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City and County of San Francisco



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Chair
Mohammed Nuru
Vice Chair
John Bitoff

2008-2009 Graffiti Advisory Board Report

Submitted on December 3, 2009

Members

MAYOR - Joe Porcoro
DPW - Mohammed Nuru
DPT – Celeste Austria-Marks
District Attorney – Maria Shih
MUNI – Jack Blanchfield
REC PARK - Joe Padilla
SFPD - Christopher Putz
SFUSD - John Bitoff
Seat 1 - Kevin McInnis
Seat 2 - Leonid Nakhodkin
Seat 3 - Vince Vigil
Seat 4 – Rene Ly
Seat 5 - Doug Diboll

Seat 6 - Eric Dash
Seat 7 - Chris Tyeskey
Seat 8 - Justin Fichelson
Seat 9 - Shirley Wang
Seat 10 - Robin Talmadge
Seat 11 - Jean Ellingsen
Seat 12 - Nino Parker
Seat 13 - Leigh Ann Baughman
Seat 14 - Michael Cashion
Seat 15 - Paul Giusti
Seat 16 - Rebecca Delgado Rottman
Seat 17 - Jana Lord

SUMMARY

July 2008 through June 2009

- Conducted 10 Regular Meetings and one Special Meeting (Anti-Graffiti Huddle).
- Submitted the Report for FY 2007-2008
- Reported Graffiti Advisory Board members' attendance for FY2007/2008 to their appointing authorities
- Standing committees – Abatement, Education and Law Enforcement – met 10 times and made recommendations for improved abatement services, prevention strategies and improved law enforcement
- Huddle Planning Committee met 7 times during FY2008-2009
- Held Second Anti-Graffiti Super Huddle on April 23, 2009
- Reviewed progress of the Blight Ordinance legislation
- Reviewed graffiti data provided by the Department of Public Works
- Heard presentations on graffiti vandalism prosecutions, anti-graffiti education programs, vandalism of public monuments, and the Community Preservation and Blight Reduction Act
- Provided orientation materials for new board members

II. The purpose of the current Graffiti Advisory Board.

The San Francisco Graffiti Advisory Board was established to advise the Board of Supervisors about the problem of graffiti in San Francisco neighborhoods and the downtown area. The Advisory Board advises the Mayor and the Board about graffiti enforcement, cleanup and prevention strategies. The Graffiti Advisory Board has the duty to:

- Prepare and submit to the Board and the Mayor an annual report on graffiti which includes a review and evaluation of the services and programs in place to respond to graffiti, prevention strategies, as well as recommendations and plans as to a consolidated program of public and private efforts;
- Advise about the coordination of information, activities and goals among existing programs funded by the City and County of San Francisco and privately sponsored programs; and
- Advise about improving the efficiency in the provision of graffiti enforcement, prevention and clean-up services.

The Board is currently constituted as a 25-member advisory committee. Board members include a representative for the Mayor and each of San Francisco's 11 Supervisorial Districts, 7 City agencies that have responsibilities for graffiti, and one representative for each of the following stakeholders: youth groups involved in graffiti diversion, non-profit organizations related to the City's beautification, businesses, private or arts schools, and the contracting agency for MUNI shelters.

(See Appendix 1 for Article XVII: Graffiti Advisory Board; Board of Supervisors Ordinance 20-07 (Graffiti Advisory Board – Membership) and a roster of 2008/2009 Graffiti Advisory Board members.)

III. The Graffiti Advisory Board implemented the new attendance policy.

At the request of the Mayor and the Board of Supervisors, the Graffiti Advisory Board amended its bylaws regarding meeting attendance and annual reporting of attendance at the end of the 2007/2008 fiscal year. The new attendance policy requires the Board to submit an attendance report to the appointing authorities at the end of each fiscal year. The Board implemented this policy by sending an attendance report to each appointing authority in August 2008.

(See Appendix 2 for a sample of attendance reports to appointing authority.)

