

GRAFFITI

GREAT BARRINGTON POLICE DEPARTMENT POLICY & PROCEDURE NO. 2.23	EFFECTIVE DATE: <u>02/26/2008</u>
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: None	REVISION DATE: 11/09/2016
	REVIEW DATE: 1/08/2019

I. GENERAL CONSIDERATIONS AND GUIDELINES

Graffiti exists throughout the United States, reaching well beyond the borders of major urban centers and infiltrating the confines of suburban neighborhoods and small towns. It has been a significant issue of concern for home owners, businesses, public officials and law enforcement personnel for many years and remains a problem today. Those who create graffiti are traditionally motivated by one of a variety of different factors, such as personal notoriety, gang loyalty, hate, intimidation, a political agenda, or what they view as artistic expression. A majority of graffiti today can be placed into one of the following categories: gang, tagger, artistic, conventional, or ideological.

The reporting and removal of graffiti involves the cooperation and coordination of various Town departments. In order to make Great Barrington as graffiti free as possible, the Town's goal is to have graffiti reported and removed from Town property, as soon as practical, upon it being reported to or observed by the police department.

II. POLICY

- A. It shall be the policy of the Great Barrington Police Department to act in a timely manner to ensure that this act of vandalism is investigated thoroughly with a zero- tolerance approach to offenders and to quickly notify victims.

All officers while patrolling their assigned sectors, will make every effort to detect and observe any acts of graffiti and determine if they have been previously reported to the department. Previously unreported incidents will be handled in the manner proscribed in the policy and procedure.

- B. Graffiti incidents, on Town owned property and certain other property will be reported to the Great Barrington Department of Public Works.
- C. Acts of graffiti not on Town property, such as to State signs, markers, bridges and railroad bridges, will, as determined by the Chief of Police, also be reported to the Town Department of Public Works.

III. DEFINITIONS

- A. *Graffiti*: An unwanted inscription, message, slogan, symbol, marking, name, initial, word, diagram, sketch, picture, letter or drawing placed on a public or private surface without the owner's permission.

IV. PROCEDURES:

- A. When the Communications Center receives a report of graffiti or an officer while on patrol discovers previously unreported graffiti, the following procedures will be followed.
- i. An officer will respond to the scene and conduct an investigation, including the collection of any evidence.
 - ii An incident report will be completed.
 - iii A digital photograph of the graffiti shall be taken.

- iv As part of the preliminary investigation, officers should contact owners of private property to obtain any possible information or knowledge that would help in the investigation. This should include requesting estimates/receipts for repair of the property.
- B. Notification of graffiti incidents on Town, State or private property.
- i. The Chief of Police will forward to the Great Barrington Department of Public Works Superintendent/ Town Engineer copies of incident reports that pertain to Town property.
 - ii. The Chief of Police will forward to the Great Barrington Department of Public Works Superintendent/Town Engineer copies of incident reports that do not pertain to Town property as he deems appropriate: i.e. State property, Railroad property etc.
- C. Investigation.
- i. A book of photos pertaining to graffiti incidents will be maintained in the Communications Center.
 - ii. Officers will, to the extent possible, follow-up on these reports with a full investigation.
- D. Court.
- i. The owner of the property will be entitled to restitution and compensation for the direct cost incurred in the repair and restoration of his/her property to its previous condition from any person convicted of charges associated to this type of vandalism, provided that the property owner submits receipts or other evidence of the cost for the removal or repair of the graffiti and provided further that the court enters an order of restitution.

ISSUING AUTHORITY:

Chief William R. Walsh Jr.:

