



REVITALIZING OUR NEIGHBORHOODS A BLOCK AT A TIME

## Graffiti Effort

## Citizen's Community Watch

Neighborhood Crime and Nuisance Abatement Center

### Midtown Neighborhoods

Hotline: 448-4169 Fax: 444-0913

E-Mail: [watchdog@pacbell.net](mailto:watchdog@pacbell.net)

1818 H Street #1 - Sacramento, CA 95814

June 2, 1997 4:49 PM

Thank you for considering our position, reflected by the attached.  
The Reader's Digest version:

- ◆ We've demonstrated leadership and teamwork with victims, the District Attorney and Neighborhood police.
- ◆ The business community supports this effort.
- ◆ We've detected, documented, arrested or caused to be arrested, the most aggressive tagger crews in the city whose damage is in excess of \$500,000.
- ◆ We delivered the majority of the physical evidence in prosecution efforts.
- ◆ Our actual apprehensions: SKEP, XS and HOG crews.
- ◆ Contact, ID and attempted arrests: CLEAR and X5 crews. Our limited one-way radio system and strained police resources allowed the escape of these two crews.
- ◆ We've spent thousands of man-hours and dollars on this effort.
- ◆ The \$100,000 the city budgets for Graffiti abatement should be reviewed for more proactive efforts; team-building, education, apprehension and prosecution.
- ◆ Reward the RESULTS that a PROVEN track record by Citizen's Community Watch has demonstrated.



## *A Resolution in the Matter of Criminal Graffiti Activity*

*Whereas*, the wanton disregard for property, both public and private, by graffiti vandals, constitutes a public threat, and

*Whereas*, the cumulative acts of multiple offenses by known and unknown suspects is tantamount to criminal gang enterprises victimizing the community as a whole, and

*Whereas*, the financial impact to property owners, public institutions and the business community, amounting to hundreds of thousands of dollars, suggest this is not a petty crime, and

*Whereas*, history has shown that urban devastation is often preceded by unchecked vandalism, a form of domestic terrorism, eviscerating economic development and growth, and

*Whereas*, until the community gains control of its streets, the real harm done to California's capitol city is incalculable, instigating contempt for the city and relegating it to third rate status.

*Be it therefore resolved* by the Midtown Business Association, the volunteers of our Citizen's Community Watch and taxpaying citizens whose signatures are affixed hereto,

That, the Mayor and City Council, the City Manager and City Attorney of Sacramento, the Sacramento Police Department and allied law enforcement agencies, exercise due diligence in apprehending and enforcing promulgated graffiti ordinances, and

That, the District Attorney of the County of Sacramento, under state law, aggressively prosecute those pending cases, and

That, it is in the public interest to reopen, where possible, those cases that may have been adjudicated absent community input or contrary to assurances made at the Graffiti Task Force meeting held February 27, 1997 in the office of the District Attorney, and


That, where offenders are juveniles, the Probation Department not adjudicate cases absent review by law enforcement or the District Attorney and that where possible maximum, parental responsibility be exacted, both financial and moral, and

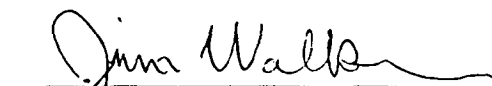
That, the City and County of Sacramento look to other jurisdictions that have successfully brought felony prosecutions against the most egregious offenders or those shown to be engaged in criminal gang enterprise, and

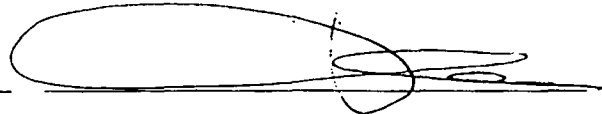
That, finally, the City and County of Sacramento, embrace, fund and expand, on a regional basis, the technology currently employed by Citizen's Community Watch to detect, apprehend, document and aid in prosecution of serial vandals.

