



~~2-87~~ GRAFFITI CASES

~~Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):~~

~~Related SOP(s)~~

~~X-XX Policy Title~~

~~Form(s)~~

~~PD X Form Title~~

~~Other Resource(s)~~

~~(Placeholder. For example, Collective Bargaining Agreement between the City of Albuquerque and the Albuquerque Police Officers' Association)~~

~~Rescinded Special Order(s)~~

~~SO X Subject~~

~~2X-87XX-1~~ Purpose

~~The purpose of this policy is to establish guidelines to assist sworn personnel with the documentation and removal of graffiti from public property. Division/Section/Unit/Program/policy is to...~~

~~2-87-21~~ Policy

~~It is the Policy of the Albuquerque Police Department's (Department) The Special Investigations Division Investigative Services Division and Gang Unit, to shall be responsible for reviewing and submitting completed graffiti reports and cases to the City Attorney for civil action. This review and submission shall be where public property was damaged or in certain cases where public funds were used to clean up graffiti on private property. This policy shall only apply to cases where an offender is in custody and where the Gang Unit has accepted case responsibility.~~

N/A

~~2-87-3~~ Definitions (if applicable)

~~The title of defined word or unit Graffiti.~~

~~Describe terminology used. Writings or drawings made on a wall or other surface, usually without permission and within public view.~~

~~The title of defined word or unit Public Property~~



~~Describe terminology used. Any property that is not owned by a private individual or a company. It belongs to the public at large and not to any one person. It covers premises and facilities that are owned by the government or a community.~~

~~2-87-42~~ 7 ~~Rules and Procedures~~

7 ~~A. Forwarding Cases to the Gang Unit~~

~~Investigating sworn personnel shall forward a copy of the completed Uniform Incident Report or case, to the Special Investigations Division, Gang Unit when an individual is in custody. A copy of the completed report or case, where an offender is in custody, must be sent to the Special Investigations Division Gang Unit.~~

~~B. Review by the Gang Unit~~

~~1. The Gang Unit shall review the case for completeness and make a recommendation to pass the case to the City Attorney if the matter meets the criteria for submission.~~

~~Cases that do not meet the minimum criteria shall be returned to the investigative unit or original officer with a notation as to the deficiency.~~

~~The Impact Unit or original primary officer may elect to correct the case and then resubmit the case to the Gang Unit.~~

~~The Gang Unit shall ascertain costs from the Graffiti Removal Unit if the Graffiti Removal Unit was called for cleanup.~~

~~This shall be done documented through a supplemental report that shall be attached to the completed case if it is submitted to the City Attorney.~~

~~C. Private Complaints~~

~~Sworn Personnel are to make private property owners aware that the Department shall not seek damages for costs incurred by a private property owner for graffiti removal. That is the responsibility of the property owner.~~

~~D. Court Ordered Restitution~~

~~In certain cases, a criminal court may order restitution in graffiti cases. Officers testifying Sworn personnel at criminal trials are encouraged to have the judge impose restitution as part of the sentence.~~



~~E. Graffiti Removal Unit~~

~~The Gang Unit Sergeant shall coordinate with the Graffiti Removal Unit on a regular basis to determine the scope and threat of violent gang graffiti that the Graffiti Removal Unit encounters, as a result of citizen community calls that are not reported to the Department.~~

REDLINED