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## **Texas Must Adopt Effective Approaches For Reducing Graffiti In Texas** *Proactive Strategies will Save Money and Beautify Communities*

### OVERLY PUNISHING GRAFFITI OFFENSES LEADS TO EXPENSIVE, INEFFICIENT OUTCOMES

Graffiti is defined as any marking, etching, or painting that defaces public or private property without the owner's permission. Despite the belief that graffiti is typically associated with gangs, it is found in all locales and jurisdictions, and in fact only a small portion of all graffiti is done by gang members.<sup>1</sup> Most graffiti is caused by the common "tagger," someone who marks easily accessible locations, sometimes repeatedly, feeling little connection to place or neighborhood.

Regardless of the features or motive behind graffiti, it is considered a crime, and it costs some Texas cities millions of dollars in cleanup costs each year.<sup>2</sup> While the reaction to ongoing graffiti in the community may be to penalize graffitists more harshly, many Texas cities are seemingly seeing no decrease in graffiti from such an approach.<sup>3</sup>

What's worse, punitive approaches to graffiti come with high price tag, draining city budgets and saddling graffitists, many of them youth, with criminal convictions that pose lifelong obstacles, including limited employment and housing opportunities. In addition, criminal convictions mean those individuals will contribute less to their community's tax base, while lessening opportunities, which may lead to further criminal behavior.<sup>4</sup>

### KEY FINDINGS

- Corpus Christi<sup>5</sup> and Houston<sup>6</sup> have invested in a "rapid response"<sup>7</sup> approach to graffiti that has had success. This strategy involves two crucial components: (1) a community-wide campaign, where citizens detect and report graffiti as soon as it occurs, and (2) the ability of the community to respond to the graffiti within 24 to 48 hours, to remove it as quickly as possible. More specifically, these efforts include neighborhood education, hotlines, and referrals of probationers as clean-up crews from local probation departments.<sup>8</sup>
- Philadelphia has pioneered the diversion of adjudicated graffitists into mural making, allowing them to express their artistic impulses and be recognized as legitimate artists. Beginning in 1984, the city began offering youth charged with graffiti a chance to conceive of and assist in painting murals that celebrated their neighborhood's achievement and history. The resulting murals created a large economic boost to Philadelphia, and the beauty and variety of the murals were recognized in a report as crucial to the development of vibrant commercial corridors in Philadelphia.<sup>9</sup> The report recommended more efforts like the Mural Arts Program (much of which is funded through private investments<sup>10</sup>), calling such programs "effective and cost-efficient ways of replacing eyesores with symbols of care."<sup>11</sup>

### COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTIONS

- Other than graffiti offenses committed as part of gang activity or in conjunction with burglary or criminal trespass, graffiti should be designated as a misdemeanor offense, and all efforts should be made to redirect graffitists into community supervision and community-sponsored arts programs.

*Solutions continued on reverse.*

## SOLUTIONS (Continued)

- Cities should implement a “rapid response” model, which focuses on the prompt eradication of graffiti to remove the perception of blight and decay. Additionally, cities’ “rapid response” teams should be comprised of convicted graffitiists, as part of their community service.
- Cities should seek creative methods of discouraging graffiti by investing in products that diminish or eliminate opportunities for graffiti on public buildings, and by encouraging property owners to do the same. These include paint-like products such as polyurethane-based coatings, sealers, wash-off coatings, and textured surfaces on outer walls to obscure graffiti legibility.

## References

<sup>1</sup> C. Thompson & R. Hills, *Congress Paper on Graffiti Vandalism in America – Shaping the Municipal Response*, Paper presented to World Jurist Association’s 24<sup>th</sup> Biennial Congress on the Law of the World, Oct. 23-28, 2011. Available at <file:///C:/Users/jrenaud/Desktop/Graffiti/municipal-responses-to-graffiti-vandalism.htm>.

<sup>2</sup> Julia Narum, Child Development Program Supervisor, City of Austin Health and Human Services [dedicated budget of \$500,000 to \$600,000 yearly for graffiti], telephone conversation with Jorge Renaud, Texas Criminal Justice Coalition (TCJC), Oct. 22, 2012; Lisa McKenzie, Neighborhood Services Coordinator, City of San Antonio [dedicated budget of \$1,008,000 in 2012], telephone conversation with Jorge Renaud, TCJC, Oct. 22 2012; Jerry McDowell, City of Fort Worth Parks Department [dedicated budget of \$464,000 in 2012], telephone conversation with Jorge Renaud, TCJC, Nov. 26, 2012.

<sup>3</sup> “Austin seeing a spike in graffiti,” KXAN-TV report, aired July 19, 2011 (cites 22% increase in graffiti from 2010); available at <http://www.kxan.com/dpp/news/local/austin-seeing-a-spike-in-graffiti->. “CCPD reports increase in graffiti,” KIII-TV report, aired Jan. 27, 2012; available at <http://www.kiiitv.com/story/16565472/ccpd-reports-increase-in-graffiti?clienttype=printable>; Martin Chavez, Director, Graffiti Abatement, Greater East End District Management, in telephone conversation with Jorge Renaud, TCJC, Nov. 20, 2012; Mr. Chavez made the caveat that greater community recognition and reporting may account for increases.

<sup>4</sup> Research has consistently found unemployment to be linked with crime (and crime’s associated costs to victims and communities): “one of the most important conditions that leads to less offending is a strong tie to meaningful employment.” Information from Roger Przybylski, “What Works: Effective Recidivism Reduction and Risk Focused-Prevention Programs,” RKC Group, February 2008, p. 38. *Also note:* Housing barriers contribute to homelessness and recidivism; information from Jeremy Travis, Amy L. Solomon, and Michelle Waul, “From Prison to Home: The Dimensions and Consequences of Prisoner Reentry,” The Urban Institute, June 2001, pp. 35, 39.

<sup>5</sup> Lawrence Mikalajczk, Asst. Dir. Of Solid Waste Dept., City of Corpus Christi, in telephone conversation with Jorge Renaud, TCJC, Nov 13, 2012, discussing the high-priority, rapid-response model initiated in 2008.

<sup>6</sup> Martin Chavez, Director, Graffiti Abatement, Greater East End District Management, in telephone conversation with Jorge Renaud, TCJC, Nov. 20, 2012, discussing the program which initiated in 2001. Program details available at <http://www.greatereastend.com/graffiti-abatement>.

<sup>7</sup> C. Thompson & R. Hills, *Congress Paper on Graffiti Vandalism in America – Shaping the Municipal Response*, Paper presented to World Jurist Association’s 24<sup>th</sup> Biennial Congress on the Law of the World, Oct. 23-28, 2011.

<sup>8</sup> Telephone conversations with Mikalajczk and Chavez, *noted directly above*.

<sup>9</sup> *Commercial Corridors: A strategic investment framework for Philadelphia – Executive Summary*, March 2009, p. 7. Available at [http://www.philadelphialisc.org/pdfs/Strategic\\_Investment\\_Framework\\_Econsult.pdf](http://www.philadelphialisc.org/pdfs/Strategic_Investment_Framework_Econsult.pdf)

<sup>10</sup> A. Markusen & A. Gadwa, *Creative Placemaking*, Executive Summary for the Mayor’s Institute on City Design, a leadership initiative of the National Endowment for the Arts in Partnership with the United States Conference of Mayors and American Architectural Foundation, 2010. Available at <http://www.arts.gov/pub/CreativePlacemaking-Paper.pdf>.

<sup>11</sup> *Ibid.*, p. 9.