

Crime Prevention Through Environmental Design Principles and Civil Liability

By David R. Anderson



An attorney considering taking a negligent security case may want to evaluate the case using a body of knowledge called Crime Prevention Through Environmental Design ("CPTED"). CPTED principles have their roots in a seminal 1970s public housing study conducted by the renowned architect Oscar Newman, who clearly established the impact that architectural design can have on human behavior and crime. Through his analysis, Newman developed a collection of

principles he called defensible space, the foundation of CPTED. At its heart, CPTED is a simple concept: the appearance and design of their physical surroundings affect the way that people behave. By understanding CPTED, architects, property owners, managers, landlords, and tenants can create buildings and grounds that are more resistant to crime.

CPTED Principles

Crime-resistant design incorporates

access control and maximizes surveillance opportunities. Access control serves to keep criminals away from a crime target. Surveillance has two purposes: to make it possible to observe and identify a criminal who does gain access, and to cause a potential criminal to perceive that there is a risk of being observed. Access control and surveillance can be incorporated into the design of a property through the use of the strategies in the matrix shown below.

	Access Control 	Surveillance 
Mechanical	locks, alarms, theft control systems	video cameras, peep holes
Structural	fences, walls, doors, landscaping, signs	windows, guard houses, site layout, building design
Human	guards, management, regulations	police patrols, employee and management surveillance

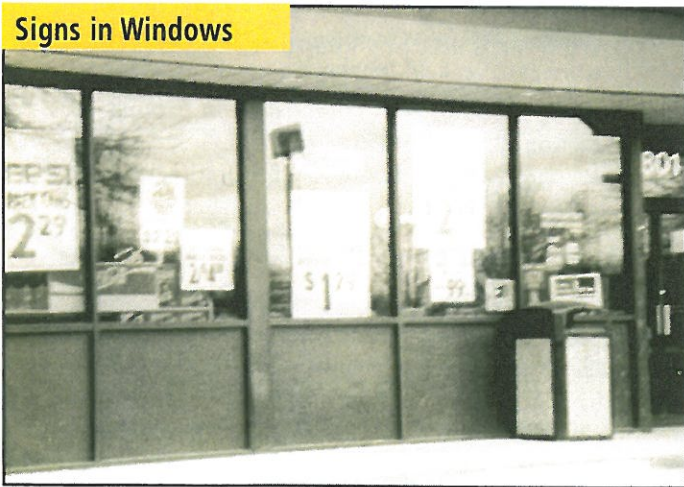
Case Example

Convenience stores are particularly vulnerable to robbery attempts, and because robbers are frequently armed, there is a great potential for injury and death. The following illustrated analysis demonstrates a number of potential convenience store design problems that could affect premises liability. CPTED concepts are then applied to these problems to demonstrate how management might reduce its liabilities.

The convenience store in this example had problems with loitering and robbery. In addition, the presence of loiterers and the store's reputation as a robbery target reduced its business. While the store manager and corporate representatives believed that nothing could be done to prevent these problems, a CPTED analysis indicated that there were basic design problems that contributed to the property's vulnerability, exposed the owners to liability, and created an unsafe environment for store customers.



Signs in Windows



Problem: Large signs or posters block the view from outside, and increase the store's risk of robbery by reducing the opportunity for surveillance.

Solution: Limit sign posting on windows to improve visibility for police and store patrons.

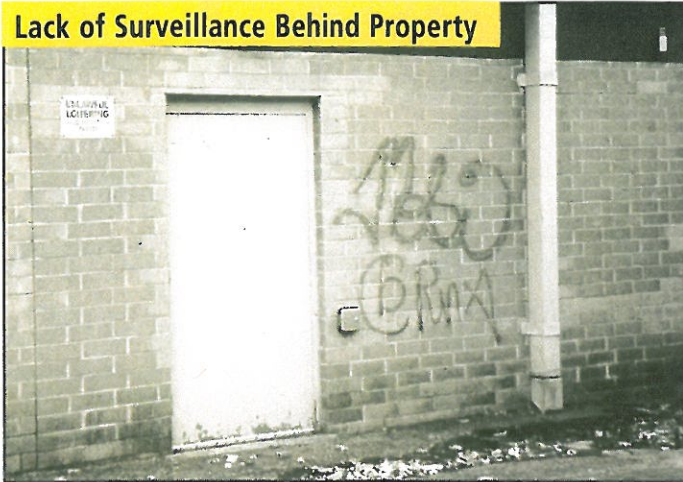
Outdoor Pay Phones



Problem: Outdoor payphones attract loiterers and can be the foundation for illegal drug dealing.

