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ITEM NO. 10.2.1

**Halifax Regional Council
November 24, 2009**

TO: Mayor Kelly and Members of Halifax Regional Council

A handwritten signature in black ink, appearing to read "Linda Mosher".

SUBMITTED BY:

Linda Mosher, Chair, Graffiti Task Force

DATE: November 9, 2009

SUBJECT: Graffiti Management Plan - Update

ORIGIN

- Regional Council adopted the Graffiti Management Plan (Plan) on August 1, 2006.
- Council adopted the Terms of Reference for the Graffiti Task Force November, 2007 and appointed two Councillors to sit as members of the Task Force.
- This report fulfils a requirement of the Plan for the Task Force to report to Council on its initiatives.

RECOMMENDATION

It is recommended that Halifax Regional Council accept the report from the Graffiti Task Force.

BACKGROUND

In the summer of 2002, the Community Response Team (CRT) was formed to assist communities in crime prevention initiatives. One particular initiative was dealing with the crime of graffiti within HRM. Initially, the removal of graffiti from HRM assets fell within the mandate of the CRT; however, Transportation and Public Works took over responsibility in December, 2005.

By 2006 it was agreed by both staff and Council alike that HRM needed to move from a Graffiti Eradication Program to more of an enhanced approach. Accordingly, Council adopted the Graffiti Management Plan (Plan) in August of 2006 (Appendix A) with the Community Response Team overseeing overall implementation of the Plan.

The Plan allows for a Graffiti Task Force whose purpose is to govern and implement the Plan with all stakeholders, through a co-ordinated, multifaceted approach. The Task Force is comprised of a number of business units and corporate Partners. Business unit participants are Halifax Regional Police (including the Community Response Team), RCMP, Transportation and Public Works, HRM Call Centre and Dispatch Service, Heritage & Culture, and Corporate Communications. Along with Clean NS, Partner participants are Nova Scotia Power, Aliant, Canada Post, and the Halifax Regional School Board.

Each Task Force member has a role to play in carrying out the intent of the Plan. The Plan recognizes that graffiti affects an entire community and that responsibility for managing graffiti is most effective when all stakeholders participate.

DISCUSSION

HRM has adopted Toronto's approach to graffiti management, which focuses on five components referred to as the **5 E Approach**:

- **ERADICATION**
- **EDUCATION**
- **EMPOWERMENT**
- **ENFORCEMENT**
- **ECONOMIC DEVELOPMENT**

The following section provides an overview of the initiatives undertaken by the Graffiti Task Force, taking into consideration each of the above.

Eradication

Call Centre - The public, staff and Councillors have been reporting graffiti on HRM and Partner assets through the 490-4000 line. For the period January 1, 2007 through to September 30, 2009 there have been 1,300 calls to the Call Centre. Once information is received and processed through Hansen, Transportation and Public Works staff address graffiti on HRM assets. Partner property damage is forwarded directly to the respective Partner at which time they address the property damage. Up until this point in time, HRM hasn't had the legal ability to force private property owners to maintain their property free of graffiti, and this is dealt with through a separate report.

Transportation and Public Works (TPW): Municipal Operations expanded its resources twofold with both crews using fully equipped cube vans. Equipment in the vehicles includes hot water pressure washers, a soda blaster to move paint from sensitive hard surfaces, high volume paint sprayers, and many different colours of paint to paint over graffiti when required.

TPW experimented with many different solutions to remove graffiti and utilize products that have the best results (the most economical and environmentally friendly).

TPW Municipal Operations also procure/stock Citizen Graffiti Removal Kits. These are available to private businesses and homeowners that have had the unfortunate circumstance of having their property damaged due to graffiti. These are provided at no charge and pickup can be arranged by calling 490-4000.

In 2008, TPW staff addressed a total of 984 Service Requests and in 2009 (as of September) addressed a total of 1,089 Service Requests, to remove graffiti, mostly off HRM properties.

Partner Participation:

Aliant - Approximately 55 multi-cabinet sites have been muralled to date with an additional 21 to be completed by the end of 2009, weather dependant. This year, approximately 25-30 muralled cabinets were cleaned. Aliant has been able to successfully remove graffiti from their cabinets (that are coated with anti-graffiti clear coat) without affecting the murals. Of note, it has been determined that once the graffiti was cleaned the first time, Aliant cabinets were seldom touched again.

Nova Scotia Power - A graffiti clean-up has been completed, as part of an annual inspection process for pad mount transformers (large green boxes usually found on commercial properties) plus completed customer-requested clean-up locations. All company facilities are checked for graffiti and cleaned up as required.

Halifax Regional School Board - The Board deals with graffiti on a daily basis. The speed in which it is removed is based upon the severity and location of the graffiti (removal standards equate to that of HRM).

Canada Post - There is a continual cleaning of mail boxes in the downtown and tourist areas. Further, a one time cleaning has been undertaken of 200 boxes outside the downtown area, in areas located around major streets such as Portland St., Main St., Alderney Dr., Herring Cove Rd., Purcell's Cove Rd., Dutch Village Rd., Main Ave., Glenforest Dr., Bedford Highway, Sackville Dr. and Beaver Bank Rd. areas. A new biodegradable product has been introduced for cleaning the boxes and also a biodegradable coating to help prevent the tags from sticking to the boxes. Canada Post continues to fund existing programs for emergency calls received from both in-house and HRM call centres, as well as individual requests from the public and businesses within HRM. In September, a significant investment of 200 new "mail boxes" with anti graffiti wraps will be placed through Halifax, Dartmouth, Bedford and Sackville on all major business streets and Tourist areas.

Clean NS - Direct correlations have been made between graffiti and litter where neighbourhoods that are not kept clean are more likely to attract graffiti as well as more litter. Clean Nova Scotia's role on the Graffiti Task Force has been to make other partners aware of the Great Nova Scotia Pick-Me-Up program and to support the work being done to put a stop to community degradation within HRM.

Education

RCMP - The RCMP teamed with Cultural Affairs (Community Development) to implement an educational graffiti module as part of the DARE program and delivered to 40 Grade six classes - within both the HRP and RCMP policing areas. Community Policing Officers continue to attend businesses for graffiti eradication information sessions.

HRP - To date, one HRP member has been responsible for monitoring investigations and providing a policing perspective to the public and jointly, with the CRT, to all new police officers. The Community Response Team has hired an individual whose one area of responsibility (in addition to other duties) will be to co-ordinate the enforcement piece HRM-wide.

Community Response Team (CRT), Public Safety Office - In addition to overseeing the implementation of the Graffiti Management Plan, the CRT has undertaken the following initiatives:

- responds to general enquiries on graffiti;
- monitors Partner graffiti removal;
- makes presentations on Social Dynamics of Graffiti to community groups, organizations, agencies, province-wide as well as Police recruits and volunteers;
- mans a booth each Police Week, to raise awareness on the detriments of graffiti to a community;
- incorporates suggestions on how to discourage graffiti on surfaces within Crime Prevention Through Environmental Design (CPTED) audits, both at the design stages of development and as retrofits on existing facilities;
- supports Community Development mural program;
- conducts media interviews;
- sponsors a graffiti awareness page on HRM calendar;

- resource for police departments and municipalities Canada and province-wide;
- liaise with business units on individual graffiti programs;
- conducts research.

Corporate Communications - In May, 2008, HRM launched a new civic pride initiative called Good Neighbours, Great Neighbourhoods that will both directly and indirectly help to further the goals of the Graffiti Management Plan.

By promoting universal values central to being a good neighbour, and using a social marketing approach, the initiative seeks to increase civic pride and safety in our neighbourhoods by working together with residents to reduce undesirable behaviours like graffiti writing (as well as littering, polluting, etc.) and increase desirable behaviours such as removing and/or reporting graffiti and the creation of community murals.

In addition, graffiti is highlighted in the Municipality's annual citizen calendar. The citizen calendar, which includes important municipal dates, information on HRM services and the annual waste collection schedule, has evolved into a communications/education piece that incorporates HRM's Good Neighbours, Great Neighbourhoods theme. The calendar gets delivered to every household in HRM (approximately 161,000).

Last year, the month of June highlighted the Graffiti Management Plan. The main photo was of local youth who initiated the clean-up of a Cole Harbour skate park which was covered in graffiti. They designed and painted murals on the skate park and the tunnel with the assistance of HRM's Community Arts Facilitator.

Updates to the website are ongoing as the web continues to be the most comprehensive source of information to the public. It includes items such as what is graffiti, how to report it, tips for removing it from a variety of surfaces, HRM service standards for removal from HRM assets, information on the Community Arts Project, etc. It is also the place where we profile our Partners in Graffiti Management. A link from the myhrm.ca website brings people to the site. A web icon on www.halifax.ca/business.asp links the business community to the page.

Corporate Communications continues to provide design, communications, project management and printing support to the Plan including:

- a rack card available in customer service centre: *Take Action Against Graffiti: See the Writing on the Wall*;
- Retractable banner for Community Response presentations;
- PowerPoint template for educational presentations;
- Ad insertions for Calls for Artists for Community Art projects;
- Sponsorship banner with Partners logos for events;
- Magazine ("Zine" for youth art in Halifax) - a way for youth to learn and share

- information related to the arts;
- Ongoing media relations support including the initial launch and Community Art and Traffic Box Art program;
- Photography;
- Articles in HRM today/Naturally Green (delivered to every household within HRM);
- Articles in staff newsletters, HRM news;
- Working jointly with TPW on the Graffiti Removal Tool kits.

Community Development - Cultural Affairs (Community Arts Facilitator) - Programs continue in partnership with the Community Justice Society to engage and educate youth and the graffiti sub culture on the harmful effects of graffiti; further, to create positive artistic opportunities for youth charged with graffiti vandalism and development of a video - Cultivating Creativity - for presentation purposes.

Empowerment

Through the availability of Graffiti Tool Kits, community members have access to product at no cost, to remove graffiti from specific surfaces (see **Eradication - TPW**).

Over the years, HRM has assisted neighbourhood groups in provision of graffiti removal product and storage space in order for them to maintain community assets free of graffiti.

