

County of Santa Clara

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Cupertino Citizen's Sensible Growth Initiative

The City of Cupertino contracts the Santa Clara County Sheriff's Office for police services. To determine the Initiative's impact on the need for services, calls for service and reported incidents at Vallco from 2013 to present were analyzed.

Crime Data for Vallco Shopping Mall – 2013 to Present

In any active shopping mall, theft crimes will comprise the majority of incidents, specifically shoplifting. Second to that, patrons leaving valuables in their vehicles while they shop will attract vehicle burglars, making these incidents of high frequency as well.

In recent months, however, the number of thefts and shoplifting incidents decreased drastically, but the occupancy of the mall has decreased during this time as well. Moreover, two of the three large department stores closed during that time (see Figure 1). Macy's closed in March of 2015 and Sears in October of 2015. JC Penney is set to close in March of 2016.

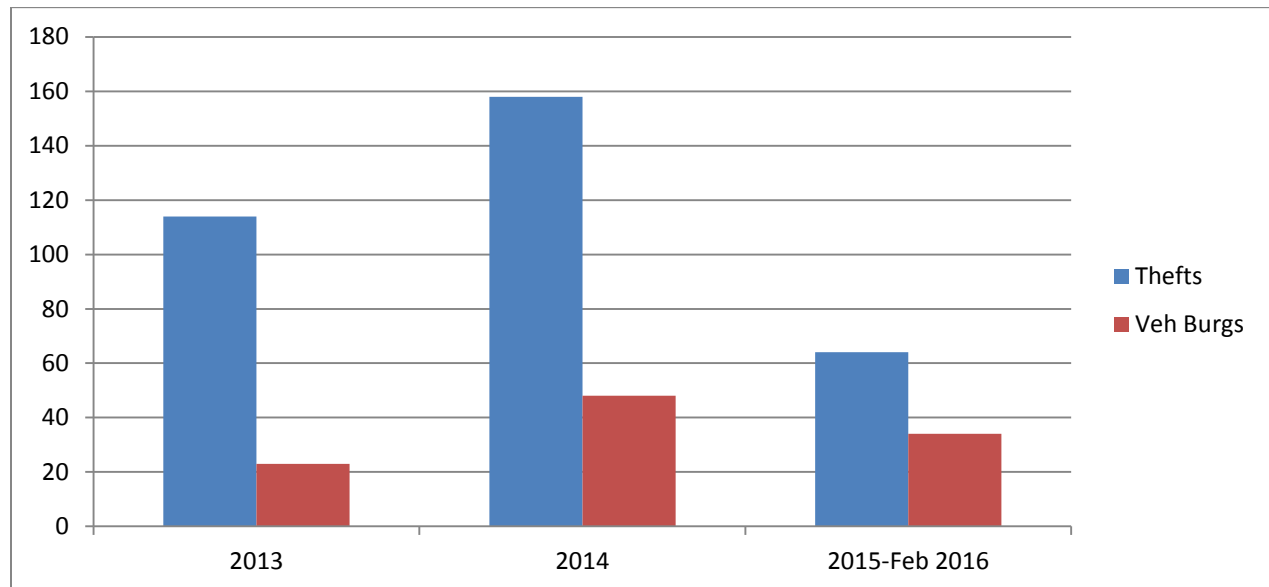


Figure 1

Criminal Hot Spot and Dumping Ground

Vandalism and Stolen/Recovered Vehicles

Although the Mall is not completely vacant, Vallco has seen an uptick in vandalism incidents and the number of stolen vehicles and recovered stolen vehicles (see Figure 2). Deputies did not recover any stolen vehicles at Vallco in 2013, but recovered one in 2014 and six in 2015/2016. Those six were recovered after Macy's and Sears closed.

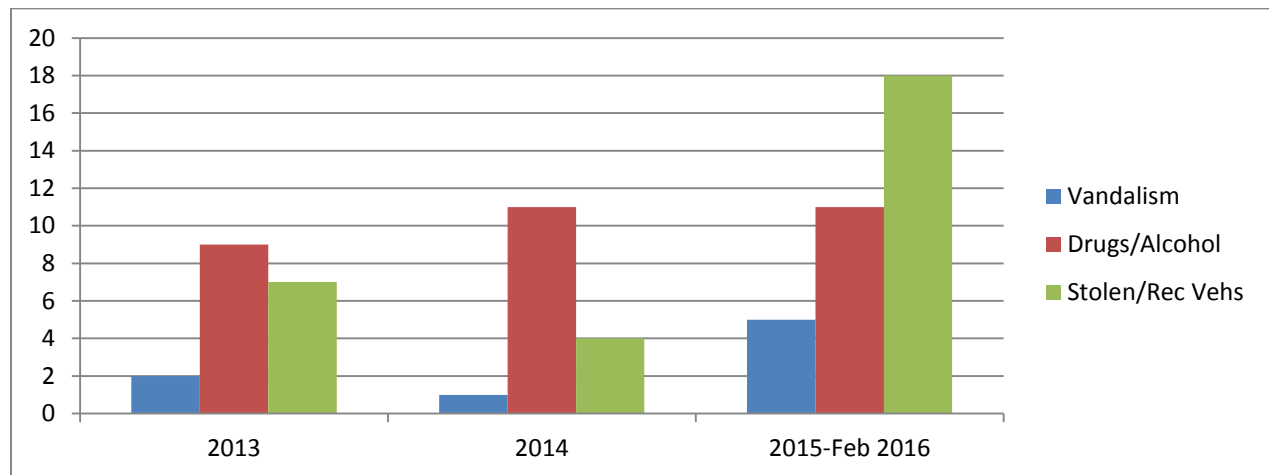


Figure 2

Found Property

Also up within the last year is the number of found property reports at Vallco (see Figure 3). There were only two documented incidents of found property in 2013 and 2014, but in 2015/2016 there were six.