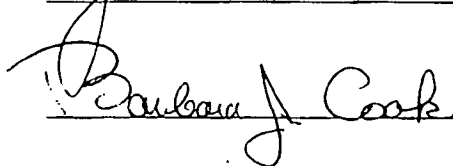
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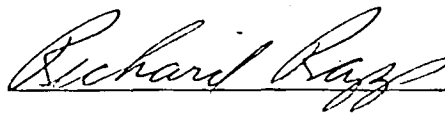
By Midtown Business Association members:

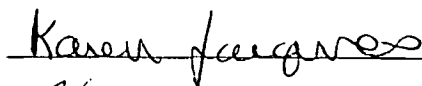
  
Dick Skelton, President


  
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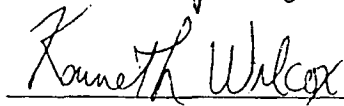
  
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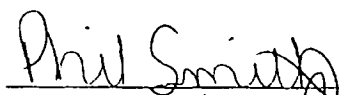
  
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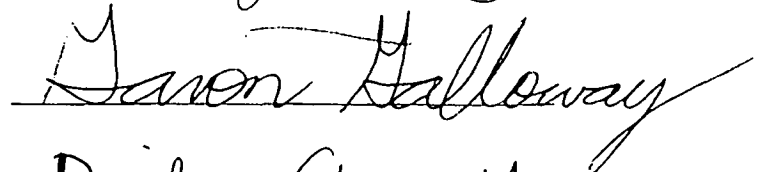
  
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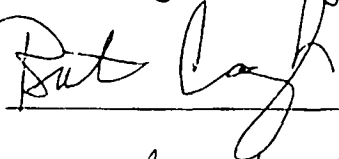
  
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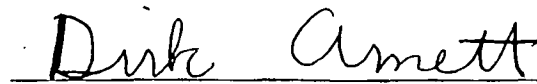
  
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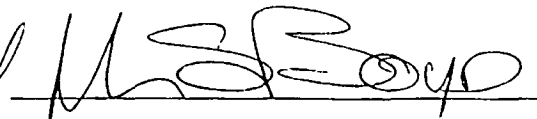
  
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<u>Leslie Cedros</u>	<u>Kinections P.T.</u>
<u>Nya Benfield</u>	<u>Kinections PT</u>
<u>Lisa Rios</u>	<u>LISA RIOS</u>
<u>Marcus Chan</u>	<u><del>W</del> Korshak, Kracoff, Kong &amp; Sugano law of crossings Boutique</u>
<u>Cindy Bonner</u>	
<u>Patricia Belton</u>	<u>CELESTIN'S</u>
<u>Lynne Belles</u>	<u>the Belles Co.</u>
<u>Ann Mullins</u>	<u>Sue's Candies</u>
<u>CHRIS ALLEN</u>	<u>KITS CAMERAS</u>
<u>Michael Krumb</u>	<u>RK Development</u>
<u>Rg Gallutian</u>	<u>CINEMANIA</u>
<u>Tony Rajab</u>	<u>SUBWAY</u>
<u>Nichelle Weeks</u>	<u>Original Pet's J<sup>ST</sup></u>
<u>Danielle Nelson</u>	<u>Sierra Copy</u>

Scott London

CAPITOL ACE HARDWARE

Sam Newman

Townsend Raimundo Besler & Usher

ABA

CARON'S SERVICE CENTER

Spew Lutz  
Peter Jerome

1801 I STREET ANNAR

HURLEY CONSTRUCTION

Spikes

SHIMOTSU ARCHITECTURE

Luffy M Jennings

Mastagni Holstedt & Chiurazzi

Ted Svrhni

SIRLIN PHOTOGRAPHERS

Elma Jean Mitchell

L'K-Coin O-Matic

Moxic (Adam Chacove)

Moxic restaurant

Wendy Rami

Fleet Feet

Quezzer

Ultimate Hair Care

Ken Sayly

Cotton Club

Shannon Sawtelle

Pacific Bicycles

Stelen Gusti

Sierra Research

Fareed T. Siddiqi

JTS ENGINEERING.

~~Dr. Aswani~~

CFG LAB

Dean Alth

CW Crocker Comm



# Graffiti

## Abatement Task Force

### Follow-up Meeting Agenda - April 21, 1997

*At the Office of the District Attorney*

901 G Street - 2:30 P.M.

**I. Introductions** - Ann Valenti - Representing Councilman Steve Cohn. A brief statement of our elected City Council representative's concerns in the cases pending.

**II. Overview** - Dave Jenest, Graffiti Watch Progress Report since February 27th meeting with the Police Department, District Attorney, City Staff, victims and community members. Each participant will give a three minute statement on their respective topics.

- ♦ Rick Rapp - Associated criminal activity
- ♦ Jim Walker - Resolution from the community
- ♦ Steve Eggart - Civil remedies and cooperation
- ♦ Peter Finn - Legislative strategy
- ♦ Fred Plienes - Yellow Cab - PD Communications
- ♦ Bret Cagle - Optimum PD response
- ♦ Captain Busch - Investigation status

#### **IV. District Attorney Report** - Ms. Scully

Review of options and remedies available. Exploring the creative application of ordinances and state law.

Note: These were topics covered in the February meeting that initially focused on short term strategies.

Our mission is to seek input on a cooperative long-term effort with all participants. Suggested topics:

1. Charging Strategy - Hog, XS and others.
2. Juveniles as adults and adults as felonies
3. Civil Liability and Parental Responsibility
4. Sentencing Strategy - Community Input
5. Legislative Liaison - Countering 5th Circuit Court of Appeals decision.

#### **V. Conclusions** - All members

Round table discussion and wrap-up focusing on an action plan developed from this meeting.

1. Summary
2. Position Statement
3. Follow-Up Strategy

### **PARTICIPANTS**

#### **City of Sacramento Representatives**

Ann Valenti, Councilman Cohn's Office  
Captain Mike Busch

#### **County of Sacramento**

Jan Scully, District Attorney  
Pat Marlett, District Attorney's Office  
Karen Maxwell, Juvenile Intake, DA's Office  
Chuck D'Arcy - Deputy DA  
Al Locher - Deputy DA

#### **Private Sector**

Rick Rapp - Commercial Property owner  
Jim Walker - Midtown Business Association  
Steve Eggart - Attorney - Renwick Partners  
Peter Finn - Legislative Liaison  
Fred Plienes - Yellow Cab  
Bret Cagle - Citizen's Community Watch  
Dave Jenest - NCNAC Graffiti Watch Center



REVITALIZING OUR NEIGHBORHOODS A BLOCK AT A TIME

# Community Watch Memo

Neighborhood Crime and Nuisance Abatement Center

## DRAFT

### Trespass/Vandalism Arrest and Prosecution

1818 H Street #1 - Sacramento, CA 95814

Hotline: 448-4169 Fax: 444-0913

E-Mail: [watchdog@pacbell.net](mailto:watchdog@pacbell.net)

Contact: Dave Jenest

January 15, 1996 (Meeting date)

Attending: Albert Locher, Bill Peshi and Doug Hamilton - Sacramento District Attorney's Office  
Sgt. Tom Cooper, Officers La Grassa and Cooper - Sacramento Police Department  
Dave Jenest, Pete Gerimia and Dale Kooyman - Community Watch

SUBJECT: Confusion over officer's obligation to arrest under 602.5 or 602 (j) CPC  
Charging strategy for impending arrests by Community Watch members.

An arrest may be made of any person found to be:

*"Entering any lands, whether unenclosed or enclosed by fence, for the purpose of injuring any property or property rights or with the intention of interfering with, obstructing or injuring any lawful business or occupation carried on by the owner of the land, the owner's agent or by the person in lawful possession." (602 (j) c.p.c.)*

Such person therefore commits a trespass and is guilty of a misdemeanor.