Information sessions provided to community groups by a various number of business units raise awareness of the negative aspects of graffiti, thereby enabling them to understand that graffiti is not art but a crime. With this information, the general public become more aware of the benefits of maintaining their property.

Enforcement

POLICE - Both Halifax Regional Police and the RCMP have taken a multi-faceted approach to dealing with Graffiti through enforcement, awareness, and education and will continue to do so. As mentioned above under **Education**, the Community Response Team is in the process of hiring an individual whose one area of responsibility will be to co-ordinate the enforcement piece, HRM-wide.

Surveillance is undertaken when a pattern of graffiti appears, resources permitting. Follow-up is undertaken when a serious number of tags is observed in an attempt to identify the tagger and photos taken.

The RCMP Youth Problem Oriented Policing (YPOP) and RCMP Street Crime Enforcement Units continue enforcement in graffiti hot areas around tunnels, skate parks and businesses. The RCMP continue to identify individuals in the graffiti sub-culture for the purposes of engaging them on the negative effects graffiti has on a community and how they can have more of a positive effect. This is an ongoing process with Cultural Affairs to identify and educate individuals within this subculture.

Police Statistics

Year	2007	2008	2009
Total incidents reported	239	153	100 (Jan-Sept)
# charges laid	6	3	3
# through diversion programs/departmental discretion	12	7	1

Crime Stoppers continues to be a tool that can be relied upon for people to report graffiti anonymously. The tipster may be eligible for a cash award between \$50 and \$2,000, if their tip leads to an arrest.

Economic Development

Community Development - Cultural Affairs Community Arts Facilitator - Since the fall of 2006, nine youth murals have been completed in the following communities: Sackville, Spryfield, Lakeside, Clayton Park, Pavilion in Halifax, Woodside, Bedford, Eastern Passage and Beazley Field.

The largest Community Mural Project completed is located at the Beazley Field Stadium in Dartmouth. Youth from Caledonia Junior High went door to door in their community asking neighbours how they could celebrate their community through this large scale mural project. A design was created by the youth, inspired by the community and guided by HRM's Community Arts Facilitator. The 120' x 25' mural was painted by local youth and community members, guided by professional artists.

To date there are two Outdoor Galleries - one on Bedford Row, Halifax and the other is located on Maitland St., Dartmouth.

The spring of 2008 brought 31 new pieces of art to HRM streets thanks to the collaboration of Cultural Affairs and TPW. Twenty-one artists painted 31 Traffic Control Boxes across HRM. There has been a great response from both the community and the artists about how much they have enjoyed the program. The program ran again in the spring of 2009. TPW supports this program with \$20,000 in funds annually, and staff are nearing the completion of the program's second year.

Community Development (Capital District) - A graffiti abatement program in partnership with area business commissions was created in 2006. HRM assisted to initiate a Graffiti Maintenance Program amongst all four capital district business improvement districts by providing start-up grants used towards initial clean-up costs. In turn, the business commissions have agreed to maintain graffiti within their respective districts. It has been noted that since the creation of this initiative, there has been a steady decline of graffiti in most of the capital district business commission areas.

Lessons Learned and Next Steps for Graffiti Task Force

In an attempt to minimize graffiti, HRM negotiated a compromise with known graffiti vandals anticipating it would reduce the number of incidents on both private and public property. This particular initiative came about earlier, due to members of the public claiming they had a right to express their art and requested “free walls”(areas where a city makes it legal for anyone to do graffiti). HRM conducted a trial “free wall” on a vacant school property, the former B.C. Silver School in Spryfield. Graffiti vandals came from all over the municipality to paint on the former school property; however, they practised their trade on private properties to and from the school. Residents adjacent to the school were very upset and to make things worse, there was littering and other inappropriate activities taking place on the site. In 2008 Councillor Mosher, Manager of the Community Response Team and an HRP member, visited New York City researching best practices as they have had extensive experience with graffiti. They had similar experiences as we did with our trial “free wall” and no longer recommend them (trip overview attached as Appendix B). In conjunction with providing the trial “free wall”, HRM conducted a special removal blitz and removed graffiti on Herring Cove Road from both private and public properties. At first the area was kept clean but eventually the graffiti problem became worse than ever.

As referenced above, HRM provides various outdoor urban art opportunities such as commissioned murals, traffic boxes, and community murals. These mural programs will continue and an inventory/art bank will be prepared for reference purposes. In addition, HRM will undertake development of an artist registry which will include individuals who are interested in being hired to paint murals. This will provide artists a legitimate alternative for their outdoor art and provide artist options to the general public and Business Improvement Districts (BIDs). It is important to recognize that although murals have proven to be effective graffiti deterrents, some of them are being tagged. All murals should be finished with an anti-graffiti coating that allows for graffiti removal but maintains the integrity of the art work. It is imperative that if a mural is tagged, it be reported as soon as possible. Not only does a defaced mural encourage more graffiti, it is also a sign of disrespect for the muralist and HRM’s urban art program.

The Task Force needs to continue working with its existing Partners to have them increase their resources. In addition, new partnerships need to be pursued. The next phase is to approach the Province of Nova Scotia. The first two departments will be NS Public Works & Transportation, as well as the NS Department of Culture, Tourism & Heritage. We would like these departments to understand the importance of prompt graffiti removal, and how it impacts their operations and mandate such as tourism. We will also pursue funding partner options. Future discussions will focus on identification of additional partners that may become part of the Task Force, or as a resource for information and/or materials.

Although HRM has conducted various one-time graffiti removal operations in specific business areas, it is not within our mandate or authority to continually remove graffiti from private properties. Proposed changes to the HRM Charter (Part XV Respecting Dangerous and Unsightly Premises) will

allow us to enforce removal on property owners who do not remove graffiti. To provide assistance to homeowners, the Graffiti Tool Kit Removal Program will continue. The numerous BIDs can work with the area businesses on removal and solutions to combat graffiti such as mural or site specific solutions such as improved lighting. HRM can ensure the BIDs are armed with appropriate education and information on best removal practices, and assist in areas such as Crime Prevention Through Environmental Design.

Our next step is to engage members of the public to recognize that graffiti is a crime and understand the negative impacts of leaving graffiti unchecked. It is frustrating for HRM to use its resources (time and funding) on graffiti removal when adjacent private property is not being maintained of graffiti. As a result, vandals return time and again, tagging the municipal property as well. The Task Force also plans to continue working with appropriate stakeholders such as Crime Stoppers on a graffiti reward system for persons who report graffiti vandals who are then successfully prosecuted. The Halifax Regional Police have increasingly made arrests and understand the importance of no tolerance for graffiti. However, it appears that our court system does not understand the implications of graffiti vandalism and we need to work with Community Justice on education and the importance of appropriate penalties.

Finally, with the Community Response Team now falling under the umbrella of the Public Safety Office, Halifax Regional Police, discussions will be undertaken on the possibility of an enhanced communication plan as it pertains to graffiti.

BUDGET IMPLICATIONS

Costs applied to eradicate graffiti have been covered by each business unit and individual Councillors. HRM has spent approximately \$1 million over the past two years.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ATTACHMENTS

Graffiti Management Plan - Appendix A

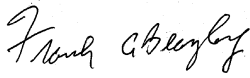
City of New York Graffiti Program - Appendix B

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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490-4070

Report Approved by: Original signed

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Report Approved by: 

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Appendix A

HRM's Graffiti Management Plan

INTRODUCTION

HRM's Mayor and Council are committed to providing a clean, vibrant, safe and welcoming atmosphere for all residents, workers and visitors. As part of this commitment, HRM has created a Graffiti Management Plan.

Since 2002, HRM has dedicated resources towards the removing of graffiti and advising how to reduce the likelihood of property from being targeted by graffiti vandals. The issue continues to grow and pose challenges.

The Graffiti Management Plan encapsulates a whole community approach, meaning it recognizes that graffiti occurs on a range of public and private property and affects the whole community. Accordingly, the responsibility for managing graffiti will be most effective when all the stakeholders participate and a multi-faceted approach is applied.

CHAPTER ONE

THE BACKGROUND

1.1 What is Graffiti

Graffiti is a form of vandalism (property damage) where property is marked or defaced through the use of spray cans, markers or any form of paint, without the permission of the property owner. The word 'graffiti' derives from the ancient Greek (*graffo*, meaning 'to write') and from Latin (*graffito*, 'scratch'). There are a number of forms of graffiti. The most commonly seen are "tags" and "throw-ups" which usually appear on highly visible areas such as buildings and railway sidings.

- a) **Tagging** – style of calligraphy writing that is an identification mark representing the name of an individual or group
- b) **Throw-ups** – 'fat' bubble style outline of a word (usually a tag name) drawn quickly
- c) **Political or social comments** – slogans used to signal concern about particular issues
- e) **Piece**– generally a more complex work involving some form of 'artistry'. They are usually a highly stylized and colourful version of a tag or crew name
- f) **Etching** - scratching of a surface through use of rock, etching tools and or sharp objects.

1.2 Who is Writing Graffiti?

People who write graffiti are often named "graffiti bombers", "graffitists", "graffiti vandal", "graffiti artist", "graffers" or simply "writers". In HRM, there does not appear to be a typical demographic for writers. While many teenagers are involved, many bombers continue well into their twenties and thirties.

1.3 Why is Graffiti a Problem?

There are many people in HRM, particularly graffiti vandals, who do not view graffiti to be a problem. Rather, they strongly support graffiti as a form of expression. However, most of HRM's residents and many business owners view graffiti, as the criminal offence that it is. The problems with graffiti can be generally categorized into the following:

a) **Physical danger**

Graffiti is often performed in dangerous and difficult to access locations, such as beside railway lines and on high buildings. Vandals who manage to tag in higher and more difficult locations achieve a higher stature amongst the graffiti subculture.

b) Community perceptions of “disorder”

Graffiti adds to community perceptions of “disorder”, fear of criminal activity and feelings of general “lawlessness” in our society. Graffiti leads to social decline including alcohol, drugs, litter, broken glass.

c) Graffiti may involve young people in cross offending behaviour

Young people who are involved with graffiti may also be involved with other minor offences such as shoplifting for materials, fighting between crews or individuals, vandalism and forceful entry to private property.

d) The costs to the community

The financial costs of graffiti are significant including the resources of staff, police, legal systems, corrections, graffiti removal, administration and management expenses, insurance premiums, and treatment of properties for prevention.

