

Graffiti is a crime that has long-lasting impacts on the community. Beyond the ugly markings themselves, graffiti can quickly attract other graffiti vandals ("taggers"), accelerating crime in an area. A "tag" is *any* mark of graffiti, from scratch marks to markers and paint.

The time and money involved with prevention and cleanup are significant for businesses, homeowners, and institutional property owners.

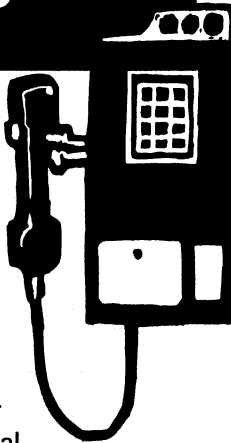
With these facts in mind, the City of Cambridge has established a variety of resources to help combat graffiti. The success of this program depends on the cooperation between Public Works and the Police Department, but also between the city and its residents and property owners. Working together, we can have better, lasting results.

## How You Can Help

- Use the graffiti hotline (*see next page*)
- Organize community clean-up days.
- Take a photo of graffiti you find on your property, then quickly remove it. One tag can open the door to others. Call the hotline to receive information on how to remove graffiti from your property and to report graffiti you've found.
- Teach your children about the costs and impacts graffiti has on property and the community.

## The Laws

The city employs a variety of state and local laws that address graffiti vandals. Fines and possible suspension of drivers' licenses are applied to offenders. Laws also prohibit the sale of aerosol spray paint cans or non-water soluble markers to anyone under the age of 18. For more details on applicable laws, call the graffiti hotline at **617.349.6955**



# The Graffiti Hotline: 617.349.6955

The Hotline is a central clearinghouse for graffiti identification and removal. Use the hotline to:

- Report locations where graffiti has been applied.
- Identify "taggers." All information you may provide to the hotline about taggers is kept confidential.
- Get advice on organizing community clean-up days or about removing graffiti from your property.

## Other graffiti phone numbers:

**Call 911 only if you witness graffiti tagging in process. Otherwise, call the graffiti hotline.**

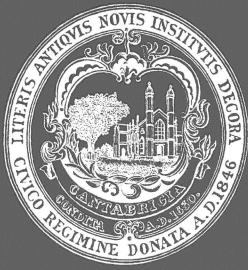
*You can also call other agencies directly to report graffiti on their properties:*

### ■ City of Cambridge Departments:

|   |                              |
|---|------------------------------|
| Electrical Department<br><i>(pay phones, fire boxes)</i>                                    | 617.349.4925                 |
| Housing Authority Property<br>Public Works<br><i>(city buildings and parks)</i>             | 617.864.3020<br>617.349.4846 |
| School Department Property<br>Traffic Department<br><i>(traffic signs, meters, signals)</i> | 617.349.6854<br>617.349.4700 |
| Water Department<br><i>(fire hydrants, Fresh Pond area)</i>                                 | 617.349.4762                 |

### ■ Other Agencies:

|   |                   |
|---|-------------------|
| Harvard University Property (police)                          | 617.495.1212      |
| MBTA Complaint Line   | 617.222.5215      |
| MDC Bridges, Pools, Facilities                                | 617.727.5114 x530 |
| MIT Property (police)   | 617.253.1212      |
| Middlesex County Courthouse,<br>Registry and other Facilities | 617.494.4235      |
| N-Star Electric<br><i>(electric poles, transformers)</i>      | 800.592.2000      |
| U.S. Postal Service<br><i>(mailboxes)</i>                     | 617.575.8724      |



CAMBRIDGE  
DEPARTMENT  
OF PUBLIC  
**THE  
WORKS**

[www.ci.cambridge.ma.us/~TheWorks](http://www.ci.cambridge.ma.us/~TheWorks)



## Fighting Graffiti

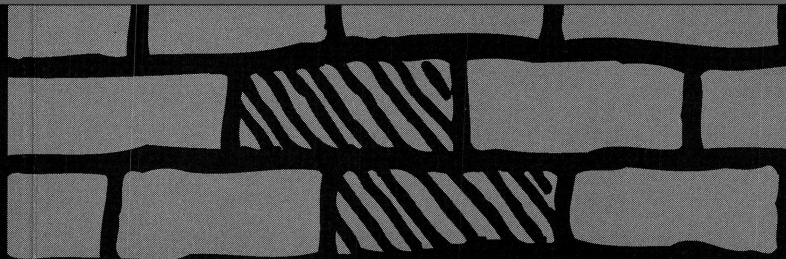
Resources for Cambridge residents  
and businesses, presented by  
the Department of Public Works  
and Cambridge Police...