IV. The Graffiti Advisory Board planned and conducted the second Anti-Graffiti Super Huddle on April 23, 2009.

The Board's first action of FY 2008/2009 was to vote to hold a second Anti-Graffiti Super Huddle. (The first Huddle was held in January 2007.) Several Board members had attended the Northern California Graffiti Trade Show and Conference on July 30 to August 1 in Santa Rosa and reported their impressions at the September Board meeting. A working group was formed to discuss what the focus of San Francisco's anti-graffiti conference would be. The group held their first meeting in October, and continued to meet over the next seven months to organize the "Huddle." This was a collaborative effort that required extensive planning and the involvement and support of the entire Board.

Unlike the first Huddle which was held to update and receive input from the City's Graffiti Watch volunteers, the Huddle Planning Committee decided to invite a broader group of stakeholders, including merchants, neighborhood organizations, schools, residents, property owners, law enforcement, public works departments, and others, in order to recruit new leadership in the fight against graffiti vandalism. They selected "Zero Graffiti for a Beautiful City" as the theme of the Huddle and scheduled the event on April 23, 2009.

The planning process was committee driven. The Huddle Planning Committee designed the program, selected the speakers, approved the graphics, raised funds and secured sponsorships to cover expenses, developed the invitation and marketing materials, and promoted the event to their constituencies. Department of Public Works staff provided marketing, administrative, and logistical support for the Huddle, which was held in the Financial District Hilton Hotel's ballroom. A capacity crowd of approximately 350 people attended the event.

The program included speakers on the following topics:

- "San Francisco's graffiti problem and the challenges to combat it", Mohammed Nuru, DPW)
- Opening remarks by Board of Supervisors President David Chiu
- "How new laws and programs can decrease graffiti related blight in our City", Ed Reiskin, DPW
- "How graffiti hurts our City", Supervisor Bevan Duffy
- "How to get involved" (Fred LaCrosse, LaCrosse Productions and former Bay Area television anchor)

In addition, three new anti-graffiti programs were unveiled at the event. City Administrator Edwin Lee launched the "Operation Chinatown Wipeout" program to enlist the support of merchants and property owners in removing graffiti from Chinatown's main corridors. The City's Director of Cultural Affairs, Luis Cancel announced two graffiti prevention programs which the Arts Commission developed in partnership with the Department of Public Works. "Where Art Lives" is an education program created to teach 4th through 6th grade school

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children and youth about the difference between graffiti vandalism and public art. The “Street smARTS” mural program will provide permission walls for “urban artists” by pairing them with private property owners who have walls that get frequently tagged. Both programs will begin in Fall 2009.

An Academy of Art University graduate student created a short motivational video titled “Zero Graffiti for a Beautiful City”, which debuted at the Huddle and was broadcast over the Internet through YouTube. Each Huddle participant received a CD in their information packet which included the video along with data about graffiti abatement, prevention and law enforcement efforts in San Francisco neighborhoods.

The conference packets also contained the “Zero Graffiti Pledge”, which attendees were asked to sign and return. The Graffiti Advisory Board developed the Pledge to educate San Francisco residents and businesses about the ways that they could help to eliminate graffiti vandalism. The Pledge asked for a commitment to do one or more of the following:

1. Report graffiti vandalism by calling 311 or visiting www.sfgov.org/311.
2. Call 911 when I see graffiti vandalism in progress.
3. Immediately report graffiti vandalism to my landlord when it appears on my building.
4. Remove graffiti vandalism from my property within 48 hours.
5. Teach the children in my life that it is wrong to write or make marks on other people’s property.
6. Join Graffiti Watch or Adopt-A-Street and help to remove graffiti vandalism in my neighborhood.
7. Support anti-graffiti vandalism legislation by writing or making phone calls to elected officials.
8. If called, I will serve on a jury that decides a graffiti vandalism case.

The Huddle program also included two 15-minute Public Comment periods, so that members of the public could ask questions or address the two panels. Audience members were provided sticky notes to write down their questions and comments and post them on the wall. These notes were transcribed and provided to Board members to use as a basis for discussion in their committee meetings following the Huddle.

Members of the media were present at the Huddle, including reporters from Sing Tao Daily, World Journal and C.W. Nevius of the *San Francisco Chronicle*, who wrote three columns about graffiti vandalism prior to the event. On the morning of the Huddle, KQED Radio’s Michael Krasny had Ed Reiskin, Luis Cancel and Paul Henderson as guests on “Forum” to discuss “Graffiti: Public Art or Nuisance” with graffiti proponents.

