

AGI Meeting  
December 13, 2011

Attendees: Becky Noel (TPD); Lt. Tosca (TPD); Sgt Woolridge (TPD TAG unit); Doolen/Fruitvale neighborhood (1); Palo Verde neighborhood (6); Garden District neighborhood (5); Dodge/Flower neighborhood (3).

**Graffiti presentation by Sgt. Woolridge of TPD (1 of only 2 officers dedicated to graffiti crime).**

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**Overview**

Graffiti is a crime – not art. Definition: “Writing, drawing or symbols applied to any surface without consent”. It’s destructive and a nuisance which opens door for additional crime. When not cleaned up quickly, sends a message to other graffiti artists and people committing other crimes (burglary, car thefts, vandalism, etc.) that people don’t care about their neighborhood. Coming soon to a site near you – the crime of ETCHING – scratching glass and other window type surfaces with monikers. TPD says this is now big in Los Angeles and is coming our way big time, soon.

**Profile of the Graffiti Artists**

Mean age now is 18-20 (up from 17-18), as young as 12, as old 40. Majority are males. 90% - 95% is not gang related, in official term of gang. But a tag crew is a gang. They use violence and threaten other tag crews and use weapons. They fight over the tag and who will own it. 10-18 year olds typically use markers, over 18 use paint. TPD believes there are not that many taggers, but they can do 100s of tags in a short amount of time, causing thousands of dollars in damage.

**Amount of Graffiti and Cost to the Community**

Graffiti is overwhelmingly out of control in the City of Tucson and surrounding areas. There is one downtown neighborhood that gets hit 500 times a month. This went down to just 10 after arresting 4 kids in one crew, but is back up to 500, after they had been released from jail. Time period of June – Nov, 2011 top 10 city-wide tagged areas included Dodge/Flower, Palo Verde and North Dodge neighborhoods.

Tucson City Council has vowed to keep graffiti out of Tucson. GPC (City contractor) removes up to \$100K per month (much of which is for free). The Cost of cleaning one tag is valued at \$19.80. (Remember this when you read about court cases and judges below). In 2009 GPC removed about 8,000 tags per year. 37,853 removed in 2010 (462% increase). 75,000 removed as of July 2011 (200% increase over 2010). City budget is going from \$720,000 to \$420,000 annual (2012). Additionally, TDOT is spending approx. \$6,000 per month on paint. Residents, victims, and neighborhoods are spending an unrecorded amount of dollars.

GPC cleans thousands of tags from utility boxes, poles, and community mail boxes each year. To this date the City has not attempted to recover the cost of cleaning these tags from the utilities or post office. Utility boxes clean up costs are running around \$10,000 per month (\$120,000 per year) at present. We could use the extra money for other things our City needs (roads, services, etc.).

**What Can we do as Individuals and Neighborhood Associations?**

Graffiti is a crime of notoriety and turf. It is very important to remove or cover it immediately (within 24 hours if possible). If painting is required and you want to take on that task, do the best color matching possible to diminish repeat tagging.

If you don’t want to clean or paint the tags (as most of us do not have time to do), please send an email to [graffiti@tucsonaz.gov](mailto:graffiti@tucsonaz.gov), call 792-CITY or 791-3154 (TDOT), get on-line to report graffiti at <http://cms3.tucsonaz.gov/graffiti/report> , or use “My Tucson” smart phone app. GPC (City contractor) has committed to removing or cleaning graffiti within 24 hours of receiving the report. (Note: According to

TPD, SeeClickFix is outdated and no longer reliable to use to report graffiti. However, some residents report success in using that site.)

GPC will clean graffiti from all surfaces on most buildings and fencing surrounding residences, in addition to utility boxes, poles, and community mailboxes. They only clean graffiti found in alleys if the graffiti is in view of 50 feet from street. HOWEVER, it is a code violation to have graffiti on a land owner's property. If you find that graffiti has not been cleaned after you have reported it and think it may be in an area where GPC will not go, PLEASE report this address and the issue to the City of Tucson Dept. of Housing & Community Resources – Code Enforcement. You can call 791-5843, fill out an on-line report at <http://cms3.tucsonaz.gov/hcd/violation/> , or report it using the “My Tucson” smart phone app.

TPD TAG unit will ensure a fine is assessed to properties that don't clean up graffiti, but it's up to us to report them to start the process. Code violations sometimes take months to get cleaned up, so the sooner we report graffiti, the sooner it will be cleaned up. Graffiti removal is operating under Dept of Transportation oversight, not TPD, as it was in the recent past. This creates a kind of disconnect with TPD, which is why it is important to report graffiti through the methods stated here.

Dial 911 if you see kids with backpacks and hear cans clanging in the pack. Get a good description of the people, what they are wearing, age, nationality, etc. Don't confront them because it can be dangerous.