Where such person has remained upon the property, a peace officer arrives and finds that person on the property, the officer may arrest and not require a citizen's arrest by the, owner, person in lawful possession of the property or his agent. (602.5 c.p.c. might be amended to include commercial property)

Where a person commits trespass as provided above for the purpose of applying graffiti to the property or using the property to gain access to another adjoining property, it is appropriate to charge both 602 (j) and applicable 594 c.p.c. violations. The Penal Code has no sign posting requirement for enforcement of these sections.

### MEETING CONCLUSIONS:

Penal Code Section 602(j) is appropriate where vandals have entered upon the property and may extend to the act of spray painting walls even from a public sidewalk. A private party arrest may be necessary if the suspects have left the immediate area before officers arrive. All parties might be charged for 602 (j) even if they did not actually apply graffiti. (Lookouts, for example)

The issue of an arrest by a peace officer under Penal Code Section 602.5 needs legislative review. We believe 602 (j) could apply to an apartment building and the term "obstructing" applied to a person that disturbs the "lawful business" of providing tenants safe and quiet enjoyment of their rental property.

Note: These conclusions may not reflect current state of the law and are not representations of or by the District Attorney, Police Department or any governmental body. These conclusions are drawn as talking points for further legislative





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## Community Watch Memo

Mid-town Neighborhoods

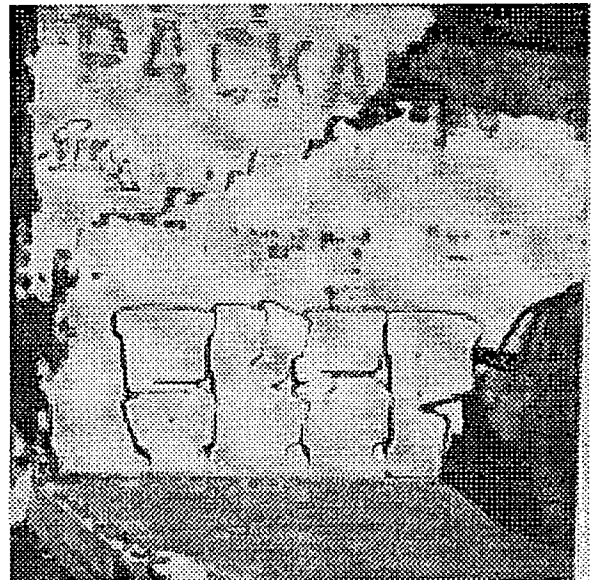
Hotline: 448-4149 Fax: 444-0913

Be on the Lookout  
**SKEP**  
Graffiti Vandals  
Downtown - Midtown  
*Volunteers Welcome!*

Information Wanted  
Graffiti Criminals

This group is responsible for thousands of dollars in property damage in our city. The persons were unknown to the police until caught in the act just months ago. **Now they are back!**

Please call 448-4169 if you have information on recent tags that fit the style shown in the photo.



Background:

In the early morning hours of April 11, 1996, the Mid-town Community Watch, while on auto-burglary alert, observed four male teenagers committing a vandalism on a commercial building at 1801 I Street from the roof of Capitol ACE Hardware. Two calls to the police non-emergency number went unanswered at 12:30 a.m. When the suspects began to exit the roof, 911 was contacted.

A responding police officer apprehended one of the four suspect running southbound on 18th Street at J. A detailed description of all the subjects had been provided to the police dispatcher by the Community Watch supervisor. This subject, later identified at the crime scene, matched exactly, the description of the "look out" for the three subjects on the roof. The other suspects eluded the second police unit who had arrived in the alley behind ACE Hardware by hugging the building as he drove by. The second officer made contact with the detaining officer who had the suspect in custody in the rear of his marked patrol unit. The suspect was providing that officer with information on the identify of his criminal confederates. The Community Watch supervisor made a positive ID on the juvenile. The senior officer arranged transportation home for the juvenile. He was not cited for the vandalism or curfew violation.