(See Appendix 3 for Huddle program, meeting minutes, Huddle Planning Committee members, and press clippings. See enclosed Huddle folder and CD for information provided to Huddle participants.)

V. The Graffiti Advisory Board reviewed and gave input regarding the Community Preservation and Blight Reduction Act (Ordinance 25608).

In the FY2007-2008 Report, the Graffiti Advisory Board made recommendations to the Board of Supervisors to strengthen enforcement by amending the Graffiti Ordinance (Article 43) to shorten the notification process and impose per day penalties on property owners who did not comply within the notification period. Board members representing Districts 5 and 6 continued to monitor enforcement of the Graffiti Ordinance for private property graffiti in FY 2006/20009 expressing concern that the process took too long and that no legal actions were being taken by the City Attorney to compel delinquent property owners to abate. According to DPW data, while around 80% of the property owners were complying with the Graffiti Ordinance, 20% of those who received graffiti notices refused to abate their properties.

With the introduction of the Community Preservation and Blight Reduction Ordinance legislation in August, 2008, the Board shifted its focus to the new legislation, which included graffiti as a condition of blight.

Beginning with the August meeting, the Department of Public Works staff reported on the progress of their meetings with other City agencies with code enforcement responsibilities to add language to the ordinance that would:

1. Streamline and shorten the notification process for blighted buildings and properties
2. Give the City abatement powers, while allowing due process
3. Develop a way to recover the costs of inspection and abatement

The final language of the ordinance, which was passed in December 2008, included a 15-day notification period, a hearing process, and a mechanism for collecting the costs of inspection and abatement. At the June meeting, DPW and City Attorney staff members announced that the fee structure for inspection billing had been approved by the Mayor on May 20 and that the ordinance would go into effect on June 20, 2009.

(See Appendix 4 for a copy of the Community Preservation and Blight Reduction Ordinance).

VI. The Education Subcommittee recommended the Graffiti Hurts' graffiti curriculum for 5th grade students as a best practice and reviewed the Arts Commission's "Where Art Lives" curriculum.

The Education Subcommittee reviewed several anti-graffiti education programs and requested that the Board recommend the Graffiti Hurts curriculum for 5th grade classes as a best practice to the San Francisco Unified School District. Graffiti Hurts is a national community education program developed by Keep America Beautiful. The Department of Public Works collaborated with the Arts Commission Education Department to further develop their anti-graffiti education curriculum for grades 4-6 as a pilot program, taking into consideration the Graffiti Hurts

curriculum. The Arts Commission presented their revised curriculum, "Where Art Lives," to the full Board prior to announcing the program at the Anti-Graffiti Huddle in April.

(See Appendix 5 for Education Committee membership, "Graffiti Hurts" curriculum for 5th and 6th Grade Teachers, and the "Where Art Lives" curriculum.)

VII. The Abatement Subcommittee discussed increased vandalism to the Civic Arts Collection and graffiti-laden commercial vehicles that park on City streets.

Members of the Abatement Committee expressed concern about increased graffiti attacks on public monuments. At the committee's request, Alison Cummings, Senior Registrar of the City's Civic Art Collection, gave a slide show presentation on vandalism to the Civic Art Collection at the February Graffiti Advisory Board meeting. The Abatement Committee recommended that vandalizing landmarks, statues and trees be made a felony.

Another issue that the Committee discussed was the graffiti-laden commercial vehicles that park on City streets and detract from the quality of life in San Francisco neighborhoods and commercial districts. The Graffiti Ordinance does not require the abatement of graffiti on motor vehicles in San Francisco because they are subject to the California State Motor Vehicle Code. Committee members researched state and local traffic codes and could find no laws that regulated graffitied vehicles. The Chair met with State Assemblyman Leland Yee to request his help in drafting legislation that would restrict trucks with graffiti from parking on City streets and sent a letter on behalf of the Graffiti Advisory Board. No action has been taken by the State Legislature but discussions continue with Assemblyman Yee.

(See Appendix 6 list of Abatement Committee members and letter to State Assemblyman Leland Yee.)

VIII. The Law Enforcement Subcommittee reported on the disposition of graffiti cases and arrests and discussed ways to strengthen law enforcement efforts.

