

# NEWS

From the Office of the City Attorney  
**ROCKARD J. DELGADILLO**



Suite 800, City Hall East  
Los Angeles, CA 90012

Phone: 213-978-8340 Fax: 213-978-2093  
<http://www.cityofla.org/atty/>

**FOR IMMEDIATE RELEASE**  
**WEDNESDAY, MAY 13, 2009**

**Contact: Frank Mateljan**  
(213) 978-8340 (O)  
(213) 479-5675 (M)

## **L.A. CITY ATTORNEY ROCKY DELGADILLO, COUNCIL MEMBERS ZINE AND PARKS LAUD CITY COUNCIL PASSAGE OF NEW GRAFFITI ORDINANCE**

**LOS ANGELES** – Los Angeles City Attorney Rocky Delgadillo, the city's chief prosecutor, today joined with Los Angeles City Council Members Dennis Zine and Bernard Parks in lauding the City Council's passage of a local ordinance which will enhance the City's options for abating the causes of graffiti vandalism in order to hold adult offenders and parents of juveniles financially responsible.

"Today we are advancing the fight against graffiti in Los Angeles and we are putting criminals on notice that graffiti vandalism is a serious crime with serious consequences," said City Attorney Rocky Delgadillo. "Now is the time to take back our neighborhoods from the graffiti vandals who continue to destroy public and private property with no fear of consequences. I thank our partners on the City Council, including Council Members Zine and Parks, for taking the lead on this issue and providing this valuable tool in our fight against graffiti vandalism."

Each year, the City of Los Angeles spends more than \$7 million cleaning up more than 31 million square feet of graffiti at more than 650,000 locations. This destructive practice can be attributed to varying motives of graffiti offenders from taggers trying to gain visibility, to gang members using graffiti to mark territory, intimidate neighborhoods, and disrespect rival gangs.

The approved ordinance will enable the City's Board of Public Works to remove graffiti from private property at city expense provided the property owner assign to the city any cause of action against the perpetrator. This will allow the City to become the direct victim of the graffiti vandalism and will entitle the city to criminal restitution, permit the city to hold the offender civilly liable, and collect the expense of abatement without having to invoice the property owner.

"With the passage of this legislation, we are aggressively going after graffiti vandals," said Councilman Dennis P. Zine. "It is time we take back our neighborhoods, and this ordinance gives us the power to do just that. We will now be able to hold parents of juvenile offenders accountable and we will give officers on the street the tools they need to combat this destructive behavior."

-more-

"I am pleased that this ordinance will create a dedicated approach to graffiti abatement. I want to thank Supervisor Gloria Molina for her insight as she created the model that the City of Los Angeles is replicating in this program," said Council Member Bernard Parks. "We are looking forward to an expansion in the area of parental control in the regard that this will hold the parent/guardian of a minor graffiti offender liable for the recovery of costs for graffiti abatement. We can ensure that by implementing this program, that some of the costs do not come from the City's General Fund."

The ordinance will also allow the city to implement cost recovery strategies appropriate to each individual case of graffiti vandalism, including criminal prosecution, civil actions, administrative orders and nuisance abatement liens.

**Criminal Prosecutions** - allow prosecutors to act on behalf of property owners in order to collect restitution directly from adult offenders and parents of juveniles; **Civil Action** -declares graffiti a nuisance and allows civil actions to be pursued to obtain a money judgment against adult offenders and parents of juveniles for any amount of restitution not collected by the criminal or juvenile courts, attorney fees, court costs, and civil penalties; **Administrative Order** – sets forth administrative procedures that will facilitate the imposition of fines and penalties against adult offenders and parents of juveniles including requests to perform community service or attend parenting classes. Administrative funds recovered will be used for the benefit of the community or neighborhood injured by the graffiti. **Nuisance Abatement Lien** – allows the city to levy liens against the property of the offender or parents of juveniles in order to recover the cost of graffiti abatement.

The City will also create a high-tech graffiti database which will allow officers to photograph all graffiti vandalism with identifying names, monikers or symbols and then store that information in order to sort by name, tagging crew, gang and location.

Information obtained through use of the Graffiti Database will provide law enforcement with additional tools to target graffiti vandals both civilly and criminally in order to recoup graffiti damage costs, court costs, attorney fees, investigative costs, and civil penalties. A similar database is already in use in the City of Pico Rivera and is credited with reducing graffiti 35% and resulting in more than \$250,000 in restitution orders.

At the same time, City Attorney Delgadillo has also sponsored Assembly Bill 576, authored by Assembly Member Norma Torres, which would better provide local governments the ability to recover criminal restitution from graffiti offenders and help provide local law enforcement with the necessary resources to employ successful strategies towards identifying and apprehending graffiti vandals. The bill was recently approved by the California Assembly on an unopposed bipartisan vote and will now go to the California State Senate for consideration.

###