1.4 HRM’s Graffiti Experience

The experience of graffiti in HRM is not unlike that experienced by many other municipalities. Graffiti is found on a variety of public and privately owned property throughout the municipality. There is not necessarily any particular pattern to where it appears, although some places have become popular and regular canvasses for graffiti. These places include but are not limited to:

- a) Railway lines
- b) Capital District Retail Core
- c) Regional and Major Commercial Streetscapes
- d) Community Recreation Centres and Schools
- e) Parks and Playgrounds
- f) Highway overpasses/bridges
- g) Fences
- h) Street furniture and equipment (ie. light poles, mailboxes, traffic signs, and bus shelters)
- i) Utilities (electrical boxes and pumping stations etc.)

1.5 The History of HRM’s Graffiti Initiative

In 2002 the Community Response Team (CRT) was established. The CRT was created to respond to community crime prevention issues, including taking a lead role in graffiti eradication.

As a first step, the CRT retained Inspector Heinz Kuck from the Toronto Police Service, a well known expert in Graffiti, to conduct training and education workshop sessions. The workshops were intended to provide HRM staff with a good understanding of Toronto’s approach to graffiti management, which focussed on:

- Eradication
- Education
- Empowerment
- Enforcement, and
- Economic development.

In 2003, the CRT formally launched HRM's Graffiti Eradication Program, which was based on Toronto's approach. The program recommended several key actions including:

- establish and train staff in removal of graffiti
- coordinate education
- establish and maintain graffiti removal equipment
- liaise with Dept of Justice in the placement of people for community service
- catalogue and file all incidents of graffiti
- coordinate cleanup in a timely fashion
- coordinate CPTED audits
- promote anti graffiti program
- liaise with HRP, RCMP and other business units

1.6 HRM's Progress

HRM staff have been busy with graffiti removal off HRM assets since the launch of the eradication program. Further, the HRM call centre takes reports of graffiti on HRM owned assets from the general public at which time Public Works staff are assigned to remove the graffiti. Further, a partnership has been established with the Halifax Regional School Board, Aliant, Nova Scotia Power, and Canada Post, such that the HRM call centre will accept calls from the general public of graffiti on their respective assets. This information is forwarded to each Partner for removal. Graffiti has cost HRM and its Partners millions of dollars over the years (includes labour costs, equipment, vehicle expenses, police response, mural programs etc).

A number of HRM staff regularly deliver education programs about graffiti. The RCMP currently deliver a Graffiti Awareness Program targeting school aged children, while HRP conducts modules on anti-graffiti aimed at Junior and High School Students. A Graffiti Information Brochure and a children's flyer was produced to educate the public, and community meetings are attended by the CRT to educate residents on how to prevent and report graffiti incidences. The CRT also annually mans a booth during Police Week to promote awareness of the detriment of graffiti to a neighbourhood.

Upon the laying of charges HRM conducts mediation sessions with the offenders, parents and Community Justice representatives. These sessions are intended to raise the level of awareness among the violators and parents, of the true impact of graffiti.

1.7 Why is a Graffiti Management Plan Necessary?

Despite HRM's progress on many fronts, graffiti remains a challenge. Graffiti is viewed as a blight on the urban landscape perpetuating feelings of a community that is dangerous and uncared for.

The cost of graffiti is considerable for HRM in terms of removal from assets. Even more challenging are the immense number of privately owned buildings, as well as assets owned by public utilities and other levels of governments to which HRM has no direct control. When HRM spends funds on maintaining its own assets, and adjacent private property owners don't, it ultimately increases HRM costs. It has been proven that where graffiti is not removed, it increases, by spreading onto abutting properties.

This Plan is required because there is a need for a more coordinated, multifaceted approach to graffiti management. There needs to be a clear message to all citizens that graffiti is a crime, is unwelcome and will not be tolerated. In HRM the Plan must articulate Council's commitment to getting tough on graffiti and to generate lasting change in attitudes and behaviour towards graffiti.

1.8 What Best Practices Research Says

Communities worldwide continue to grapple with graffiti and in response have adopted graffiti management strategies. Given that HRM still has much to do in the area of managing graffiti, the best practice research may provide added insight into areas for improvement. The following is a brief overview of some of the key findings of a best practice research. These findings have been considered in the overall context of the policies contained within the graffiti management plan

- a) Communities are looking to HRM for leadership on the graffiti issue, and to work with communities to address the problem
- b) HRM is seen as having an essential financial role to play in supporting private properties in the removal of graffiti. At this point in time, there is no legislation in place forcing property owners to maintain their property free of graffiti, however, legislation is in the discussion stage
- c) The prompt removal of graffiti is widely seen as an effective deterrent to further hits
- d) Many view private property owners as victims of graffiti who should not be punished for having graffiti on their properties. While there is no legislation in place forcing private property owners to maintain their property free of graffiti, they can participate in the Graffiti Management Plan by taking civic pride in their property and neighbourhood. Where resources permit, HRM will provide some level of assistance
- e) HRM encourages artistic opportunities through approved designated spaces for public art

initiatives

- f) No artistic work shall be located within a heritage conservation area unless discussed first with HRM Heritage Planners
- g) Creators of urban art are generally very critical of the tagging, hateful messages, etching, etc., which they consider simple vandalism. Most graffiti vandals indicate they would not target other properties if legitimate spaces were made available, but also recognize that taggers and vandals may not be dissuaded by legitimate spaces
- h) Education is seen by many as a key to reducing graffiti:
 - Education on the implications of not removing graffiti;
 - Education of property owners, business owners and communities as to how to prevent and cost-effectively deal with graffiti;
 - Education of vandals and their parents regarding the damage graffiti vandals cause and the penalties they may face;
 - Education of the legal system as to the importance of prosecutions and deterrent penalties.
- i) There is support for more aggressive policing for apprehending and charging graffiti vandals and requiring them to remove graffiti as part of their punishment or providing monies to cover the cost of removal
- j) Business improvement associations are viewed as important mechanisms for fighting graffiti on retail properties
- k) Working with private property owners to encourage removal of graffiti from assets they own, including offering graffiti removal kits where appropriate and clean blitz in retail core and high profile pedestrian areas throughout the municipality
- l) Providing information and advice on how to prevent graffiti vandals from targeting their property is important
- m) Property taxes may be increased to enhance the Plan.

CHAPTER TWO

THE POLICY

The Graffiti Management Plan is a municipal wide approach to graffiti management that incorporates a range of actions to be implemented over the next several years that will not only prevent and clean-up graffiti but improve our engagement with the people who are involved in the crime of graffiti. While Council is providing leadership to this Plan, its ultimate success will come from all stakeholders – residents, businesses, institutions, graffiti vandals and property owners participating in graffiti management.

2.1 The Goal

The **goal** of the Graffiti Management Plan is:

To reduce the prevalence of graffiti in HRM:-

2.2 The Objectives:

- a) To adopt best practice initiatives deployed in other municipalities
- b) To remove graffiti as quickly as possible as a deterrent
- c) To encourage preventative techniques as a deterrent to graffiti
- d) To involve the business community, community organizations, individual residents, and youth as partners in reducing graffiti
- e) To ensure a good understanding of the factors that motivate individuals to commit illegal activities and anti-social behaviours
- f) To ensure legal instruments necessary for discouraging and responding to graffiti are in place.

2.3 The Guiding Principle Statements

While it is not possible to eliminate graffiti altogether, the policies contained herein are intended to reduce the prevalence of graffiti. The approach to graffiti management is guided by a series of statements which will guide all decisions and policy directions.

GP1 HRM recognizes that in order to reduce the prevalence of graffiti, a range of strategies and a ‘whole-of-community’ approach is required.

- GP2 HRM recognizes that there is great value in programs which focus on the prevention of graffiti before it occurs.
- GP3 HRM acknowledges that as far as possible, measures taken to remove graffiti need to be prompt and environmentally friendly.
- GP4 HRM recognizes graffiti to be a crime, and
- GP5 HRM is committed to working at the community level to address graffiti issues.

2.4 The Strategic Focus

HRM has a critical leadership role to play in the successful engagement of government, the private sector and the broader community necessary to prevent and remove graffiti. To fulfill this role this Plan provides a comprehensive approach based on the following 7 strategic areas of focus:

1. Zero Graffiti Tolerance
2. Rapid Removal and Monitoring
3. Community Awareness and Education
4. Prevention and Diversion
5. Active Enforcement
6. Community and Corporate Partnerships
7. Understanding & Engaging Graffiti Sub Culture

Part One

ZERO GRAFFITI TOLERANCE

Graffiti is a major concern for all of HRM. Therefore, HRM's approach to graffiti management will focus on HRM in its entirety being designated a 'no tolerance' graffiti zone.

By creating a 'no tolerance' graffiti zone HRM wide, it is intended to send a clear message that graffiti is not tolerated in any area of HRM. Specifically, all communities HRM wide will be encouraged to take civic pride as it pertains to graffiti clean-up, with HRM providing available resources for monitoring and policing. Local business communities and other government and corporate partners are encouraged to focus their efforts in this direction as well.

- | | |
|----------|--|
| Policy 1 | HRM in its entirety will be designated a 'no tolerance' graffiti zone. |
| Policy 2 | Pursuant to Policy 1, HRM will seek the commitment of corporate and other government partners to take civic pride as it pertains to graffiti removal off their property. |
| Policy 3 | Pursuant to Policy 1, HRM will provide available resources for monitoring and policing, to proactively identify graffiti incidents. |
| Policy 4 | In an effort to make HRM graffiti free, artists will be provided with opportunities to express and showcase their creativity in a positive manner, through the identification of new opportunity sites for their work. |
| Policy 5 | Notwithstanding Policy 4, no graffiti opportunity site shall be located within a heritage conservation or streetscape area unless discussed first with HRM Heritage Planners. |

Part Two

RAPID REMOVAL AND MONITORING

Experience shows that quick removal of graffiti from the time of its occurrence is very important in the overall reduction of graffiti. This is due primarily to the fact that graffiti vandals tend to become easily discouraged and will not continue in a particular area where their work has been rapidly and repeatedly removed.

