

**OVERSIGHT HEARING ON GRAFFITI
BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON PUBLIC SAFETY
FRIDAY, FEBRUARY 15, 2013 – 1:00 P.M.
250 BROADWAY - 16th FLOOR HEARING ROOM**

Good morning Chairman Vallone and members of the City Council Committee on Public Safety. I am Henry Ehrhardt, Director of Customer Relations for the New York City Department of Sanitation. Graffiti has been a problem which the Administration has been working to tackle for more than a decade in partnership with the City Council and community groups. As you know, the Department of Sanitation is currently responsible for processing requests to remove graffiti from private buildings and I am pleased to have the opportunity this afternoon to tell you about how this system works. Also, because the Graffiti Free NYC Program is administered in cooperation with other agencies, representatives from our partner agencies are here today to discuss their agency's functions in this program, including Captain Elwood Selover, Commanding Officer of the Citywide Vandals Task Force for the New York City Police Department, David Schmid, Assistant Commissioner for the Mayor's Community Assistance Unit, and Andrew Mainardi, Assistant Vice President of the New York City Economic Development Corporation (EDC).

By way of some brief historical background, Graffiti Free NYC was first established by EDC in 1999 as a pilot program with the first custom-designed vehicle equipped for graffiti removal. The program was initially aimed to provide graffiti removal services to the City's 16 Industrial Business Zones. The program began in Brooklyn, and its success prompted its expansion to the Bronx, Queens, Staten Island and Manhattan. The goal of this program has been to improve overall neighborhood aesthetics, promote business development, and create goodwill throughout all of the five boroughs. Subsequently, an inter-agency task force was created and chaired by the Mayor's Office of Operations to re-design the City's graffiti cleaning process, of which the Department of Sanitation was a member. The task force worked with the City Council throughout FY 2010 to amend the City's graffiti legislation, and also reviewed and revised operational, legal, technological, and communication issues to streamline the graffiti removal process and make it more efficient and easier for property owners to get graffiti cleaned.

The Department of Sanitation's current role in the NYC Graffiti Free program is an important administrative function as it sets into motion the initial steps in the process for removing graffiti from buildings which, if left uncleaned, become eyesores in neighborhoods across the City. There are two ways in which the public may request that graffiti be removed from a property. To request graffiti cleaning on property that you own, the property owner must fill out and sign a Forever Graffiti Free form that is available online, or via mail by calling 311. This form allows the City to clean the graffiti on the owner's property. If a person is reporting graffiti on someone else's property, that person may call 311 to report the graffiti. If the property has a Forever Graffiti Free form on file, the property is then automatically added to the list of sites to be cleaned. If the property identified does not already have a Forever Graffiti Free form on file, the

Department will send the property owner a Notice of Intent to Remove Graffiti and a copy of the form.

The City also proactively identifies graffiti conditions through its Street Condition Observation Unit (SCOUT) team. SCOUT team inspectors drive every City street once per month and report on graffiti markings, among other quality of life conditions, to the City's 311 customer call center. Once the call is logged the Department sends a notice to the property owner to inform the owner that the City offers graffiti-cleaning services at no cost. If the owner wants the City to clean it for them, the owner doesn't have to do anything. However, if the owner wants to opt-out for any reason or no reason at all, the owner has 35 days to notify the City and the property will not be added to the cleaning list. It might sound perplexing why an owner would not want his or her property cleaned, but there are instances where for example, the property owner wants to keep the markings that others may have identified as graffiti or they specifically authorized it to be painted on their property because they deem it art. If the owner prefers to clean it themselves, they may do so as long as it is done within 35 days.

Once a Forever Graffiti Free form is submitted by the property owner, it typically takes the City approximately two weeks to respond to a request for graffiti removal service. If the property owner does not submit a waiver and does not remove the graffiti, after 35 days the property is then added to the list of sites for scheduled graffiti removal service at no cost to the property owner through the Graffiti Free NYC program. We're pleased to report that since the implementation of the new law in 2010 which streamlined the administrative in-take processing and made access to this free City service customer-friendly, the City has seen a significant increase in the number of properties with graffiti which the City has been able to clean. In the last three years since the new law was adopted, the City has cleaned over 43,000 sites throughout all five boroughs. By comparison, in 2009 prior to the law's adoption, the City cleaned 8,948 sites, and 8,496 sites in 2008. In addition, the average time for sites to be cleaned has dropped by 33% from 32 days in 2009, to just 21 days in 2012. We measure the turn-around time for cleaning a building from the date the site is eligible to be cleaned -- that is, either the 35 day period passes, or we receive the Forever Graffiti Free Form, or we have form on file already to the date the property is cleaned --, to the date the property is actually cleaned. Property owners, community groups, and council members can find more information on Graffiti Free NYC and check the status of their graffiti cleanup request online at www.nyc.gov/graffitifreenyc.