CAMBRIDGE  
DEPARTMENT  
OF PUBLIC  
**THE  
WORKS**



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147 Hampshire Street  
Cambridge, MA 02139  
617.349.4800 / TTY 617.349.4805  
[www.ci.cambridge.ma.us/~TheWorks](http://www.ci.cambridge.ma.us/~TheWorks)





CITY OF CAMBRIDGE • EXECUTIVE DEPARTMENT

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*Robert W. Healy, City Manager*

*Richard C. Rossi, Deputy City Manager*

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September 27, 2002

To The Honorable, The City Council:

Please find attached a report on the City's Anti-Graffiti Program Plan Components, received from Public Works Commissioner Lisa Peterson. This document is forwarded for your information and review in reference to the September 30, 2002 City Council Roundtable on Graffiti.

Very truly yours,

Robert W. Healy  
City Manager

RWH/mec  
Attachment

## ANTI-GRAFFITI PROGRAM PLAN COMPONENTS

### OVERVIEW:

Graffiti is a city-wide issue that not only effects public, private and institutional property owners by damaging property and potentially lowering property values, it also promotes the impression that the City is an unsafe and out-of-control place.

Both graffiti prevention and removal are time consuming and expensive, and require continuous intervention. The City can play a central role in graffiti prevention and removal, but it cannot be the sole participant in a comprehensive action plan; rather, the City must work with community groups, business and residential property owners, other public agencies and institutions to effectively combat graffiti. The City's anti-graffiti program is executed through a close collaboration of the Police and Public Works Departments and City Manager's Office, and also involves the School Department, the Law Department, the Arts Council, the Mayor's Summer Youth Employment Program, the Electrical, Traffic, Parking and Transportation and Water Departments, other public agencies, and community groups.

The City can coordinate prevention and enforcement efforts; act as a clearinghouse for graffiti identification and removal; provide technical assistance on removal techniques; and set an example by providing good maintenance of its own properties. The City is willing to step up its removal efforts and will implement a pilot program this fall, where, with the property owner's consent, the Department of Public Works will remove graffiti from private property. This program will essentially be on a first-come-first-serve basis and will be evaluated after a 6-month period of time.

Below is a summary of the City's efforts with regard to graffiti. Attached is a summary of the Laws and Ordinances, a list of Definitions and a copy of the new *Graffiti Brochure*.

### PREVENTION AND ENFORCEMENT

#### Police Department

The Police Department's Community Relations Section has been designated as the main contact and the Office is now staffing the Graffiti Hotline (349-6955). The Police Department has adopted the following protocol for handling incidents of graffiti:

- When there is a report of graffiti, an officer initiates the investigation by beginning a Police Department Investigative Report listing all data available in the complaint.
- The Officer(s) respond to the location and photograph the graffiti to maintain a record of the crime within 24 hours. If the location is city-owned property, the Police meet at the location with DPW personnel, if possible. The Police use a digital camera to "log the tag," the picture from which is capable of being loaded on a computer; this allows other jurisdictions and community groups to share information on tags.
- After the location is photographed, the Police Department contact DPW. DPW then contacts the property owner on the incident, and provides information (and technical assistance, if desired) on successful removal techniques.

- Records are maintained on the incident.
- The Detective(s) will conduct a full investigation for possible prosecution of the offender.