The challenge with rapid removal is that the degree of effectiveness depends on graffiti being removed from the entire area. This obviously is more complicated where graffiti is found on properties other than those owned by HRM.

HRM has focussed graffiti removal on HRM owned assets.

Removal Service from HRM Owned Assets

- Policy 6 HRM will regularly monitor, report, record and assess the level of graffiti vandalism on HRM owned assets.
- Policy 7 HRM will remove graffiti from HRM owned assets within 3 business days of notification, and 5 business days in the outer core (outside the Capital District area).
- Policy 8 Notwithstanding Policy 7, HRM will remove graffiti from HRM owned assets that contains racist, obscene or offensive material immediately upon notification, not exceeding a maximum of 24 hours.
- Policy 9 All solvents, additives or products used by HRM for removing graffiti will be handled with ecologically sound practices to minimize harm to the environment and to comply with relevant environmental law and policies.
- Policy 10 HRM will ensure that prior to removal of graffiti from heritage buildings and monuments (structures of special significance), Public Works staff will first discuss same with HRM Heritage Planners.

Integrated Removal Service

- Policy 11 Litter, stickers, bubblegum, posters, broken glass, liquor bottles and drug paraphernalia are intrinsically linked with graffiti in their negative impact on HRM's environment. Therefore, stickers, posters, litter etc. found within the vicinity of the graffiti will be removed as a component of the overall removal service.

- Policy 12 Pursuant to Policy 7, while removing graffiti, within a distance of at least 10 metres from the point of the incident as well as 10 metres back from where a side street intersects, HRM will scan and remove other incidents of graffiti, litter, posters, stickers, etc.

Graffiti Removal From Private property

- Policy 13 HRM will provide assistance to private property owners with the removal and prevention of graffiti through introduction of a graffiti removal program, focussing on, but not limited to:
- a) providing Graffiti Removal Tool Kits (subject to availability)
 - b) conducting targeted ‘blitzes’ through community cleanups, and
 - c) intervening where graffiti is racist or obscene.

Other Government, Agencies and Corporations

- Policy 14 HRM has partnered with Halifax Regional School Board, Aliant, Nova Scotia Power and Canada Post. Other governments, agencies and corporations will be approached, to become partners and work toward a common standard as set out in Policies 1 and 2.
- Policy 15 Notwithstanding Policy 3 and 4, HRM may consider establishing agreements with public authorities, other levels of government, agencies and commissions to remove graffiti where the costs can be recouped and where resources are available.

Part Three

COMMUNITY AWARENESS & EDUCATION

Education is absolutely key to a successful graffiti management program. A more informed community is more likely to adopt prevention measures and change from being passive victims to becoming active participants combatting graffiti within their community. The proposed policy aims to raise community awareness of the graffiti vandalism problem, its impact on the whole community, and the prevention and diversionary measures that are available.

Information

- Policy 16 HRM will minimize misconceptions around graffiti and community safety that arise from a lack of information and knowledge through the ongoing provision of information on a) the complex nature of graffiti, b) the causes, and c) the costs of graffiti to society.
- Policy 17 HRM will raise public awareness on the importance of reporting graffiti and how to report graffiti.

Messaging

- Policy 18 HRM will reinforce the message that graffiti is a crime and not acceptable in HRM through educational materials and communications.
- Policy 19 HRM will engage local media and corporate partners to assist in educating and informing the public on graffiti management and to reinforce the message that graffiti is a crime and not acceptable in HRM.

Social Marketing and Accountability

- Policy 20 HRM will aim to reverse anti-social behaviours such as graffiti, littering, etc through a sustainable social marketing campaign.

Part Four

PREVENTION AND DIVERSION

Prevention and diversion are an important component of any graffiti management plan. The rationale behind this preventative and diversionary technique is to gradually change the attitudes and behaviours of graffiti vandals.

Preventative techniques refer mostly to environmental measures that are used to minimize the opportunity or occurrences of graffiti vandalism. For instance, urban and building design features, and through the following of CPTED principles, are all measures that can be very effective in preventing graffiti.

Alternatively, social diversion focuses on engaging graffiti vandals to participate in positive community-based projects; developing a positive community image for youth, and implementing education about graffiti through the school system.

Preventative Measures

- Policy 21 HRM will consider the goal and objectives of the graffiti management plan and their relationship to community planning, public space, urban character and neighbourhood amenity.
- Policy 22 HRM will consider amending municipal permitting processes (ie. vending, construction, development) to ensure responsible graffiti management practices and implementation of CPTED principles are inherent.
- Policy 23 HRM will reduce the potential for creating environments that support criminal activity by implementing CPTED principles.

Restitution

- Policy 24 HRM will continue to pursue opportunities for graffiti offenders to make reparation for their offences and to assist in rehabilitation.

Part Five

ACTIVE ENFORCEMENT

Apprehending, prosecuting and obtaining restitution from offenders is a key element of successful graffiti management. Therefore, Police and legal tools are required to discourage the crime of graffiti.

An important aspect of an overall approach to enforcement is a coordinated supply of graffiti evidence. Police collect data on both the prevalence and nature of graffiti, linking the data to vandals.

The involvement of an entire community, both residents and business owners is necessary to fight this crime.

Legislative options to enhance graffiti reduction outcomes of this Plan have been discussed, such as a graffiti bylaw. New legislation may facilitate greater coordination and partnership between HRM, statutory and voluntary organizations, and private business.

Enforcement

- Policy 25 HRM will actively enforce all applicable laws as they relate to graffiti.
- Policy 26 Where resources allow, HRM will apply more aggressive and persistent enforcement practices in specific areas.
- Policy 27 As available resources dictate, HRM will move towards a gradual focusing of police resources to the following areas:
- a) building on existing database to assist investigations and prosecutions
 - b) placing increased emphasis on arresting and charging suspects wherever possible
 - c) targeting prolific graffiti crews
 - d) encouraging Crown Counsel in prosecuting offenders
 - e) encouraging the Neighbourhood Watch Program to include activities such as recording, reporting and voluntary eradication
 - f) involving Crime Stoppers in dealing with graffiti.

Surveillance

- Policy 28 Repeat graffiti is a problem that adds to the costs of removal and management of graffiti. Where feasible and resources allow, HRM will perform surveillance in areas known to be especially prone to repeat or prevalent graffiti vandalism.

Data Management

- Policy 29 Police will retain dated photographic evidence of each case of graffiti where charges are laid, for evidence in support of the prosecution of graffiti vandals.
- Policy 30 HRM will refine data collection methods to ensure the availability of statistics relating specifically to graffiti offences are readily available.
- Policy 31 HRM will continue to develop partnerships with other policing agencies to encourage the exchange and communication of data.

Legislation

- Policy 32 HRM will act as an advocate for legislative changes to give HRM greater power to deal effectively with graffiti vandalism.

Graffiti By Law

- Policy 33 HRM **may** consider adopting a Graffiti Bylaw to provide Council with the power to consider:
- a) facilitating the removal of graffiti from private property;
 - b) fining a property owner, manager or occupier if graffiti is not removed when directed to do so by an authorized officer; and
 - a) prohibiting retailers from displaying and selling graffiti implements
- Policy 34 Notwithstanding Policy 33, HRM will take all reasonable steps to avoid using a Graffiti Bylaw and its powers contained within by focussing on co-operative and constructive partnership arrangements with private property owners and occupiers to prevent, manage and remove graffiti.

Part Six

COMMUNITY & CORPORATE PARTNERSHIPS

Local communities have a significant role to play in graffiti management as they are best placed to understand their local environments and as such develop relevant solutions to local graffiti issues.

Local community organizations such as Neighbourhood Watch groups and Citizens on Patrol, should be supported and encouraged to facilitate the development of innovative and sustainable local approaches to graffiti management. Engaging residents in a range of volunteer based activities including surveillance and reporting has been an effective management technique.

Parental/guardian involvement and education is also a key component in preventing the crime of graffiti vandalism through observation, child-parent communications and parental observation that may help detect the involvement of youth in graffiti vandalism activities.

Individuals of all ages are involved in graffiti. Education on the detriments of graffiti on a community is an important aspect of graffiti management.

Widespread involvement of other government partners, agencies and corporations is also essential to addressing the complex issues associated with the effective management of graffiti. While corporations such as Aliant, and agencies such as the School Board continue to invest significant resources in prevention and clean-up of graffiti, considerable scope exists to engage other levels of government and the private sector.

Civic Accountability

- Policy 35 HRM will foster a greater sense of civic-mindedness in HRM adults and youth through focussed education on the value of community and skills for value-oriented thought and action within a context of social responsibility.
- Policy 36 HRM will focus resources towards rebuilding social control and increasing citizen accountability for its actions by facilitating the establishment of neighbourhood advocacy groups or organizations, and support them in activities.

Community Capacity

- Policy 37 HRM will enhance community awareness about their roles and actions and initiatives which might be taken to reduce and prevent graffiti including but not limited to:
- a) Detecting and reporting incidents of graffiti vandalism and identifying those responsible for the crime if possible

- b) Delivering educational programs to inform youth and adult audiences of the negative impact of graffiti to a community, its prevention, and the consequences related to graffiti vandalism
- c) Helping with distribution of graffiti tool kits to assist in removing graffiti
- d) Coordinating citizen efforts to combat graffiti vandalism
- e) Participating in community graffiti clean-up days
- f) Participating in anti-graffiti vandalism efforts wherever needed
- g) Working with respective neighbourhood groups
- h) Providing alternative legal artistic opportunities.

Policy 38 HRM will continue to assist communities and neighbourhoods to develop locally appropriate responses to graffiti prevention and management through ongoing education, information sessions, and community capacity building initiatives.

Corporate Partnerships

Policy 39 HRM will continue to encourage private sector support for the development and implementation of initiatives to address graffiti.