#### **What Will the City's Graffiti Contractor be Responsible for?**

GPC will occasionally do sweeps to clean a whole neighborhood, as a proactive approach, without receiving calls, but don't count on them to find our neighborhood. They will also give demos to residents that want to learn how to clean graffiti.

#### **Catching and Prosecuting Graffiti Artists & Crimes**

The good news, TPD is having more success catching graffiti artists in the act. 119 people were arrested for graffiti from January – August 2011. This is exciting! Call 911 if you see graffiti in process or see suspicious kids / young adults that appear to have graffiti supplies (can clanking in backpacks).

All reports of graffiti through the City's phone number, on-line web reporting, or cell phone app “My Tucson” get input into a database by GPC and are tabulated to use in court cases. For all of these graffiti incidences cleaned by GPC, the City is the Victim. This is good, but does not carry much weight with judges when they are determining fines, restitution, and other actions for graffiti artists.

IF YOU PERSONALLY CLEAN OR PAINT OVER GRAFFITI, please take a picture beforehand. Then file an on-line report on the City's website <http://cms3.tucsonaz.gov/graffiti/report> and attach the picture as evidence. **This will enable the prosecutors to claim residents as a victim, which ranks higher than if the City is the victim.** It also carries a higher cost, because the GPC charges less per tag than we are able to do it for. Having citizens being victims and the costs being higher, has a bigger impact with judges when sentencing graffiti artists.

Judges are determining the penalties for people being caught doing graffiti crimes. County prosecutors are always trying to ‘downplay’ the impact of the crime on the community and use the small fee of \$19.80 per tag to value the crime. Criminals with crimes valued less than \$5,000 are usually given lenient penalties. **First time offenders are often sentenced to the City's “diversion” program at a total cost to the defendant of \$200. They may pay little or no restitution for the thousands of dollars in damage they do, and do not go to jail, or get a criminal record. AND the “diversion” program is only a 1 day (7 hour) class.** What tagger wouldn't accept this sweet deal? See this link for an explanation. <http://www.tucsonaz.gov/prosecutor/Diversion/diversion.html> .

If you read the eligibility requirements for this program, it clearly states that it will not apply to crimes of graffiti, EXCEPT as authorized by a Prosecutor.

An example given was the tagger who committed \$5,000 worth of damage, went through diversion program, paid no fines, then started tagging the day after finishing program.

For tags that are cleaned by the residents and valued at a higher price, the value of the crime increases, which should increase the fine and the penalty. The key is "should", because this is left to the judge's and prosecutor's discretion.

### **WHAT CAN WE DO AS A COMMUNITY TO BE PRO-ACTIVE AND PREVENT GRAFFITI?**

Organize and make our needs and wishes known to all interested stakeholders involved (City Government and elected Council Members, Judges, Prosecutors, TEP, Century Link (Qwest), Cox Cable, US Post Office, SW Gas, Comcast, SunTran (bus stops), Tucson Water, Commercial Property Owners, Rental Property Owners, etc.).

#### **Pro-active Ideas**

1. Use the NSN (Neighborhood Support Network *nsn.soaz.info/*) to mobilize the neighborhoods to fight the graffiti crime.
2. Create committees of people from neighborhoods to contact the interested stakeholders (utilities, City, etc.) to get them to work with us to fight graffiti crime. This would include trying to secure funding for cleaning graffiti from their property (utility boxes, poles) or having them be responsible for cleaning them.
3. Support TPD TAG officers in the efforts they have already started to combat this crime.
4. Research Judges that give lenient sentences. Attempt to influence the decisions with facts regarding cost of damages and extent of negative impact of graffiti on our neighborhoods.
5. Lobby Judges for higher restitution from graffiti criminals. These people could be cleaning graffiti to pay back the community they defaced.
6. Contact Prosecutor's office to communicate the impact of graffiti crime on the neighborhoods, subsequently demanding a "no tolerance" policy for graffiti criminals.
7. Write letters to, hold town hall meetings with, and meet directly with Mayor and all Council Members to inform them of the negative impact and press for more resources from TPD to arrest taggers and to put pressure on prosecutors for a "no tolerance" graffiti policy.
8. Prosecuting graffiti crimes as civil cases, which are easier to prove and have greater monetary penalties.
9. Lobby the City to implement a cost recovery plan for dollars spent for graffiti clean up.
10. Brainstorm ideas on how to PREVENT graffiti crime. One example would be to have utilities put their boxes underground. Use of anti-graffiti paint or coatings on utility boxes.
11. Lobby to hold parent responsible for their child's action. Council member Kozachik has already started this process, but it needs more neighborhood backing.
12. Add the cost of the graffiti to the parent or guardian's water bill, if the dollar amount cannot be readily paid.