The following information reflects recent initiatives deployed by the Police Department as part of a citywide response to graffiti:

- Helped reorganize the protocol to more efficiently respond to graffiti issues.
- Created new graffiti hotline (349-6955).
- Developed database of graffiti incidents, including pictures, to help in identifying multiple "tags" and to assist in the subsequent prosecutions. -
- Distributed digital cameras to the School Department, Public Works and Post Office to assist in documenting graffiti incidents.
- Deploy Directed Patrols in areas where increased graffiti has been reported.
- Conduct surveillances where frequent target areas have been freshly painted.
- Officer speak to residential and business owners whose property has been damaged by graffiti, encouraging quick clean up and helping with increased patrols.
- In July of 2002 co-sponsored a graffiti/neighborhood clean up in Area 4.
- Make presentations at all Neighborhood Sergeants meetings throughout the City related to graffiti and related issues.

#### School Department

The School Department has an aggressive approach to graffiti enforcement and removal, particularly in the high school. Perpetrators, when caught, are suspended and ordered to pay restitution. The School's Court Liaison also files a complaint with the District Court.

The Security staff of the Cambridge School Department speak to every freshman class each year about a multitude of issues including graffiti. The official school handbook also includes a segment on graffiti and it's damaging effects to the community. The School Department deploys it's own maintenance staff to clean incidents of graffiti, as soon as it is officially documented and photographed.

#### The Courts

The Police Department has been working with the District Attorney's Office and the Courts to vigorously enforce the laws pertaining to graffiti.

### **REMOVAL**

How graffiti is removed depends on the type of surface on which the mark was made. On painted surfaces, graffiti "removal" usually means painting over the surface. Other times, particularly on brick and concrete surfaces, the marks can be removed using a power washer (on paint, brick and concrete).

#### Public Property

The City of Cambridge tries to keep its property clean of graffiti, removing tags as soon as possible. The City removes graffiti from city-owned property by using its own maintenance crews and through the use of contractors; it often depends on the type of material used to make the tag and

the surface on which the tag was placed.

- The Department of Public Works either paints over or removes graffiti at parks, on benches, bulletin boards, shelters, and buildings maintained by that department.
- The Water Department uses departmental maintenance personnel to paint over graffiti on property it maintains on the Fresh Pond Reservation - including the gatehouse on Huron Avenue - and Payson Park.
- The Traffic, Parking and Transportation Department also uses its own crews to remove/paint over graffiti when possible. Personnel of the Meter Shop paint meters as a part of the annual maintenance program; personnel of the Sign Shop, depending on the material used, either remove tags from signs "in the field," or take the sign down, (replace it) and attempt to remove the tag in the shop.
- The Electrical Dept. removes graffiti with its own staff. Graffiti removal on a street light control cabinet is either removed or may it may be repainted, this is also true for fire alarm boxes, public emergency alarm devices and street lights owned by the City. Other utility owned items such as transformers, telephone SAC cabinets, street lighting and payphones, would require the utility company having ownership to do the removal.
- The City continually encourages other public agencies (i.e. U.S. Postal Service, MBTA, MDC) to aggressively enforce and remove graffiti on their premises.

#### Private property: Commercial, Institutional and Residential

In general, the City takes the following approach to removing graffiti on private property:

- Notification of the property owner that the premises have been vandalized by graffiti and a request that the graffiti be removed.
- Provision of information on techniques to remove graffiti and where solvents can be acquired.
- Use City crews to remove graffiti on non-city-owned property, particularly "hot tags."

### **OTHER REMOVAL EFFORTS**

#### Utility Box Art Initiative

This past summer, the DPW and Arts Council coordinated with the Mayor's Summer Youth Employment Program on a public art utility box painting project. Ten (10) utility boxes were identified throughout the City to be painted by youth with an interest in art. The boxes that were identified were ones that were targets of graffiti. Under the direction of an art teacher and the Cambridge Arts Council, these boxes were designed and painted by 8 youth. Based on the success of this project, we hope to continue this program in future years.

#### PILOT Graffiti Removal Program

The City is willing to step up its removal efforts and will implementing a pilot program this fall, where, with the property owner's consent, the Department of Public Works will remove graffiti from private property. This program will essentially be on a first-come-first-serve basis and will be evaluated after a 6-month period of time.