Policy 40 HRM will pursue formal agreements with the corporate sector and other level of government partners, to enter partnerships on joint graffiti management initiatives.

Policy 41 HRM will pursue funding from other levels of government in support of establishing strong community partnerships and developing innovative responses to graffiti in high priority areas that can be replicated elsewhere.

Policy 42 HRM may provide opportunities for private sector contributions through direct funding and/or in kind support for strategies to address graffiti at the local level.

Part Seven

UNDERSTANDING & ENGAGING GRAFFITI CULTURE

Understanding graffiti culture is crucial to developing some solutions to this problem as hard enforcement and removal will never totally eradicate graffiti.

While significant research has been undertaken into the nature and culture of graffiti, further work is required to investigate the factors that influence antisocial behaviours such as graffiti. The availability of such research will help in designing targeted intervention strategies to encourage more positive social outcomes.

Research

Policy 43 HRM will continue to research the graffiti culture.

Engaging Graffiti Vandals

Policy 44 HRM will engage graffiti vandals where possible in an effort to:

- a) reduce graffiti
- b) encourage and invite former vandals to act as mentors to younger individuals.

CHAPTER THREE

IMPLEMENTATION

This Plan identifies areas where further work is required to enhance HRM's approach to graffiti management. A number of HRM business units have a role in graffiti management. The success of this Plan will depend on HRM working collaboratively to maximise the effectiveness and efficiency of the Plan.

3.1 Who is Responsible for Implementing the Plan?

The HRM Community Response Team (CRT) will play the leadership role in the overall coordination and implementation of the Graffiti Management Plan. The CRT will be responsible for ensuring that the organization is aware and is subscribing to the policies contained within the Plan, and that the actions listed in this chapter are completed. The CRT will also be responsible for monitoring the Plan, reporting to Council on the success of the Plan, and identifying potential gaps or weaknesses that may require changes to policy and approach.

Beyond the CRT, the Graffiti Management Plan will require the ongoing cooperation and joint administration of a number of HRM business units and staff:

- a) Halifax Regional Police
- b) RCMP
- c) Community Development (Culture, and Heritage)
- d) Community Development (Community Arts Facilitator)
- e) Transportation and Public Works
- f) Corporate Communications
- g) Call Centre

In addition, the Plan's whole community approach will require that a number of key community and corporate stakeholders play an active role in its implementation such as (but not limited to):

- a) Halifax Regional School Board
- b) Canada Post
- c) Aliant
- d) Nova Scotia Power
- e) Clean NS
- f) BIDCs (Business Improvement District Commissions)
- g) Residents Associations
- h) Community watch groups
- i) Parents
- j) NS Justice Department
- k) Graffiti Vandals
- l) Youth

- Policy 45 The CRT will coordinate and oversee the overall implementation of HRM's Graffiti Management Plan.
- Policy 46 The CRT will establish and support a Graffiti Task Force comprised of police, other staff, Council and Partners to:
- a) Implement this Plan
 - b) Work jointly on sponsored events and programs
 - c) Share knowledge and information
 - d) Facilitate ongoing inter-divisional/organizational education on graffiti trouble spots, writing instruments and investigative techniques; and
 - e) Develop long term collaborative initiatives.
- Policy 47 The Graffiti Task Force will annually tie in a departmental budget and business plan process in its comprehensive approach to graffiti management.

3.2 Evaluation and Monitoring

It is important to evaluate and monitor the progress of the Plan and to keep Council and the community informed. A reporting element will be a key component of implementation. The effectiveness of the Graffiti Management Plan will be evaluated regularly and improvements made to the Plan where required. Evaluation will enable staff and Council to understand 'what works' in graffiti management and builds an evidence base for future programs.

In terms of monitoring, the focus should be on the impacts of the program against its objectives, and the benefits and costs of the intervention.

- Policy 48 HRM will adopt the following performance measures to accurately assess the success of this Graffiti Management Plan:
- a) The number of reported incidences of graffiti on HRM assets;
 - b) Participation in graffiti tool kit/community clean-up programs;
 - c) Level of successful legal action that has been taken against apprehended offenders;
 - d) Participation in art projects and youth programs;
 - e) Participation by Partners
 - f) Participation on Graffiti Task Force;
 - g) Level of participation by local businesses in graffiti removal and prevention;
 - h) Number of people accessing information about graffiti removal and prevention; and
 - i) Initiatives undertaken to educate community.

Policy 49 HRM will provide an annual report on the progress of HRM's approach to graffiti management.

3.3 Communications

Effective communication is particularly important for the long term implementation of this Plan. A good communication program will encourage ongoing community involvement in graffiti management and help to reduce the perceptions of disorder and fear of crime that graffiti can generate.

Policy 50 HRM will develop a graffiti communication plan that delivers a consistent message to all stakeholders and works to achieve the following:

- a) keep the community informed of the issues involved in graffiti management
- b) advise the community of solutions to the problem of graffiti
- c) encourage active community involvement in managing graffiti.

Adopted August, 2006
Updated October, 2009

Appendix B

FACT FINDING TRIP TO NEW YORK ON GRAFFITI JAN, 2007

HALIFAX REGIONAL MUNICIPALITY DELEGATION

Councillor Linda Mosher, Chair, Graffiti Task Force
Det/Cst James Bennett, Halifax Regional Police
Jane Nauss, Manager, Community Response Team

OPENING COMMENTS:

Graffiti Removal Program - Graffiti has become a nationwide epidemic and is related to drug and gang violence.

New York City's anti-graffiti positions, programs and publications always state that "Graffiti is a Crime" to highlight the severity of the issue. Also, that "The Police Department Cannot Act Alone" to stress the importance of a concerted partnership to successfully address graffiti vandalism. They have classified graffiti as a "Quality of Life issue and as such formed a "Quality of Life: Anti-Graffiti Program".

Community action, targeted enforcement, youth involvement, and utilization of all available civic /criminal remedies has, over time, become successful. NYPD is the link between community service and the need for graffiti cleanups.

One of the Mayor's Quality of Life divisions - Anti-Graffiti Program - removes graffiti from both public and private buildings. The Paint Program (administered by the Mayor's Community Affairs Unit*), distributes free graffiti removal supplies to individuals and civic groups planning community cleanup projects with paint being donated by Home Depot.

For community graffiti removal events, each group or individual completes a form giving the location to be cleaned, police precinct information, whether it is residential or commercial, colours of paint required, and number of rollers. There is a small array of colours available – gray, brick red, white, tan, or black – provided at no cost to the public (maximum twenty-six gallons of paint, along with 26 roller sleeves and 12 roller frames). Members of the public are encouraged to request more rollers than they actually require. The form is forwarded to the Mayor's Paint Program - Community Assistance Unit, along with a completed Waiver.

Commercial property owners and owners of residential properties of six units or more will face a fine of up to \$300 for failure to remove graffiti. Property owners will not face any penalty if they inform the City (through 311) about graffiti on their property and they sign the waiver allowing the City to remove it. If the owner signs the waiver the clean up is provided free of charge. However, the City is not responsible for any damage incurred as a result of the clean up. The

waiver option is an option for property owners who can't or choose not to remove the graffiti on their own.

The Waivers of consent and release of liability for the City to enter property for the removal of graffiti (using high pressure technology, painting over, chemical solvents) are completed by the building owner/business owner/occupant/managing agent. Property owners/managers etc are made aware up front that those who clean the property may not be able to exactly match the colors on the property, and that graffiti may be removed in blocks, patches or strips. Should the signer of the form wish to ensure perfect removal, this process will encourage them to maintain their own property.

All clean-ups are monitored to ensure proper use of supplies. The City sometimes purchases heavier equipment (i.e. hot water pressure wash system) for groups to remove graffiti themselves.

**There is a difference in municipal government between HRM and NYC. In NYC they have a Mayor and 52 Councillors, who are partisan and represent political parties. As well, the Mayor functions more independently and there are differences, eg he does not vote on every issue and has initiatives on his own without Council.*

Enforcement - The Anti-Graffiti Coordinator oversees enforcement, clean-up and education efforts. The City-Wide Vandals Task Force (under the Transit Bureau) creates and implements the strategies and tactics for dealing with graffiti vandalism and defacement of public and private property. This unit works on foot patrol, watching the transit system, working in schools and conducting community presentations. They basically keep up on what is happening on the street and parlay this information into arrests and/or comprehensive investigations. It also updates the Graffiti Offender Data Base and administers the Graffiti Rewards Program - up to \$500.00 - which is funded by the Police Foundation.

There is also a Gang Division, under the leadership of Deputy Chief, Commanding Officer Robert K. Boyce, which works closely on gang related graffiti.

The New York City Police Department has a City Wide Vandals Task Force division. This division is in charge of the creation and implementation of strategies to combat graffiti vandalism. They also implement the rewards system and bring in partners as needed including: The Department of Consumer Affairs (monitors stores for compliance), Department of Youth and Community Development (who have a Safe Horizon Program who assesses damages and assists in compensation); The United States Postal Service provides supplies for paint removal; The Police Foundation assists in rewards programs; The City also solicits donations for community removal programs from the private sector; NYPD Community Affairs Unit develops an anti-graffiti curriculum for use by local Community Affairs Officers for community group meetings (a Graffiti Hurts tape is distributed as well). Youth Officers have been trained in an anti-graffiti curriculum which they teach in schools and at youth forums. City departments such as the Department of Transportation respond to service requests to remove graffiti and the associated vandalism on city property.

The City Wide Vandals Task Force has a computerized management system to track incidents

and deploys resources to respond to known issues. In addition, they provide information on tips on how to prevent graffiti - such as installation of motion sensors and/or sprinklers in high out-of-reach areas. They also give tips on various removal methods.

NYPD HEADQUARTERS

Detective Dennis Jones, Police Commissioner's Liaison Unit, along with Officer LaShonda Dyce, Community Affairs Training Unit, provided a presentation on their graffiti initiative (implemented 2004) entitled "Anti-Graffiti Initiative - Community Affairs Bureau, NYPD."

