

***Ordinance whereby the parents and/or children pay for the damages, either by community service or monetarily for graffiti damages.***

After digesting everything we received, we have found that the penal code sections more than adequately cover the issue, this was one of the replies I got back.

All of the 594 sections and PC sections 640.5, .6 & .7 go into a great deal of depth on the issues. They go so far as to making the parents accompany the suspects on clean up or even requiring the parents to assist in clean up. These sections also can require the defendants to keep a designated section of the city or neighborhood clean of graffiti for up to a year. This is just a brief overview of what the sections address.

As was suggested by one of the agencies that replied to my request, we have opted to just use the PC sections rather than write an ordinance. The penal code sections, if used as designed and written, are a very good tool for deterrence. As with many other issues in our business getting the D.A.s and judges to use the PC section to it's fullest advantage is another issue. As often happens, if a suspect just gets a light slap on the wrist and the PC section is just given lip service there is no deterrent effect. We recently had a case in which some juveniles were caught and the damages were many thousands of dollars, they simply got probation. I don't know if this is an issue that we need to educate the DA's and judges or if it is once again the old story of bargaining things down to their lowest common denominator.