

# Graffiti artist spared a jail sentence

Crime + Criminal

One of the most prolific graffiti artists in Santa Cruz County — a “tagger” — will not serve any time in County Jail, Municipal Court Judge Michael Barton ruled this morning.

Noah Levine, who left his tags, “8 edge,” “edge 1,” and “on the edge” on hundreds of buildings, bus shelters and walls from Aptos to Santa Cruz, was sentenced to 36 months of formal probation and 500 hours of volunteer work during which he’s supposed to clean up his own graffiti and that of other taggers and gang members.

Levine was originally charged with 27 counts of vandalism. He pleaded no contest to nine counts.

Judge Barton made his ruling after listening to a half-dozen property owners and representatives of public agencies urge that Barton make an example of Le-

vine. A message, they collectively told the judge, needs to be sent to the community at large and other vandals that the punishment will be severe.

“I believe that you have an opportunity to send a message that taggers aren’t heroes; that taggers go to jail,” said Aptos Center owner Doug Kaplan.

Asst. District Attorney Nancy Kerrigan argued for a one-year jail sentence.

In sentencing Levine, a 20-year-old with slicked-back hair and dressed in a black demin outfit festooned with silver chains, Barton said he didn’t believe that jail was the answer. But he wanted to send the tough message anyway.

“I have a 10-year-old that talks about ‘8-edge,’” Barton said. “I don’t want him standing in front of a judge 8-10 years from now, hear-

ing the same lecture. I think sending you to jail where we feed, clothe and house you and let you sit and watch TV for 8-12 hours a day is less productive than having you clean it up.”

Kerrigan said the sentence “wasn’t a strong enough message.”

Levine, she said “should have done some jail time. I don’t think the judge’s message was strong enough.”

Detectives in the Capitola and Santa Cruz police departments each counted more than 100 “8 edge” tags in their cities.

The cleanup bills will run from the hundreds to the thousands of dollars. Ledyard Foods in Live Oak submitted estimates totaling \$2,800. PG&E sent in an estimate for \$100. State Farm Insurance estimated it will cost \$300.

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Mark Soderburg of the Santa Cruz Metropolitan Transit District said repairing Levine’s damage will cost \$7,989.

Heidi Smith of the Aptos branch library said it will cost \$110 in material and employee time to paint over the tags on the library property.

Fred Braun of the Capitola city public works department told Barton that it will cost more than \$400 to cover up the “8-edge” tags on public property there.

Kaplan, who owns a Live Oak building as well as the Aptos Center, told the judge that the graffiti will cost him \$1,000.

“Levine has set an example for other young people that taggers are heroes. That message needs to be turned around,” Kaplan added.

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