Overview of Officer Dyce's Presentation:

- motivation for graffiti is fame, power, rebellion and self expression
- everyone is hurt by it
- it costs tens of millions of dollars yearly for NYC to remove or repair the damage caused by graffiti
- decline of an area is associated with graffiti
- **Graffiti is a crime** punishable by law. Anyone caught defacing property will be arrested and subject to a fine and/or community service, and possibly jail.
- In the past it was mainly youth involved, but over time, the number of adults is increasing.
- **NY Laws to combat graffiti**
 - ✓ The making of graffiti is a Class A Misdemeanor
 - ✓ Possession of instruments is a Class B Misdemeanor
 - ✓ Criminal Mischief to intentionally damage property
 - Class A Misdemeanor
 - Class E Felony - valued at more than \$250.00
 - Class D Felony - valued at more than \$1,500.00
 - ✓ NYC General Obligation Law Section 3-112
 - Parents / guardians may be liable
 - ✓ NYC Admin Code 10-117:
 - subsection (c) restricts sale of graffiti instruments (spray paint, markers) to persons over twenty-one
 - subsection (d) prohibits sellers of aerosol spray paint and indelible markers (Home Depot and similar stores) from displaying these items in their stores; only facsimiles which do not contain paint, ink or etching acids may be displayed
 - violations are punishable by civil penalties up to \$500.00
 - ✓ Introductory Law 556-A
 - possession of instruments for people under age 21 is illegal, and
 - possession of instruments in any public place or motor vehicle with the intent to make graffiti is illegal
 - ✓ Introductory Law 299-A
 - commercial property owners and owners of residential properties of six or more units are required to remove graffiti

- ▶ these owners will not face any penalty if they inform the City of the graffiti on their property and sign a waiver allowing the City to clean it.
- public encouraged to report graffiti immediately, to remove graffiti immediately and continuously, and to stress to young people the importance of respect for property
- mission of the Vandals Task Force is to create and implement strategies and tactics, update Graffiti Offender Data Base and administer the Graffiti Rewards Program
- Examples of Resources involved in combating graffiti in NY
 - ✓ New York City Police Department
 - ✓ Deputy Commissioner, Community Affairs - Education, Training and Outreach
 - ✓ City-Wide Vandals Task Force - education and enforcement (officers teach anti-graffiti curriculum in schools, youth forums)
 - ✓ Mayor's Community Assistance Unit - provides paint and supplies (Postal Service also provides paint)
 - ✓ Dept of Housing, Preservation & Development - graffiti control in and on buildings
 - ✓ Dept of Consumer Affairs - enforcement of unlawful sale and/or display of spray paint and markers, etc
 - ✓ Dept of Cultural Affairs - art programs for young New Yorkers (note: no formal mural program in place - mostly through Dept of Education)

There was a brief discussion on the types of graffiti in NY with 75% being street graffiti (our Hip Hop graffiti), gang graffiti equates to 10% with the remainder being hate, satanic and generic.

The Delegation was advised that each month there are open Community Council meetings where members of the public are given an opportunity to speak. NYC's Community Council system differs from HRM's as it does not include elected representatives. In NYC there are 72 precincts which have 9 Community Councils. The Commanding Officer of each precinct presides over the meetings and he/she and members of the Community Affairs Department discuss a multitude of issues, one of which is always graffiti. The meetings are held at the same time each month but at different locations. They have found residents are interested in interacting with Community Affairs, which is the liaison with the public and with NYPD.

CompStat (COMPUter STATistics or COMParative STATistics)

This is an organizational management tool used by the New York City Police Department as part of their accountability process. CompStat employs Geographic Information systems and can map crime and identify problems. In weekly meetings, ranking NYPD executives meet with local precinct commanders to discuss problems and determine action plans with the goal of ultimately reducing crime and improving quality of life issues. It is not a computer system or software package, but a multilayered dynamic approach to personnel and resource management. This system creates a weekly report entitled GraffitiStat that outlines all activities related to graffiti in New York. It is very detailed, including information such as the age and race of the offender, type of offense, i.e, gang related or hip hop tags, hate crime, etc., time, identification of crime, such as a misdemeanor or felony, and precinct. This detail enables appropriate action by the Police.

Advertising

NYPD utilizes advertising to promote graffiti awareness. Examples of ads include “Is your child a graffiti vandal?” and “Graffiti is a Crime” (The g is actually a picture of handcuffs, which is an effective awareness visual), plus another ad listing what every parent should know about identifying a graffiti vandal so they can look at the habits of their own children. As an education piece, associated issues or information are summarized such as recognizing graffiti paraphernalia youth may have in their homes. Some ads combine the “graffiti is a crime” message which provides rewards of up to \$500 for persons who report vandals who are successfully arrested and convicted.

Other advertisements stress the fact that clean up of graffiti costs millions of dollars that could be better spent on improvements to the community - things like parks and recreation. The Keep America Beautiful website is referred to often where it is tied into Crime Prevention Through Environmental Design i.e. graffiti prevention tips (www.graffitihurts.org).

311 System

Residents of NY have two telephone numbers for city services – 911 for emergencies and 311 for everything else. This system enables the quick identification of geographical trouble spots for issues such as graffiti. Mayor Bloomberg states that the system (which operates 24 hours a day, 365 days a year) has dramatically improved the accessibility of city services. Even the standardized yellow Taxi system is part of 311.

NYPD Strategic Approach to Stopping Graffiti

An article entitled “The NYPD Strategic Approach to Stopping Graffiti Vandalism” written by Police Commissioner Raymond W. Kelly, was published in The Police Chief in August of 2005. Their strategic approach is discussed along with the importance of public education and availability of tools such as the 311 system. One of the keys discussed is the creation of a City-wide Anti-Graffiti Coordinator and Location Coordinators as well as the Vandals Task Force (which has a graffiti section). One key message is that graffiti is a quality of life crime which not only has serious financial implications but adds to the perception of disorder, fear and lawlessness. It is taken very seriously by NYPD.

Councilwoman Melinda Katz, 29th District, Queens and Senior Policy Advisor, Jay Bond

Although there was no formal presentation, a frank discussion was held:

- attempting to get a program in place such that students would have to take on graffiti

- eradication project to graduate
- scout program, church groups be encouraged to include graffiti eradication as part of a community service badge (schools and social programs would enable the removal of graffiti from private property)
- postal service provides paint and volunteer groups remove graffiti off their assets
- Vandal Unit takes pictures of each tag to be included within the reports. Consistency of reporting is key for successful convictions.
- CCTV a good deterrent in specific areas but do not put up mock cameras, only real.
- shops now using linked bars and not pull down screens to stop graffiti
- need to be diligent in going back to remove graffiti as soon as it appears
- make sure our definitions are clear so people will recognize the issue and do something about it
- remove gang graffiti as soon as possible. Even if it is a group 'crew' they could evolve into being a gang
- for those who don't cooperate in removing graffiti, the issue goes to the Sanitation Department for resolve
- vandals remove graffiti as part of their restitution
- Metro Transportation Authority philosophy is 'take it out of service and clean it, even if it affects service.'
- community groups and volunteers are important - (when they see graffiti, they need to clean it every day or night for at least a week to discourage the vandals but they need the tools)
- 'little by little' was the theme used by the Councilwoman and her staff. It takes dedicated community groups, volunteers, staff, elected officials and police to work together - to take this issue seriously and address it. Success is reachable - it takes time but it can be done.

Councilman Peter Vallone, Astoria
and
Anthony (Tony) Meloni, Executive Director,
Certified Crime Prevention Specialist

Council Vallone is a well known graffiti activist. One of his greatest successes was to ensure the arrest of a vandal who was convicted of 5 felony counts, sentenced to 6 months in jail, 4.5 years probation and given a \$25,000 fine. "Kiko" had been found tagging schools, clubs, concrete pillars, and countless payphones, shop gates, cars, homes and even trees. The Councillor stated the importance of having the courts address graffiti arrests seriously. It is imperative to contact District Attorneys and Judges to stress upon them the importance of strict enforcement of graffiti vandals.

Over the past four years, the Councilman has written 3 anti-graffiti bills including one that made it illegal for anyone under the age of 21 to possess spray paint or broad-tipped markers. He has

publically reprimanded corporations (e.g. Sony, Time Inc) for using graffiti in their advertising campaigns. He currently sits as Chair of the Public Safety Committee which oversees issues such as graffiti (working closely with NYPD).

We toured an area where private property owners allowed 'free walls' or areas where graffiti artists can legally paint. Not only was this property tagged, but there were tags on public and other private properties, vehicles, waste receptacles, etc. showing widespread vandalism. These were signs of urban decay and the Councillor stated that the graffiti was absolutely tied to other crimes in this area and the decline of the neighbourhood.

Mr. Meloni works closely with those individuals who must remove graffiti as part of their community service requirement. He stressed that one needs to stay strong and focused on this issue, not to let graffiti be an argument about art. Etching acid is often inserted into shoe polish containers to make it easier for application. Referenced fine of \$150 (escalates) for property owners/managers if graffiti not removed within a specific number of days. Crime was 70% higher in 1990. There was an increase in the number of police officers and with a focus on taxes for safe city/safe streets, there was a small crime crackdown (graffiti and squeegee kids).

It is important for the public to become involved. Probation means nothing to kids who get arrested. Through a Second Chance Program, however, they receive community service hours. After 6 months or so with Tony - everyday - they understand what they have done wrong. Tony actually goes out with them and removes the graffiti - sometimes they have to remove graffiti in front of their friends which is added punishment.

Roll down gates encourage graffiti. Also these types of gates make it difficult for the Fire Department to deal with fires.

Tony suggested that the community be involved, a specific location be chosen and cleaned continually. Take lots of pictures - before and after. Make a point in a small area.

Grffiti is a gateway to larger crime - Halifax needs to get a handle on it now.

NYPD has caught kids as young as 12 out vandalizing at 3 am, which they attribute to a breakdown in the family unit. Police numbers are down at the moment - on terror duty. Referenced the fact that corporations are using graffiti to promote products. NY used to be the graffiti capital of the world, but no more. Their focus is on removal and arrest. Comes down to Risk and Reward. Courts need to be supportive.

