



# CITY OF HUNTINGTON BEACH

## City Council Interoffice Communication

**To:** Honorable Mayor Pro Tem and City Council Members  
**From:** Gil Coerper, Mayor *GC*  
Keith Bohr, City Council Member *KB*  
**Date:** July 9, 2007  
**Subject:** ***H-ITEM FOR JULY 16, 2007, CITY COUNCIL MEETING –  
AMENDMENT TO GRAFFITI REWARD PROGRAM***

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### STATEMENT OF ISSUE:

On March 19, 2007, the City Council adopted Ordinance No. 3765 amending Chapter 17.10 of the Huntington Beach Municipal Code and establishing a reward for information leading to the identification, apprehension and conviction of any person who applies graffiti within the city. Resolution No. 2007-16 established the amount of the reward as \$500.00.

After reviewing the implementation of the reward program, it came to our attention that requiring a "conviction" before a reward can be issued may not be in the best interest of the program or of the city. Many times persons arrested for graffiti crimes in Huntington Beach are minors, and minors are often sent to a diversion program instead of being referred to the Juvenile Justice System. In these cases, there is no "conviction" and the reward cannot be issued. The following incident illustrates our concern with requiring a conviction.

On April 25, a Huntington Beach resident observed three minors engaged in an act of graffiti. The resident contacted the police department and reported the crime. Police officers responded and detained the minors. Although the resident was no longer in the area where the observation was made, the resident returned to the area at the request of police officers and was able to identify the minors. Three minors engaged in an act of graffiti were identified and apprehended based on the observation of this resident. However, the resident was not eligible for the reward program because these minors were not referred to the Juvenile Justice System and were not "convicted."

### RECOMMENDED ACTION:

We believe it was the City Council's intent that a reward should be issued for incidents like the one described. Therefore, we make a motion to:

1. Direct staff to prepare an ordinance amending Chapter 17.10 of the Huntington Beach Municipal Code to read, "The City Council may provide a reward, by resolution, for information leading to the identification and apprehension of any person who applies graffiti within the City. In cases where multiple persons are identified and apprehended, based on a single graffiti incident, only one reward is authorized."

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**H-ITEM- AMENDMENT TO GRAFFITI REWARD PROGRAM**  
**RECOMMENDED ACTION (Continued)**  
**July 9, 2007**

2. Direct staff to issue a reward to any resident who reported information to the police department resulting in the identification and apprehension of any person who applied graffiti within the city between the effective date of Ordinance No. 3765 and the enactment of the ordinance mentioned above.

xc: Penny Culbreth-Graft, City Administrator  
Paul Emery, Deputy City Administrator  
Bob Hall, Deputy City Administrator  
Joan Flynn, City Clerk  
Ken Small, Chief of Police