Thank you for this opportunity to testify on the Department of Sanitation's role in the Graffiti Free NYC program. I will now turn the microphone over to my other colleagues here at the table.

**STATEMENT OF
CAPTAIN ELWOOD SELOVER
COMMANDING OFFICER, CITYWIDE VANDALS TASK FORCE
TRANSIT BUREAU
NEW YORK CITY POLICE DEPARTMENT**

**BEFORE THE
NEW YORK CITY COUNCIL
PUBLIC SAFETY COMMITTEE
FEBRUARY 15, 2013**

Good afternoon, Mr. Chairman and members of the Council. I am Captain Elwood Selover, Commanding Officer of the Citywide Vandals Task Force, of the New York City Police Department's Transit Bureau, and on behalf of Police Commissioner Raymond Kelly, I am pleased to be here today to discuss the Police Department's efforts to combat graffiti.

Grffiti is a destructive offense that communicates a message of disorder and lawlessness. As you may recall, the Department has made significant efforts to address and prevent graffiti, with a renewed focus beginning in 2004, when the Police Department's Anti-Grffiti Initiative was established. The elements of the initiative include the designation of an "NYPD Citywide Anti-Grffiti Coordinator," responsible for overseeing the Department's anti-graffiti efforts. To that end, Assistant Chief Michael Quinn, the Executive Officer, Chief of Department, conducts weekly meetings modeled on CompStat, called "GrffitiStat," to ensure that all operational personnel – Patrol, Housing, Transportation and Transit officers, as well as the School Safety Division – work together to address graffiti conditions and to arrest graffiti vandals. Representatives of the Department of Parks and Recreation and New York City Transit also participate in GrffitiStat, to ensure that the special conditions which may need attention in parks and in the transit system are comprehensively addressed.

As part of the initiative, anti-graffiti Coordinators on the Patrol, Transportation, and Housing Bureau levels, the Patrol Borough levels, and each local command level, deploy their resources and set priorities for enforcement, as well as making sure that graffiti conditions observed on patrol result in a complaint report prepared and a referral to 311 for cleanup. Local commands conduct outreach in their communities, encouraging storeowners, community members, school personnel and students to report graffiti; they also notify my unit, the Citywide Vandals Task Force, of all local enforcement activity.

The Citywide Vandals Task Force functions in both an operational capacity and as a resource for other Department commands, as an in-house expert on graffiti offenses. Task Force personnel investigate graffiti crimes, identify patterns, track and arrest vandals, and maintain an important element of our anti-graffiti initiative, our "Grffiti Offender Database." The Database is a centralized graffiti database used to identify known graffiti vandals, with mug shots of the vandals, photos of their "tags," and detailed information about their characteristics and areas of operation. This database can readily be accessed by local commands, and is an invaluable tool not only for apprehending

vandals but also for assisting prosecutors in strengthening their cases, in the hope of securing convictions and meaningful sentences for chronic offenders.

Supplementing the community outreach efforts of local commands, the Police Department encourages the public's involvement in anti-graffiti efforts in several ways. Our graffiti reward program, funded by the Police Foundation, offers rewards of up to \$500 to anyone providing information leading to the arrest and conviction of a graffiti vandal. Calls can be made to 911 for acts of graffiti vandalism that are in progress, or 311 in all other instances. The NYPD's Community Affairs Unit has developed an anti-graffiti curriculum for use by local Community Affairs Officers for community group meetings, and we have created a brochure, "Graffiti Awareness for Parents," intended to help parents detect if their children might be involved in this activity. Youth Officers have been trained in an anti-graffiti curriculum, and use this curriculum to educate student bodies at schools and young people at youth forums.

With respect to the incidence of graffiti crimes in New York City, in 2012, there were 9,204 criminal complaint reports of graffiti crimes, which represents a 13.7% decrease from the 10,669 reports in 2011. This decrease mirrors a decrease in 911 calls regarding graffiti crimes, 499 in 2012 compared to 572 in 2011, a 12.7% decrease, and a decrease in 311 calls, 209 in 2012 compared to 251 in 2011, for a 16.7% decrease. With respect to arrests for graffiti crimes, there were 518 felony arrests and 3,011 misdemeanor arrests in 2012, compared to 408 felony arrests and 3,535 misdemeanor arrests in 2011.

