

Crime and Criminals-Graffiti

# Graffiti penalties may get steeper

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Law enforcement officials say graffiti is a serious problem in Santa Cruz County. But a new punishment in the works may help curb the problem.

**COUNTY** Santa Cruz District Attorney Bob Lee wants convicted "taggers" to spend a year cleaning up after themselves and other graffiti vandals.

"We can ask courts to not only have (vandals) be held accountable and pay restitution, but sentence offenders or their parents to keep the damaged property free of graffiti for up to one year," Lee said. "We're going to ask for that in all graffiti cases."

Incidents of graffiti vandalism are on the rise, Lee said. Business and homeowners are sick and tired of cleaning up after taggers who repeatedly vandalize the same spot, he said.

Santa Cruz Police LT. Joe Haebe said he's seen it too many times — juvenile taggers thirsty for clout and recognition among their peers, "throwing up" their one-word monikers on the sides of build-

ings, railroad trestles and empty billboards in the dead of night.

The crime only takes a few seconds, Haebe said, but innocent people end up digging deep into their own pockets to clean it up.

"It's not a victimless crime," Haebe said.

And if they're caught, Lee added, vandals — or their parents — traditionally pay restitution and they're on their merry way.

Instead, Lee says taggers should dedicate a year of their lives to keeping the county graffiti-free as a condition of their probation.

No one has been sentenced yet under Lee's new stipulation, but Lee said he thinks it will be an effective tool for curbing vandalism.

"I can just imagine a gang case where the court assigns (a gang tagger) to clean up part of a community that is part of his own gang territory. It would really put pressure on him to tell other gang members to stop (tagging)."

He said California law has always permitted district attorneys to request this yearlong cleanup option, and he doesn't know why most jurisdictions haven't opt-

ed to put it into practice.

Santa Cruz County Sheriff's Sgt. Joe Hemingway said he likes Lee's vision, but carrying it out could be difficult.

"Anytime you implement a sentence of that nature, you have to have an entity that makes sure there is follow-through," Hemingway said. "Our probation department is already overloaded."

Santa Cruz County Probation Chief Judy Cox said she's not sure yet how her department will make it work, but she'd like to see Lee's idea take shape.

"I certainly support our efforts to do everything we can to address the graffiti problem," Cox said.

The sheriff's office recently busted a graffiti tagging ring in Aptos responsible for hundreds of tags across the county, Hemingway said. And community volunteers report to police that they have covered up more than 10,000 tags within a year's time.

Hemingway, Lee and Cox all agree that addressing the expensive problem of graffiti should be a top priority.

Cox said she would meet with Lee and other law enforcement heads soon to talk about the yearlong sentence option.

Toni Spencer, assistant director for the Watsonville branch of the county's probation department, said community volunteers are the key component to successful implementation of the new punishment because there is no shortage of concerned citizens.

"I think it's preferable to use volunteers," Spencer said. "There are so many citizens that want to be involved."

She said offenders may feel more accountable to community members than they do to probation officers, anyway.

"Right now kids aren't feeling the impact of their crimes," Sgt. Hemingway said. "Their parents are footing the bill for restitution. But if we can get them out there to clean it up — I think it's a wonderful idea."

Lee said he has been writing letters to various community leaders, law enforcement and volunteer groups to garner input and participation.

"It's a work in progress," Lee said. "My hope is that these offenders will learn that their behavior affects people."

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