The above photo is one of two recent "tags". Photo taken 8-10-96 on I Street near City Hall. The other location was at 17th and R Streets. We know who one member of this "crew" is. We are seeking a reopening of this case, perhaps as a felony. We've experienced great cooperation from the District Attorney in our other cases. If we must, we'll go to the known subject's home, demonstrate for local media and if possible, seek an arrest for his involvement in serial property crimes around the city.



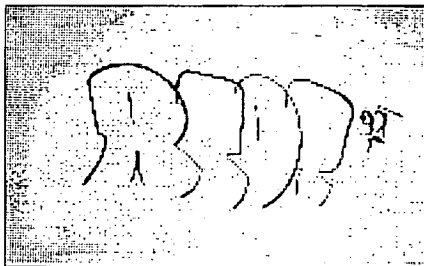
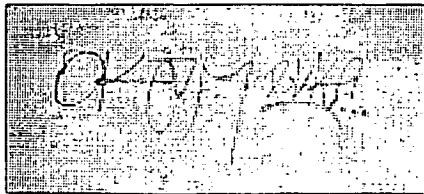
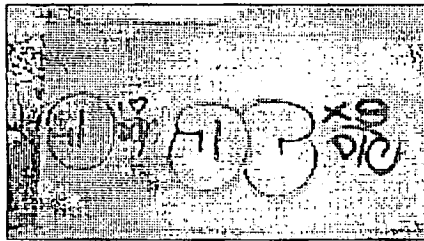
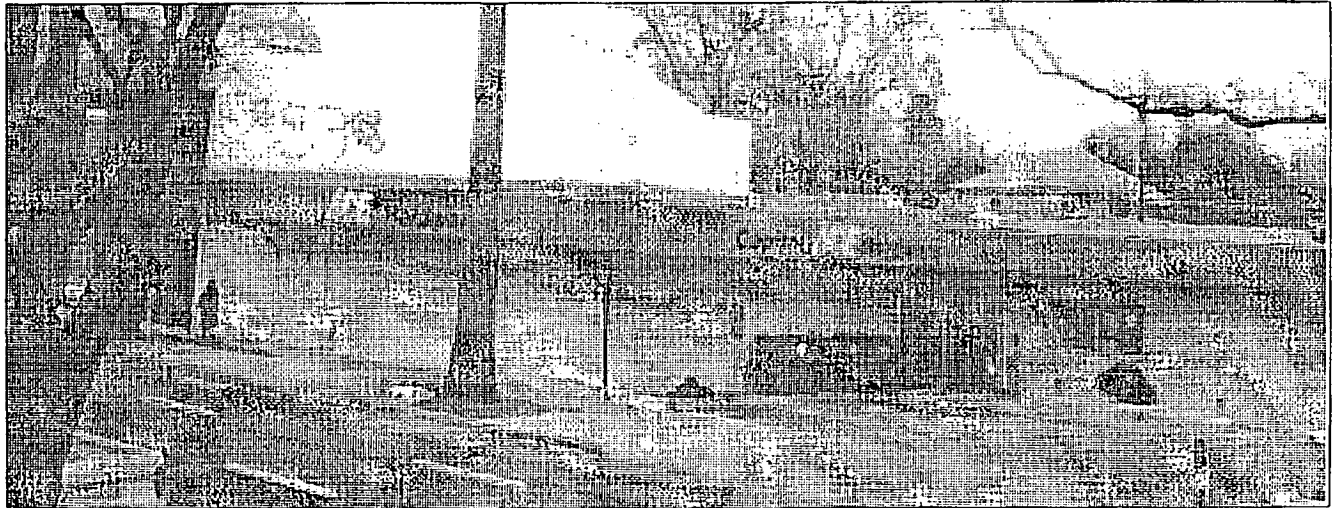
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Neighborhood Crime and Nuisance  
Abatement Center

Community Watch Memo  
Mid-town Neighborhoods

Hotline: 448-4169 Fax: 444-0913

*GraffitiAlert*



# FIGHT BACK NOW!

We're sick and tired of taggers!  
We have a plan to STOP it NOW!

We're conducting Citizen's Midtown Business Patrol that focuses on GRAFFITI! Here's your chance to do something other than complain ... be part of the solution!