With respect to the bills before you today, we appreciate the Council's intent to strengthen local laws regulating the implements used to commit graffiti crimes, as outlined in Intros. 255, 462 and 601, and would be pleased to work with you to ensure that the bills are internally consistent and provide sufficient time to allow for implementation before taking effect. However, we are unable to support Intro. 555-A, which would require a quarterly website posting by the Police Department regarding quality of life summonses and graffiti-related arrests. The Police Department has in the past and will continue to respond to requests for information regarding its enforcement activity. However, we strongly oppose enacting into law a requirement that police resources be expended in this manner on a permanent and ongoing basis.

In conclusion, we appreciate the Council's attention to the issue of graffiti vandalism, and will be pleased to answer any questions you may have.



114th Civ-OP, Inc.

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02-15-2013

Good afternoon. This is James Pollock, and I am Barbara Pollock. We are the President and Vice President of the 114th Civilian Observation Patrol, Inc. Thank you for having us speak before you today.

The 114th Civ-OP is a crime prevention organization, serving as the extra eyes and ears for the police. We engage in activities that would decrease and deter incidents of crime and improve the overall quality of life within the community we serve. In addition to performing routine neighborhood patrols, 114th Civ-OP, Inc. actively works to clean up graffiti and maintain its cleaned-up status. This is achieved through volunteers' hard work in first restoring a site by painting or power washing over graffiti and then monitoring the sites after. If new graffiti is found on any site cleaned, volunteers participating in maintenance patrols revisit the site to re-clean it. **Clean-up and maintenance** is the key to winning the war against graffiti vandals. If tags are not visible, vandals don't gain the fame they desire, and they will seek more favorable (less monitored) areas to vandalize. We have met many people along this journey. Currently we have a team of only six people who maintain the cleaned up status of 510 previously cleaned up locations on a regular basis.

In our experience, we have come to realize that our first line of defense in the war against graffiti is us – you, me, the police, the courts and anyone who owns property. The only way to show we are against it is to show a zero tolerance for it by not letting it stay up for prolonged periods of time. To do this, everyone (community and police) needs to get involved and work together. Creating stricter laws for acts of graffiti vandalism is one important aspect in our fight against it. Making vandals see the extent of their damage by making them clean it up and pay high fines for such vandalism is a good way to make some of these deviants understand what they are doing is defacing people's property. But graffiti is not going away. For some, stricter regulations just add to the thrill, or there will always be others who have to express a gripe against society regardless of the consequences. That's where getting the whole community more involved is so important.

Grffiti is a crime. But so is littering, and picking up after your dog, and many other quality of life issues that usually end up involving other people having to clean it up. On this note, perhaps we can find a way to inform residents and property owners of things they can do to participate. There are simple things they can do to deter and possibly prevent graffiti and other crimes from occurring on or near their property, such as motion detected lights in darkened areas, no trespassing signs and cameras to monitor their property. Cameras are the number one way to pin a face on a graffiti vandal. They prove without doubt the vandal's identity and actions if caught. (Maybe some kind of incentive could be offered to property owners to encourage them to do this.) If property owners become the victim of graffiti vandalism, there are simple things they can do to assist the police in their part with this. First, call and report it right away. Take pictures of it and document the date and time of occurrence. These actions would greatly assist the police in their investigation and create solid evidence in the prosecution of graffiti vandals.

My organization is committed to continue our efforts in this fight. And we will seek ways to inform our community of the need to get them more on board so we can gain bigger strides in this war against graffiti in our neighborhoods.

Thank you for your time and for hearing our comments.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 0719-2011

in favor in opposition

Date: 2/15/13

(PLEASE PRINT)

Name: Barbara A. Pollock, 114th Civ. Org. Inc.

Address: 31-38 29 St, Ast, NY 11106

I represent: 114th Civ. Org. Inc.

Address: 31-38 29 St, Ast, NY 11106

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Name: Andrew Mainardi

Address: 110 William St (4th fl.), 10038

I represent: NYC Economic Development Corp

Address: Same

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Name: Jesse Farb

Address: 110 William St 227 Columbus Av.

I represent: NYCEDC

Address: 110 William St

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(PLEASE PRINT)
Name: HENRY EHRHARDT, DIRECTOR

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I represent: NEW YORK CITY DEPT. OF SANITATION

Address: _____

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(PLEASE PRINT)
Name: BRUCE PIERSON

Address: 226 15th ST 3B BX 7 11214

I represent: CITY SOUN

Address: SAN

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in favor in opposition

Date: 2-

(PLEASE PRINT)
Name: CAPTAIN ELWOOD S. LOVER

Address: _____

I represent: NYPD

Address: _____

Please complete this card and return to the Sergeant-at-Arms