The District Attorney's law clerk gave monthly updates on pending cases and successful convictions and notified Board members of court dates that they could attend. Deputy District Attorney Paul Henderson attended the February meeting to deliver a six-month report on graffiti prosecutions. He emphasized the importance of citizens being willing to serve on graffiti juries and asked that this message be included in the Huddle.

Committee members continued to advocate for the Superior Court to assign a dedicated graffiti judge to hear all misdemeanor graffiti vandalism cases. This would ensure that repeat offenders came before a judge who was familiar with them and could make rulings that would help to prevent them from reoffending. The Presiding Judge of the Superior Court was invited

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to attend the Huddle and observe the proceedings, but he declined to come or send a representative.

The SFPD Graffiti Officer provided the committee with monthly updates on graffiti arrests, and reported that the Police were working with Department of Public Works to obtain a graffiti tracking system that could be shared with other participating law enforcement agencies, including the San Jose Police Department. He also researched possible legal actions to keep graffitied trucks from parking on the street.

(See Appendix 7 for Law Enforcement Committee members and SFPD Graffiti Arrest report for FY 2008/2009.)

IX. The Chair provided monthly updates on the City's anti-graffiti programs and strategies.

As part of the Chair's report, Mohammed Nuru provided regular updates on the City's anti-graffiti programs, such as the Mayor's Community Corridors Graffiti Contractors Program, the Chinatown Wipeout Program, and the Commute Corridors Program, a program to beautify and remove high graffiti from the freeway on/off ramps and surrounding areas. In addition, he or one of his staff provided monthly data regarding the graffiti calls that the department received through 311, as well as statistics on property owner compliance to the Graffiti Ordinance. He also reported on DPW-assisted Police stings and new technologies, such as the spray can sensors that his department was testing to help apprehend graffiti vandals.

(See Appendix 8 for Operation Chinatown Wipeout announcement and example of DPW monthly graffiti abatement report.)

X. Terms of Board of Supervisors-appointed seats ended in April, 2009.

The terms of the 17 Board members who were appointed by the Board of Supervisors to serve for two years expired on April 10, 2009. The termed-out members could apply to be reappointed or serve as holdovers for 60 days, while new appointments were being made. Supervisors Mirkarimi, Daly and Alioto-Pier reappointed their representatives, while Supervisors Chiu, Campos, and Maxwell made new appointments within the 60 days. The Graffiti Advisory Board staff provided orientation materials to the new Board members.

As of June 30, 2009, six Board-appointed seats were vacant, including representatives for Districts 7, 8, 11, 12, 13 and Seat 14 (BOMA). Throughout the transition, the Graffiti Advisory Board was able to make quorum. By the publication of this report, all vacant seats, with the exception of District 11, were appointed.

(See Appendix 9 for 2009/2010 Graffiti Advisory Board roster.)

XI. Graffiti Advisory Board reviewed public comments submitted at the Huddle and continued the Zero Graffiti Pledge Campaign.

Board members were provided with a list of Huddle questions and comments to study and discuss in their standing committee meetings. The Chair reported on the number of Pledge cards that DPW received and asked for ideas to promote the Zero Graffiti Pledge and get more signatures. One suggestion was that Board members attend community meetings and talk about the Pledge. The Graffiti Advisory Board staff was asked to follow up with every signatory who volunteered to remove graffiti.

(See Appendix 10 for the Questions, Comments and Suggestions on Huddle Sticky Notes)

XII. Future Goals and Projects.

Among the issues and actions that the Board will consider in FY 2009/2010 are:

- To promote the Zero Graffiti Pledge and continue to collect signatures.
- To discuss issues raised and suggestions made at the Anti-Graffiti Super Huddle.
- To increase fines and penalties for vandalizing landmarks, statues and trees.
- To find a means to prohibit trucks and motor vehicles that bear graffiti from parking in residential neighborhoods.
- To partner with the Superior Court to assign a dedicated graffiti judge or commissioner who will hear all misdemeanor graffiti vandalism cases.
- To develop Court Watch so that citizens can easily observe court proceedings involving graffiti vandalism offenders.
- To communicate with and support creative ways to redirect the artistic energy of youth.