In 2013, a weapon, or wooden baton, was found in a parking structure. In 2014, a suspect's backpack was left at the scene of a vehicle burglary. In 2015/2016, the property found included wallets stolen from prior vehicle burglaries in other jurisdictions, important documents and credit cards as used in identity theft crimes, garbage and drug paraphernalia.

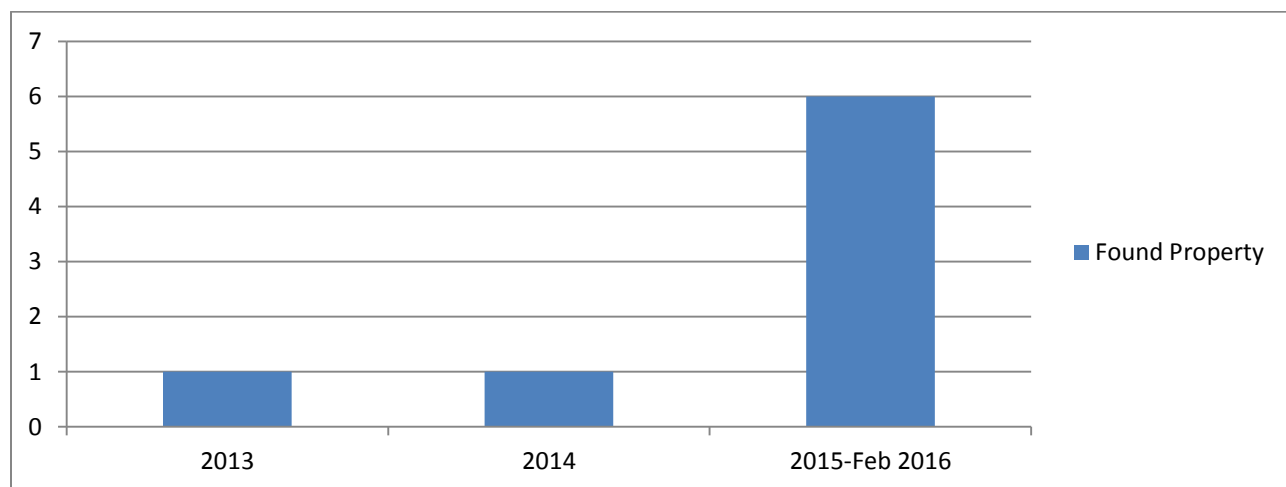


Figure 3

Vallco's Location

The proximity to Interstate 280, from N. Wolfe Road, makes the location ideal for marking a quick tag or dumping a stolen vehicle, giving criminals a quick escape route and avenue of disassociation. But the concern then becomes that if the property becomes or remains abandoned, the location will be ideal for all types of criminal activity, e.g., a meet up spot for drug sales, a place to party, an encampment space for transients, etc.

Abandoned Property and the Broken Windows Theory

In criminology, there is a theory known as the “Broken Windows Theory.” The theory is that a building with broken windows attracts crime. Broken windows are “that one sign of abandonment or disorder and will encourage further disorder.”¹ The theory, however, may relate to more than just broken windows. “Boarded doors, unkempt lawns, and broken windows can signal an unsupervised safe haven for criminal activity or a target for theft of, for example, copper and appliances.”²

Vallco is not completely vacant, but as the occupancy of the Mall decreased within the last year, there was an increase in the calls for service related to vandalism. There is concern that if Vallco Shopping Mall becomes an abandoned property altogether, the calls for service in this regard will increase.

Cupertino’s Nuisance Abatement Ordinance, codified in Chapter 1.09 of its Municipal Code, permits the City to abate properties which have deteriorated to the point of becoming a “nuisance” as defined in Section 1.090.030. In addition, the City has other remedies such as civil action for abatement of a nuisance.

Conclusion

Abandoned properties attract and enable crime. The longer the property sits abandoned, the more it deteriorates, the more known and frequented by criminals it becomes, increasing crime. Conversely, if the mall is re-tenanted or if it is developed into a mix use center, similar to the trends identified above, it is anticipated with more activity and increased population, the need for police services will increase as the opportunity to commit crimes increases.

¹ Kelling, George L. and Wilson, James Q., 1982. *The Atlantic Monthly*, “Broken Windows: The Police and Neighborhood Safety.” 249:3, 29-38.

² Arnio, Ashley N., Baumer, Eric P., and Wolff, Kevin T., 2012. *Social Science Research*, “The Contemporary Foreclosure Crisis and US Crime Rates,” 41:6, 1599-1600.