Requests for service will be able to be made through the Graffiti Hotline (349-6955) or through

DPW directly (349-4800). An outline of the program is below:

- City inspects property, and sends letter to property owner with a waiver form to be signed and returned.
- Once waiver is received, removal is scheduled.
- The property will either be power washed or painted, depending on the surface.
- Paint will be available in a limited variety of colors. [We can explore providing white paint to property owners and having them have it tinted to the desired color.]
- The program will be promoted in several ways: in letters to property owners' whose property has been tagged; on the City's web site; and on cable-TV.
- DPW will collect data on volume of requests and service in order to effectively evaluate (and improve) the program. A few questions that will need to be answered include: What is the volume of requests and response time to complete requests? Do we need to prioritize properties for removal, as opposed to doing it first-come-first-serve? Are staff appropriately trained/comfortable with equipment and techniques?

It is anticipated that the program will begin in the fall, once the DPW procures the necessary equipment and trains staff.

## LAWS AND ORDINANCES

### State Law

**Massachusetts General Law (M.G.L.) Chapter 266, sections 126, 126A, and 126B** pertain to the defacement of natural scenery, personnel property, and tagging.

**General Laws Chapter 266, Section 126** (enacted in 1965) prohibits painting or in any manner affixing to public property or the property of another any words, device, trademark, ad or notice without the consent of the property owner. An offender may be punished by a fine of up to \$100.00 plus the cost of removing the defacement. Any defacement within the limits of the public way is declared to be a public nuisance that may be removed by any person.

For malicious painting, marking, scratching, etching or other wise marking, injuring, marring, defacing or destroying the real or personal property of another, including but not limited to a wall, fence, building, sign, rock, monument, gravestone or tablet, **General Laws Chapter 266, Section 126A** (enacted in 1994) provides for a penalty of up to 3 years in state prison, a fine of \$1,500 or triple the value of the property marked, the cost of removal, and one year suspension of the perpetrator's driver's license.

For "tagging," **General Laws Chapter 266, Section 126B** (enacted in 1994) provides similar penalties except that imprisonment in a house of correction may not exceed 2 years. "Tagging" in the statute is defined as placing a sticker or applying paint spelling words or phrases associated with a group on a building, wall, fence, sign, tablet, gravestone, monument or other object or thing on a public way or adjoining to it, or in public view, or on private property with the intent to deface, mar, damage, mark or destroy such property.

If a violation of these statutes is motivated by bigotry or bias, it may constitute a "hate crime" as defined by General Laws Chapter 22C, Section 32.

### Local Ordinance

**Cambridge City Code Section 9.04.010** prohibits the malicious and intentional marring or defacing of public and private property. For a first offense, restitution to the party injured is required.

**Cambridge City Code Section 9.04.020** prohibits defacing public or private property and provides for a \$300.00 fine for so doing.

**Cambridge City Code Section 9.04.060** prohibits the sale of aerosol spray paint cans or non-water soluble markers with brushes or applicators in excess of one-half inch to anyone under the age of 18 years. A sign saying that sales to underage people is prohibited must be posted at the point of display or sale. Violators are subject to a \$300.00 fine.

## DEFINITIONS

**Graffiti:** Any letters, numbers, word or words, writing, inscription, symbol, drawing, carving, etching or other marking of any nature, on any exposed surface on public or private property which defaces, obliterates, covers, alters, damages, mars or destroys property without the property owner's consent. Graffiti does not include the occasional and temporary marking of public streets or sidewalks with chalk for traditional children's games, nor does it include any words, letters, symbols, logos or numbers which convey information, an announcement, a direction or an advertisement which are in compliance with regulations concerning signs in the City zoning Ordinance.

**Tagging:** The conduct or activity, either as an individual or in a group, of spraying or applying paint with the intent to deface, mar, damage, mark or destroy any exposed surface on public or private property without the property owner's consent.

**Tagger:** A person who sprays or applies paint upon a building, wall, fence, sign, tablet, gravestone, monument or other object on any exposed surface on public or private property which defaces, obliterates, covers, alters, damages, mars or destroys property without the property owner's consent.

**Hot Tags:** A swear word, racist word or symbol, or other tag that is offensive.

Sept 30, 2002 S-291

Roundtable meeting  
on SREFFit.