Grffiti vandals want to become famous - any way they can. With respect to restitution, if vandals are under 18, the parents have to pay for damage. If vandals are over the age of 18, their wages are garnished.

Anthony (Tony) Meloni, Executive Director, Certified Crime Prevention Specialist.

Public participation is important. Within the Second Chance Program, vandals spend 250 hours

on weekends over a 6 month period removing graffiti. Out of 225 participants, only 8 have been arrested again. He felt that the worst punishment you can give graffiti vandals is to have them seen by their peers cleaning graffiti. In a period of 8 months, approx 188 locations over 25 streets were cleaned. Local people, block captains, community captains, etc were contacted for information which was used for intelligence by the police. This program developed a 20th anniversary celebration booklet with many letters of congratulations received, including one that thanked Councilman Vallone for having legislation passed that required all construction gates to be see-through. Prior to this, 80% of the graffiti that the Second Chance Program participants cleaned was found on those gates.

There are celebrities such as hip clothing manufacturers (i.e. Mark Echo) using graffiti in their advertisements and in their clothing which glorifies the crime of graffiti.

He made the follow suggestions for Halifax: when individuals are arrested for graffiti, get subpoenas for their computers - this can be used as evidence; put legislation in place such that holds parents liable; allows garnishment of wages; makes it a felony charge if damage is over \$2,500; ensure each Councillor has district funds to help with graffiti removal; hold group meetings with police.

New York's Anti-Crime Agency consists of ten standing anti-crime and prevention programs that are primarily staffed by volunteers from the organization, NYPD and area residents. Other partner initiatives included 62 new marines (going through basic training), active marines, commanding officers and 25 NYPD officers and community officers who spent 8 hours removing graffiti from locations such as 10,000 square feet on the Hell Gate Bridge which was an eyesore for years. Today, more than ten years later, it is still clean and graffiti free thanks to their Parks Department, New York Anti- Crime Unit and numerous community volunteers. Over the period of one day, approx 250 stores and public areas were cleaned.

The New York Anti-Crime Agency has many awards for internal and external stakeholders, such as the Eternal Vigilance Award winners and Light of Liberty Award winners. In addition to the Second Chance Task Force, they have other services such as Women's Safety & Self Defense classes, finger painting for children-ID kits, security surveys for homes & businesses, Vial of Life for seniors, Astoria/Kiwanis Safety Booklet, Operation Identification and Free Smoke Alarm Distribution. They also have a department for Immigration Advocacy Services.

YOUTH AT RISK, DENNIS TORRES, DIRECTOR THE BRONX

Dennis "Superstretch" Torres, Black Belt Grand Champion, runs a free program for youth of all ages, helping to focus their lives in the right direction. The club operates in one of the worse crime areas in NYC adjacent to many apartment buildings which house drug dealers, etc. The choice of location is very important and most effective in an area of most need. The program is called Junior Guardian Angels and it teaches a variety of skills to the youth participants. The

program teaches martial arts, helps with homework, takes children on trips to sit and visit with seniors, holds movie and pizza nights - all while keeping the parents involved. Classes run Monday through Thursday evenings from 3:15 pm - 6 pm., and on Saturdays for a variety of recreational and community activities. Their focus is on discipline, concentration, self-defence techniques, demonstrations, physical fitness and confidence.

The program is targeted towards youth at risk (beginning at 5 years of age) and currently has 180 members. Each day the curriculum includes homework sessions, karate classes, and various activities such as movie day, visit to the Rockefeller Centre, ice-skating or bowling. Monthly meetings are held with parents.

The participants in the Karate class we watched were learning appropriate stretching techniques and then practicing self-defence moves. Their self respect and respect for others was evident.

GANG DIVISION, BROOKLYN

**Robert K. Boyce, Deputy Chief, Commanding Officer,
and Sgt Diana Erickson, Gang Division**

Sgt Erickson provided a presentation on the basics of gang graffiti which was followed by a question and answer period. There are hundreds of gangs in NYC, such as the bloods, crips and Latin kings. Often the colour of the graffiti is chosen to represent the gang. An example would be the Bloods, who use red, or the Crips who use blue in their graffiti. It is important to not only look for words but also symbols or numbers, or a letter upside down, which can be an indicator of a gang. Gangs can be broken into groups which have different symbols, such as “folks”, “nation” or “people”.

The following points were made:

- numbers relate to letters of the alphabet
- or numbers can mean something, i.e, 031- there are 31 rules for that gang; or they could mean a street or area code.
- one letter crossed out means trouble - if we see any letters crossed out expect the worst
- as above, colours define the gang
- upside down symbols shows disrespect
- Crips, Bloods and Latin Kings are the most famous gangs
- LK = Latin King (and a pitch fork)
- KK = Killer King - flip upside down or cross out = disrespect for them
- Cuz and LOC are what the Crips call each other - they “shout out” to each other via graffiti
- \$ = means drugs
- MOB = money over bitches, indicates drugs
- circled numbers are gang indicators
- arrow pointed down indicates gang related and shows disrespect
- gang symbols and colours always stay the same
- police need to make themselves aware of what is out there

- three zeros in the shape of a triangle means '3 dogs' and is used by the Crips
- gang tattoos are considered gang graffiti - but on someone's body - same concepts apply
- Mexican graffiti is different - they don't use vowels, TMB = The Mexican Boys
- numbers can represent an address or zip code
- MS13 is the worst group - they would prefer to maim someone. An "ear drop" means they have killed a police officer. "Buck fifty" means someone had received or was going to receive 150 stitches. You throw some vowels in and can come up with a name as well. They originated in El Salvador and had training in guerilla warfare. Initial members are now in their 40's and are training younger members
- "SOS" means Shoot on Sight
- "BOS" means Beat on Sight
- "KOS" means Kill on sight
- "TOS" terminate on sight
- "S" means slob (note- crips call bloods slob)
- "RIP" means rest in peace
- "your dead" - hit on someone
- an 8 ball = cocaine/drugs (comes from the crips from the East Coast + crips from the West Coast coming together).
- "CK" means crip killer (there would usually be a cross out on the C)
- "BK" means blood killer (if b has line through it, means disrespect for blood, so it is from a crip. Or Blood Killa)
- Words like "Blood Up" - means the bloods are ahead of the crips (or B up, C up, etc.)
- "UNB" - United blood nation (bloods)
- "1%" means 99% gansta (Californian language)
- "B.D.G." means black gansta disciples
- Black rosary beads - a gang sign that originates from prison
- Graffiti needs to be removed immediately
- each police precinct (all 76) use youth groups, volunteers, community service to remove graffiti (work closely with Mayor's Office)
- use confidential informants
- check FaceBook, My Space, Xanga.com and Sconek.com for intelligence gathering. Kids will post photos, etc.
- encouraged to share tags with the unit when the need arises
- www.gangscrossamerica.com Resources and strategies to combat gangs across America
- www.iir.com/nygc/gang-legis/#stat Institute for Intergovernmental Research
- www.nationalgangcenter.gov/legislation Compilation of US Gang related legislation

Gang graffiti sends a clear message, "this is my turf/area." It is important to research and know your local gang symbols. NYC has found that gangs are fortunately not very inventive and they see the same symbols over and over, you just need to be trained to see it. They have found that gang tattoos are the same concept as graffiti so it is important to check out tattoos to gain insight into gang participation. When you see gang graffiti remove it immediately. NYC often target gangs and cultivate a confidential informant. We were provided contact information from the Sergeant. If Halifax Regional Police require assistance to identify gang graffiti, we can send them a digital photo to analyze.

QUEENS (GLENDALE)

- **Queens Park tour with Councilwoman Katz**

Prior to the tour of the Glendale area, Councilwoman Katz met us in a public park where skateboarders had been stopped from using the concrete wall surrounding the park. Small metal pieces were installed around the perimeter of the wall making it difficult for skateboard use. Decorative balls had been used in other parks. One particular open space where park users were experiencing problems due to heavy use by skateboarders was changed to a garden with a brick path surrounding it; bricks are a skateboard deterrent as the boards cannot glide over the brick. At specific points in the park, benches were changed to the model with arm rests in the middle to keep individuals from sleeping on the benches at night.

Frank Kotnik, Glendale Citizens Observation Patrol (GCOP)

The communities of Glendale, Ridgewood, Maspeth and Middle Village had issues with quality of life crimes. Accordingly, they formed a Civilian Observation Patrol for the 104th Precinct (104COP). Information on this group can be found at www.104COP.org. Years ago these communities were hit hard with graffiti and it was a rare occurrence to see a building that wasn't tagged. Now, seeing graffiti is the rare occurrence.

The COPs, with 150 active volunteers, go out and remove any graffiti immediately. They have attire indicating they are COP volunteers, and some actually have police lights on their vehicles. During 9/11, they assisted in emergency operations.

Frank Kotnik, as well as 3 other members of the Glendale Citizens Observation Patrol (GCOP), explained that they work closely with the 104 Precinct assisting with Quality of Life issues. It is evident that prompt removal of graffiti is working. During our drive, we saw new graffiti; Mr. Kotnik said it wasn't there the day before and would be removed before the next day. He has taken it upon himself to become familiar with every tag and every vandal.

There were buildings with long spotless walls. In Halifax, these would be considered graffiti canvasses. Long white concrete walls abutting major highways were also spotless. Mr. Kotnik felt that graffiti breeds graffiti; further, that murals should not be used as a crime prevention tool. Murals have their place, but graffiti is a crime and should be taken seriously. Over the years, approximately 100 vandals have been stopped in their tracks. The COPs keep records and are in charge of monitoring specific areas. The Glendale Property Owners Association keeps a record of offenders, and locations hit. They also educate themselves on what the graffiti means to identify potential issues. They gave the example of 420 - this is Hitler's birthday and the anniversary of Columbine, or POGW - prison of the graffiti war. Any vandals caught are forced to remove graffiti. One individual was arrested and spent three weeks at Rikers Island (NY City's largest jail facility) for tagging Houdini's grave. It was noted that their parks and playgrounds are closed at 9 p.m. 365 days a year.

