not accept criticism of any kind.
  
- He made threats against others and was demonstrably violent, seemingly lacking all impulse control.
  
- He had irrational and vocal biases against a group for whom he blamed his own inadequacies. In this case, he spoke disparagingly of women, and in particular older women. In other instances this "symptom" may manifest itself through a focus on a racial or religious group.

Concerned and responsible businesses must begin to use consistent policies and procedures to screen, hire, and supervise employees.

[1]Bureau of Labor Statistics, Census of Fatal Occupational Injuries Study, 2000

[2]Dr. Roger DePue, Lecture to the International Society of Crime Prevention Practitioners, Montreal, Canada 1986

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## About the author

**With 25 years of experience, J.R. Roberts offers specialized security consultation and services in three specific arenas:**



**Expert Testimony:** plaintiff and defendant in a wide variety of civil suits have retained Mr. Roberts to provide consultation, analysis, and testimony across the United States (for a partial list of representative cases and attorney endorsements, [click here](#)).

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**Seminars and Training:** As the former Director of Risk Management for Valor Security Services, Inc. J. R. wrote, developed, and implemented the training program for that company. He has lectured Nationwide for trade associations, property management firms, and fortune 1,000 corporations.

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