Be a VICTOR  
not a  
VICTIM

## VOLUNTEERS NEEDED

Starting tonight - January 16th

*Call for time slot and information*

Citizen's Community Watch 448-4169



REVITALIZING OUR NEIGHBORHOODS A BLOCK AT A TIME

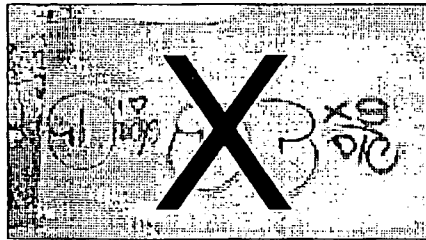
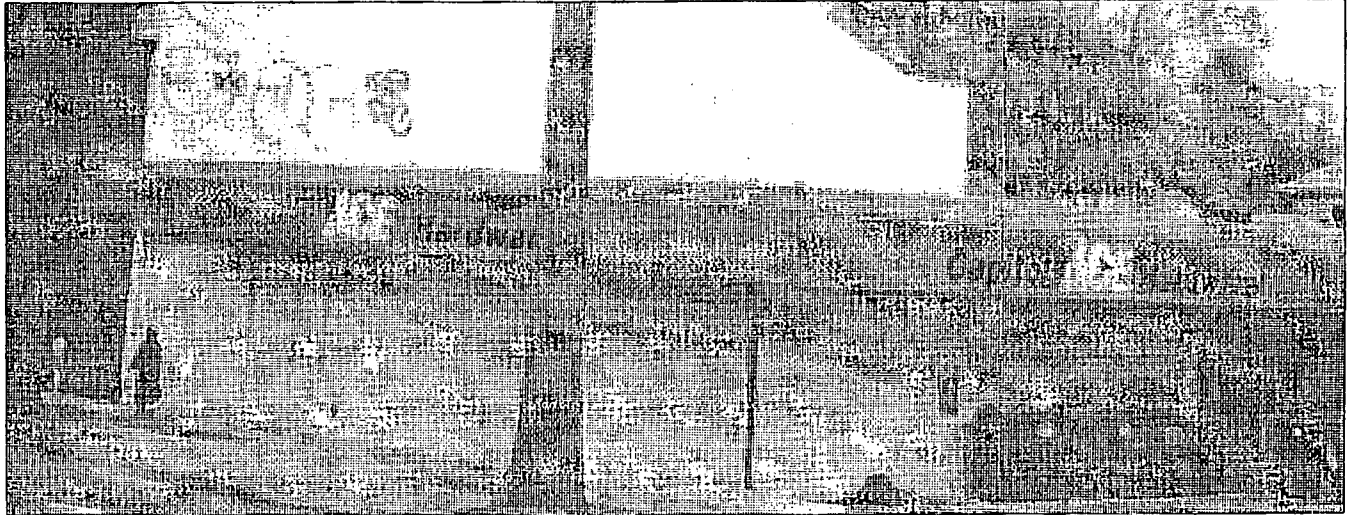
# Neighborhood Crime and Nuisance Abatement Center

## Community Watch Memo Mid-town Neighborhoods

Hotline: 448-4169 Fax: 444-0913

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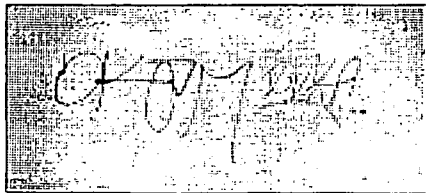
SPD Report # 97-9002



*"They're so proud of what they do!"*

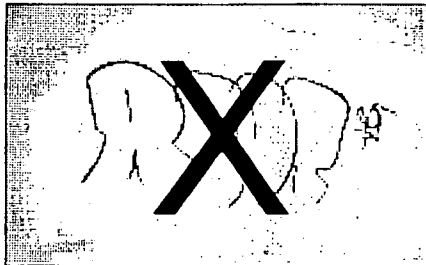
*Patrol Officer Dave Nakata*

That's the impression left as the "XS/X5 DP" graffiti vandals were arrested by the Midtown Community Watch supervisor last night. The month-long vigil, that has paid off twice before, was the undoing of the four juveniles taken into custody by police as they fled on foot.



