

Legislation Relative to Graffiti

- ◆ **CALIFORNIA PENAL CODE 272**

Parents who are criminally negligent in failing to supervise or control their children in a manner that causes their children to commit a crime, may be prosecuted for that crime and sentenced to 1 year in jail or \$2,500 fine or both.

- ◆ **CALIFORNIA PENAL CODE 594**

(A) Every person who maliciously (1) defaces with paint or any other liquid, (2) damages or (3) destroys any real or personal property not his own, in case otherwise specified by state law, is guilty of vandalism.

(B) If the amount of defacement, damage or destruction is \$400 or more, vandalism is punishable by imprisonment in a state prison or in a county jail not exceeding one year, or by a fine of not more than \$10,000 of both that fine and imprisonment.

Damage greater than \$50,000: One year in jail, \$50,000 fine or both

Damage \$5,000 to \$50,000: One year in jail, \$10,000 fine or both

Damage \$400 to \$5,000: One year in jail, \$5,000 fine or both

Damage \$400 or less: Six months in jail, \$1,000 or both

- ◆ **CALIFORNIA PENAL CODE 594.1**

Provides that no aerosol paint containers be sold to persons under 18 years of age.

- ◆ **CALIFORNIA PENAL CODE 594.5**

Provides that Cities and Counties may adopt laws regulating spray paint within their own jurisdiction.

- ◆ **STATE CIVIL CODE, SEC 1714.1**

Provides that parents are responsible to pay for damages caused by the willful misconduct of their children, including repair costs and attorney fees up to \$10,000.

- ◆ **SENATE BILL 1997**

Authorizes the court to suspend, restrict, or delay the driving privileges of a person 13 years of age or older who is convicted of graffiti vandalism.

- ◆ **ASSEMBLY BILL 1179**

Omnibus graffiti bill consolidates graffiti legislation and strengthens penalties.

- ◆ **ASSEMBLY BILL 3844**

Makes it illegal to place graffiti on government property.

- ◆ **CITY OF LOS ANGELES ORDINANCES & RESOLUTIONS**

165152 Declares graffiti to be a public nuisance and requires owners to remove graffiti from their property. Those who fail to keep their properties graffiti free may be cited by the Department of Building and Safety. If graffiti is not removed within specified time, the City will remove the graffiti and assess the owner for the cost plus 40% administrative fees.

166399 Requires merchants to either lock-up spray paint or place it in an inaccessible location.

166751 Requires permittee for bus benches to be responsible for graffiti removal on the bus benches.

168886 Provides for civil liability of up to \$1,000.00 for graffiti vandals.

174798 Provides for a reward of \$1,000.00 for information leading to the arrest and favorable disposition of graffiti vandals.