

Karen R. Burnham
Interim City Manager



City Manager's Office

300 West Third Street
Oxnard, CA 93030
(805) 385-7430
Fax (805) 385-7595
www.ci.oxnard.ca.us

July 30, 2012

Mr. Jay Whitney, Foreman
Ventura County Grand Jury
800 S. Victoria Avenue
Ventura, CA 93009

Dear Mr. Whitney:

Enclosed please find a copy of the City of Oxnard's response to Civil Grand Jury on Graffiti Vandalism.

We appreciate your countywide concern and inquiry into the affects of graffiti vandalism. The long term consequences of graffiti vandalism can be far reaching for municipalities. Graffiti Vandals do not limit their crimes to a single zip code. A countywide effort would benefit all.

If you need any additional information and or clarification, please do not hesitate to call.

Sincerely,

A handwritten signature in blue ink that reads "Karen R. Burnham".

Karen R. Burnham
Interim City Manager

Enclosure

RECEIVED

AUG _1 2012

VENTURA COUNTY
GRAND JURY

Response to Grand Jury Report Form

Report Title: Graffiti in Ventura County Cities

Report Date: May 16, 2012

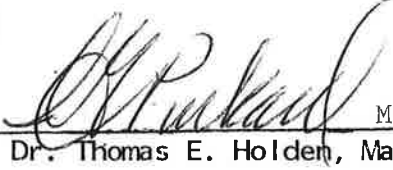
Response by: City of Oxnard Title: Mayor & City Council

FINDINGS

- I (we) agree with the findings numbered: FI-02, FI-03, FI-06, FI-07
- I (we) disagree wholly or partially with the findings numbered: _____
(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered R-01, R-04 have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered _____ have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered _____ require further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
- Recommendations numbered R-05 will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: 7-17-2012 Signed:  Mayor Pro Tem, for
Dr. Thomas E. Holden, Mayor

Number of pages attached 2



**Response to Grand Jury Report
Graffiti in Ventura County Cities
Final Dated May 16, 2012**

RECOMMENDATIONS

- R-01:** The City of Oxnard has a division dedicated to removing graffiti and stickers from throughout the city via various methods. The City devised a restitution cost recovery plan in 2008 to recover the full cost of the providing the removal services to the residents of Oxnard.
- R-04:** The City of Oxnard utilizes City Corps to supervise youths serving court ordered community service hours to remove graffiti in the City. The City also supports the Community Labor Experience and Responsibility (C.L.E.A.R) program through the Ventura Youth Correctional Facility. This program is coordinated by a resident volunteer. It provides youth from the youth correctional facility in Camarillo who are within six months of parole, an opportunity to participate in community beautification projects and gain some work experience.
- R-05:** See the attached California Vehicle Code section 13202.6 (a) (1). The court has jurisdiction over the suspension of driver's license privileges for minors convicted of graffiti vandalism and should be on a case by case basis.

California Vehicle Code

13202.6. (a) (1) For every conviction of a person for a violation of Section 594, 594.3, or 594.4 of the Penal Code, committed while the person was 13 years of age or older, the court shall suspend the person's driving privilege for not more than two years, except when the court finds that a personal or family hardship exists that requires the person to have a driver's license for his or her own, or a member of his or her family's, employment, school, or medically related purposes. If the person convicted does not yet have the privilege to drive, the court shall order the department to delay issuing the privilege to drive for not less than one year nor more than three years subsequent to the time the person becomes legally eligible to drive. However, if there is no further conviction for violating Section 594, 594.3, or 594.4 of the Penal Code in a 12-month period after the conviction, the court, upon petition of the person affected, may modify the order imposing the delay of the privilege. For each successive offense, the court shall suspend the person's driving privilege for those possessing a license or delay the eligibility for those not in possession of a license at the time of their conviction for one additional year.

(2) A person whose driving privilege is suspended or delayed for an act involving vandalism in violation of Section 594, 594.3, or 594.4 of the Penal Code, may elect to reduce the period of suspension or delay imposed by the court by performing community service under the supervision of the probation department. The period of suspension or delay ordered under paragraph (1) shall be reduced at the rate of one day for each hour of community service performed. If the jurisdiction has adopted a graffiti abatement program as defined in subdivision (f) of Section 594 of the Penal Code, the period of suspension or delay ordered under paragraph (1) shall be reduced at the rate of one day for each day of community service performed in the graffiti abatement program when the defendant and his or her parents or legal guardians are responsible for keeping a specified property in the community free of graffiti for a specified period of time. The suspension shall be reduced only when the specified period of participation has been completed. Participation of a parent or legal guardian is not required under this paragraph if the court deems this participation to be detrimental to the defendant, or if the parent or legal guardian is a single parent who must care for young children. For purposes of this paragraph, "community service" means cleaning up graffiti from any public property, including public transit vehicles.

(3) As used in this section, the term "conviction" includes the findings in juvenile proceedings specified in Section 13105.

(b) (1) Whenever the court suspends driving privileges pursuant to subdivision (a), the court in which the conviction is had shall require all drivers' licenses held by the person to be surrendered to the court. The court shall, within 10 days following the conviction, transmit a certified abstract of the conviction, together with any drivers' licenses surrendered, to the department.

(2) Violations of restrictions imposed pursuant to this section are subject to Section 14603.

(c) The suspension, restriction, or delay of driving privileges pursuant to this section shall be in addition to any penalty imposed upon conviction of a violation of Section 594, 594.3, or 594.4 of the Penal Code.