*"Let's make them take responsibility for their actions. Since they seem proud of their craft we should press for the parents to pay."*

*Don London, Owner of Capitol ACE Hardware*



*"Zero Tolerance! We are property owners, attorneys and victims of this vandalism. We'd ask other victims to step forward. Join in our civil action against these juveniles and their parents. It's time to make an example of them and send a message to their peers."*

*Steve Eggart, Attorney & Peter Geremia, Co-owner - 1801 I Street*

**HAVE YOU BEEN  
A VICTIM OF  
THESE VANDALS  
CALL THE HOTLINE  
448-4169**

*"The combination of stationary surveillance on known tag locations and Bike Patrol works. Cooperation of property and business owners was essential. Capitol ACE Hardware and Remwick Partners support Community Watch's enforcement of trespass and vandalism law. The police response was excellent. Thanks to Officer Nakata's skill in interviewing the four suspects, admissions of guilt were obtained"*

*Dave Jenest, Community Watch Supervisor*



REVITALIZING OUR NEIGHBORHOODS A BLOCK AT A TIME

## Citizen's Community Watch

Neighborhood Crime and Nuisance Abatement Center

### Midtown Neighborhoods

Hotline: 448-4169 Fax: 444-0913

E-Mail: watchdog@pacbell.net

1818 H Street #1 - Sacramento, CA 95814

# Graffiti Arrest

## We need your HELP

April 1, 1997 4:09 PM

To: Midtown Businesses and Neighborhood Groups  
From: Dave Jenest, Citizen's Community Watch  
Ref: Hog Graffiti Suspect Arrested - **Have you or a neighbor been a victim?**

*Have you or a neighbor had a graffiti tag with words "HOG" - "HOGG" - "HAWG" or symbols that look like two round eyes and a crooked smile, Polaroid stickers with same, or something that looks like two ears with X X at the top and a circle with what looks like two eyes (Actually tagger's version of a hog's snout).*

At approximately 12:45 a.m., CCW member Bret Cagle and his K-9 Ben-Ali, spotted a male suspect tagging a property in the 1700 block of J Street. Bret contacted Graffiti Watch Operations. CW Bike 1 responded to the area to make a grid search. Bret worked eastbound up the alley while Bike 1 checked from the last known tagging location. While at 18th and J, Bike 1 observed a subject laying on his stomach on the second story construction scaffolding. The subject was detained for approximately 15 minutes pending police response. He was subsequently booked into the jail on 18 counts of vandalism.

Additional charges are expected to be filed today. Citizen's Community Watch documented several properties that were tagged prior to the arrest this morning. We are seeking your support to file this case as a felony for the thousands of dollars in property damage attributed to Mr. Willis. As he was being detained, he had the nerve to ask if he could finish his second story work. "I ain't gonna be in any more trouble then I am already" and "Hey man, if you're gonna take a picture, lemme finish it!"

**If you or a neighboring building were tagged with a "Hog" type graffiti moniker, PLEASE, call the Sacramento Police Department's CommCenter at 264-5471. Ask them to connect-up your report with SPD Case Number 97-25588 and that the suspect is in custody. You may have to be assertive! Also, please call us at the hotline to insure that we have taken a photo.**

Lastly, if you have time today, call the City Manager's Office (264-5704) voicing support for felony charges. You might also ask that the City Attorney go after the parent's of the XS Crew we caught on February 1st. We have a City Ordinance that holds parent's responsible but it's not being used. The DA's Office is handling the criminal case aggressively.

While your at it, let's give citizen volunteer Bret Cagle a "job well done" to the powers that be. He, Jim Walker (MBA) and Dale Kooyman (NAAG) were the only volunteers to work over the Easter holiday. There's more to be done, so please consider joining up.