Quality of life issues were important and the residents felt that citizens, business groups, resident associations, citizens on patrol and police all need to take a partnership approach to ridding

communities of graffiti.

Brian Dooley, President, Glendale Property Owners Association

Mr. Dooley shared the following comments with the Delegation: The community had murals at first and they were initially left alone, however, constantly tagged now. They no longer function as a graffiti deterrent and the community no longer has murals painted. We saw only one mural during our visit to Queens.

IN A NUTSHELL, IN NEW YORK:

- Graffiti is a Crime with a Capital “C”
- they mean business
- staff and budgets increased to eradicate graffiti
- they don’t let this be an argument about art
- it is removed asap
- they help the community by providing free paint and the city does the work (along with community members)
- there is a breakdown in the family unit
- feel that graffiti is a gateway to larger crime
- they have a police graffiti unit
- parents are held responsible in some cases
- community service is long and hard

NEW YORK CONTACTS

- Detective Dennis Jones, Police Commissioner’s Liaison Unit
- LaShonda Dyce, Police Officer Training Unit, office of the chief of community affairs bureau, NYPD
- Councilwoman Melinda Katz, 29th District, Queens (twice)
- Jay Bond, Senior Policy advisor to Councilwoman Katz
- Councilman Peter Vallone Jr, 22nd District
- Anthony Meloni, Executive Director, Certified Crime Prevention Specialist
- Robert K Boyce, Deputy Chief, Commanding Officer/Gang Division
- Sergeant Diana Erikson, Gang Division
- Frank Kotnik, 104th Precinct Civilian Observation Patrol
- Dennis Torres, Director, Martial Arts, Washington Heights & Inwood (Youth Program)

COMBATING GRAFFITI

*“Reclaiming the Public Spaces
of
New York”*



*Honorable
Michael R. Bloomberg
Mayor*

*Raymond W. Kelly
Police Commissioner*

*Joyce A. Stephen
Deputy Commissioner Community Affairs*

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INTRODUCTION

The New York City Police Department in keeping with its pledge to aggressively pursue and apprehend quality of life offenders, is focusing on graffiti vandals. Precinct, Police Service Area and Transit District Commanding Officers will identify the Special Operations Lieutenant as the local Anti-Graffiti Coordinator who will oversee enforcement, clean-up, and education efforts regarding graffiti.

The Police Department cannot act alone.

The purpose of this booklet is to provide you with helpful information about graffiti, including types of graffiti, applicable laws enacted to address this quality of life concern and city resources available to you and the public to remove graffiti.

The programs that have been most successful are those that combine community action, targeted enforcement, youth involvement and the utilization of all available civil and criminal remedies.

Your input and involvement is necessary to have an impact on the graffiti problem.

WHAT IS GRAFFITI?

Graffiti or “tagging” as it is commonly referred to on the street, is the etching, painting, covering or otherwise placing a mark upon public or private property, with the intent to damage such property. Graffiti can either be painted or applied with a marker, crayon, pencil, pen, or other homemade tool. Some vandals etch their tags into plastic, glass, metal, or wood surfaces with a drill bit, metal object, sandpaper, or a rock.

TYPES OF GRAFFITI:

Hate graffiti: is the making of any offensive slogans, or symbols towards a person’s race, color, religion, ethnicity, culture, or sexual orientation.

Gang Graffiti: Gangs use graffiti to mark territory, send warnings to rivals or for economic gain. It may include letters, symbols, or numbers known to gangs and law enforcement agencies.

Satanic Graffiti: appears throughout the City illustrating occult and satanic symbols. Pentagrams, crosses, inverted chalices, satanic words, and skeletal figures are a few examples of this category of graffiti.

Street Graffiti: consists of “tags,” “throw-ups,” and “pieces.” A “tag” is the vandal’s street signature, applied quickly and repetitively. A “throw-up” is a more elaborate version. A “piece,” short for “masterpiece,” is a large mural-like drawing.

Generic Graffiti: includes random markings, declarations of love, graduation events- “Class of 2005”- and other non-threatening messages.

GRAFFITI IS A CRIME

Graffiti vandalism is a crime punishable by a jail term, monetary fine and/or community service. Any person caught defacing property without the express permission of the owner will be arrested.

Once considered a small problem caused by a handful of teenagers, graffiti has erupted into a nationwide epidemic costing billions of dollars each year.

Statistics reveal that graffiti is not just committed by juveniles, adults have also been apprehended.

Graffiti has also been related to drug and gang violence as well as the occult.

Call 9-1-1 for Crimes in Progress
Call 3-1-1 to Provide Information regarding Graffiti
Vandalism

LAWS TO COMBAT GRAFFITI

NEW YORK CITY ADMINISTRATIVE CODE

SECTION 10-117 Subdivision:

(a) penalizes acts commonly known as graffiti vandalism. (NYC Penal Law section 145.60 "Making Graffiti," a Class A misdemeanor, prohibits the same conduct.)

(b) bans anyone possessing aerosol spray paint or broad tipped indelible markers in a public building or facility with the intent to make graffiti.

(Penal Law section 145.65 "Possession of Graffiti Instruments," a Class B misdemeanor, penalizes same conduct except it is not confined to a public building or facility. Anyone intending to make graffiti anywhere may be convicted.)

(c) restricts the sale of these items to persons under eighteen years of age

(d) prohibits sellers of aerosol spray paint and indelible markers from displaying these items in their stores.

(Only facsimiles which do not contain paint, ink or etching acids may be displayed.)

Violations of subdivisions (c) and (d) are punishable by civil penalties of up to five hundred dollars (\$500.00).

NOTE: It is the policy of the New York City Police Department not to issue Desk Appearance Tickets to persons (age 16 years and over) arrested for violating Penal Law section 140.00, Criminal Mischief in the fourth degree and Penal Law Section 145.60, Making Graffiti. This means that a person arrested for these crimes will be processed through Central Booking for a later court arraignment. Moreover, no person arrested for Felony Criminal Mischief is eligible for a Desk Appearance Ticket.

The New York State Penal Law sections 145.00, 145.05, 145.10, and Criminal Mischief, may also be charged against someone making graffiti.

Criminal Mischief: depends on the dollar value of the property damaged.

Fourth Degree: Class A misdemeanor.

Third Degree: Class E felony. Damaging property valued at more than two hundred fifty dollars (\$250.00).

Second Degree: Class D felony. Damaging property valued at more than fifteen hundred dollars (\$1,500.00).

Additionally, other laws providing for parental liability for the malicious acts of their children may also be used to combat graffiti, such as:

New York State General Obligations Law Section 3-112, provides that a parent or other lawful guardian of a child older than ten years of age, but less than eighteen years of age, shall be liable for the damage caused by any such child who willfully, maliciously, or unlawfully damages or destroys real or personal property owned or maintained by another.

New York State General Municipal Law, Section 78-a, Education Law sections 1604, 1709, 2503, 2554, and 2590-g, and Executive Law section 171 give this same right to various governmental actors having control over public property. These sections permit public officers to bring a civil action to recover damages up to two thousand five hundred dollars (\$2,500.00) from the parents of children over ten years of age, but under eighteen years of age, who damage public property with graffiti.

CITY-WIDE VANDALS TASK FORCE

The Police Department has established a City-Wide Vandals Task Force. The Task Force will create and implement the strategies and tactics for dealing with graffiti vandalism and defacement of public and private property. The Task Force will also administer the Graffiti Reward Program.

GRAFFITI REWARD PROGRAM

Members of the public are eligible for up to a five hundred dollars (\$500.00) reward for reporting graffiti vandalism in progress through **911** or providing information regarding graffiti vandalism to the City-Wide Vandals Task Force through **311**. The information must result in the arrest and conviction of individual(s) for violations of Administrative Code Provisions or Penal Law Statutes regarding graffiti vandalism. This program will be administered by the City-Wide Vandals Task Force.

REMOVING AND PREVENTING GRAFFITI

IF YOUR PROPERTY IS DEFACED WITH GRAFFITI

- Immediately report the incident to the police.
- Upon the completion of a police report, the prompt removal of the graffiti is suggested to prevent the long term display of the markings, and discourage the purpose of the vandalism.
- Experience has shown that prompt clean-up is an effective deterrent to the re-occurrence of the graffiti.
- Graffiti may be removed by several methods, such as:

Covering with paint

Washing with solvents

High pressure water sprays.

Other new processes used to prevent and remove graffiti are being developed. One process involves the use of recycled plastic fencing that reacts to commercial solvents, allowing the graffiti to wash off easily. Another process involves a non-stick graffiti coating that is water based and causes sprayed paint to bead up, making it an effective barrier against graffiti. Still another process uses a wax-like coating over freshly painted surfaces. When graffiti appears it is easily removed and the surface is recoated for continued protection.

Increasing overall lighting of an area discourages vandals. The installation of motion sensor lights or sprinklers in high out- of- reach areas also deters graffiti.

RESOURCES

The following agencies and organizations are
involved in combating graffiti:

New York City Police Department
Deputy Commissioner, Community Affairs... (646) 610-5323
(Education, Training, and Outreach)

City-Wide Vandals Task Force.....(718) 714-3116
(Education and Enforcement)

**To contact the following agencies or organizations, please
call: 3-1-1**

Mayor's Community Assistance Unit
(Provides paint and supplies)

Department of Consumer Affairs
(Enforcement of unlawful sale
and/or display of spray paint and markers)

Department of Cultural Affairs
(Art programs for young New Yorkers)

Department of Housing Preservation and Development
(Graffiti control in and on buildings)

Department of Parks and Recreation

(To report graffiti and illegal dumping)

Department of Sanitation

(Provides cleaning supplies)

Department of Transportation

(Clean-up of signs)

Department of Youth Services and Community Development

(Youth link programs, involve community based services)

Law Enforcement Explorers Program

(Assist in graffiti clean-up)

Police Athletic League, Inc. (P.A.L.)

(Assist in graffiti clean-up)

SAFE HORIZON

(Assist victims in applying for compensation)

United States Postal Service

(Adopt A Mailbox)

You can obtain brushes and paint by contacting
your local Post Office.



COURTESY
PROFESSIONALISM
RESPECT