Solution: Locate payphones inside the store. Restrict phones to outgoing calls.

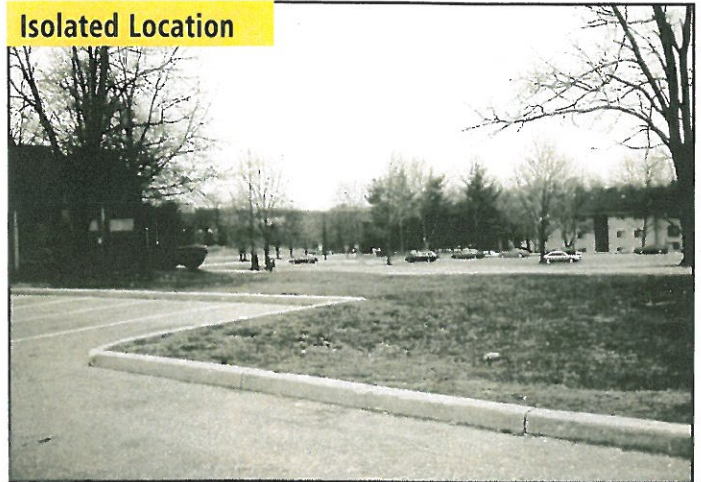
Lack of Surveillance Behind Property



Problem: The back door lacks a peep hole, preventing surveillance behind the store and creating the potential for a robbery whenever an employee uses the rear door.

Solution: Install a peep hole or video camera so that employees can monitor the rear of the store.

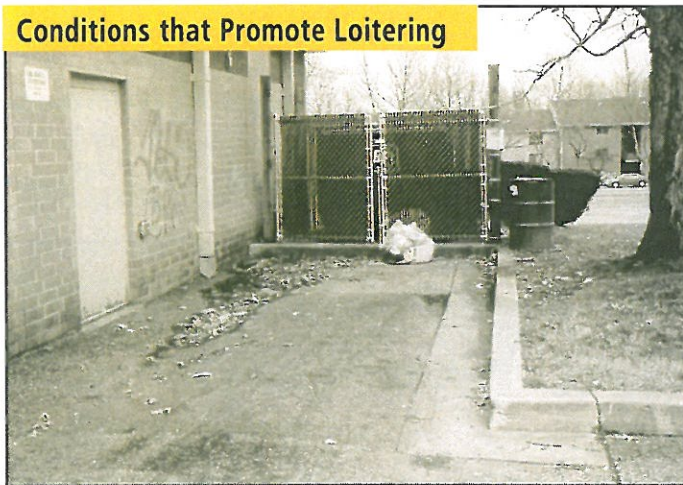
Isolated Location



Problem: The layout of the building site restricts the view from adjacent streets making the rear of the store especially vulnerable.

Solution: Use video cameras, lighting, and police/security patrols to improve surveillance.

Conditions that Promote Loitering



Problem: Management stored milk crates behind the store. These crates were used as seats by a number of people who habitually loitered there.

Solution: Remove milk crates or restrict access to the rear door and dumpster area. Secure the door and dumpster area with a fence and locked gate.

In the mid-1980s, the City of Gainesville, Florida adopted two convenience store safety ordinances in response to a rash of convenience store robberies. The ordinances required the following:

- removal of signs from windows to allow unobstructed view to and from the cash register and sales area;
- location of the cashier and sales area in a place visible from the street;
- posting of signs declaring limited cash availability and the use of a drop safe;
- provision of bright, even illumination in parking areas;
- installation of a security camera;
- robbery prevention training for all employees; and
- presence of at least two clerks on duty between 8 p.m. and 4 a.m.

Implementation of these standards resulted in a sixty-four percent reduction in robberies. Attorneys considering potential negligent security cases should evaluate whether premises owners have failed to apply similar common sense remedies, and thus possibly breached the duty to use reasonable care to secure their premises. **VA**

David R. Anderson is the director of community programs at the National Center for Victims of Crime.

1. Newman analyzed the failure of a large public housing development in St. Louis. In the late-1960s, the Pruitt-Igoe Homes were hailed as the state-of-the-art in public housing. However, the development quickly deteriorated into a crime-ridden, garbage-strewn eyesore. Newman's analysis compared Pruitt-Igoe to an older public housing development.
2. National Crime Prevention Council, *Designing Safer Communities: A Crime Prevention Through Environmental Design Handbook* (1997).