



## 2-87 GRAFFITI CASES

### 2-87-1 Policy

The Special Investigations Division, Gang Unit, will be responsible for reviewing and submitting completed graffiti reports and cases to the City Attorney for civil action. This review and submission will be where public property was damaged or in certain cases where public funds were used to clean up graffiti on private property. This policy will only apply to cases where an offender is in custody and where the Gang Unit has accepted case responsibility.

### 2-87-2 Rules and Procedures

#### A. Forwarding Cases to the Gang Unit

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 will 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.
2. Cases that do not meet the minimum criteria will be returned to the investigative unit or original officer with a notation as to the deficiency. The Area Command investigative unit or original officer may elect to correct the case and then resubmit the case to the Gang Unit.
3. The Gang Unit will ascertain costs from the Graffiti Removal Unit if the Graffiti Removal Unit was called for cleanup. This will be done through a supplemental report that will be attached to the completed case if it is submitted to the City Attorney.

#### C. Private Complaints

Due to the volume of private property incidents, officers are to make private property owners aware that the police department will 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 at criminal trials are encouraged to have the judge impose restitution as part of the sentence.

#### E. Graffiti Removal Unit



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-87

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The Gang Unit Sergeant will 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 calls that are not reported to the Department.