



CITY OF FILLMORE

CENTRAL PARK PLAZA

250 Central Avenue

Fillmore, California 93015-1907

(805) 524-3701 • FAX (805) 524-5707

July 10, 2012

The Honorable Judge Vincent O'Neill, Jr.
Presiding Judge, Superior County of California
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

RE: Grand Jury Report – "Graffiti in Ventura County Cities"

Dear Judge O'Neill:

This letter is in response to the Grand Jury's Findings and Recommendations pertaining to the recent report on Graffiti in Ventura County Cities.

FINDINGS

Finding FI-02:

With the exception of Ojai, graffiti represents a significant financial impact in all the other Cities. (FA-10)

Response:

We concur with this finding.

Finding FI-03:

The eight cities reporting direct costs for abatement programs, reported total costs in excess of \$1.5 million in FY 2010/2011. (FA-11)

Response:

We concur graffiti removal is expensive.

Finding FI-06:

There is no "one size fits all" graffiti abatement program for the Cities. The Cities' abatement plans vary. (FA-16)

Response:

We concur with this finding.

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Finding FI-07:

Only the city ordinances for the cities of Port Hueneme and Santa Paula contain provisions for the city to petition the sentencing court for the delay or suspension of driving privileges for those convicted of graffiti vandalism, as allowed for in the state vehicle code. (FA-17 (Ref-04).

Response:

We concur with this finding. The Sheriff's office will ask detectives to add sections of the California Vehicle Code to the booking charges as a sentencing enhancement.

RECOMMENDATIONS

Recommendation R-01:

The Cities should aggressively pursue the recovery costs from the individual(s) convicted of graffiti vandalism. (F1-02, F1-03)

Response:

We agree with the recommendation. The City does try to recover costs.

Recommendation R-04:

The Cities should enlist the assistance of volunteer groups within the County for graffiti abatement. Such groups might include: Sheriff's and Youth Graffiti Removal Incident Team; Keep America Beautiful; and various civic groups. (F1-07)

Response:

We agree with the recommendation. Volunteers already help to abate graffiti in Fillmore and their efforts are much appreciated.

Recommendation R-05:

The Cities, with the exception of Port Hueneme and Santa Paula, should amend their city codes regarding graffiti vandalism to include provisions for the city to petition the sentencing court for the delay or suspension of driving privileges for those convicted of graffiti vandalism, as allowed for in the state vehicle code. (F1-08, Ref-07)

Response:

We disagree with this recommendation. The State Vehicle Code section cited, 13202.6 CVC, provides mandatory instructions for the court to suspend or delay driving privileges upon a defendant's conviction for 594, 594.3, or 594.4 of the California Penal Code. The driver's license suspension or delay is carried out as a mandatory action of the court and no petition by a local political subdivision is necessary.

Thank you for the opportunity to respond to this Grand Jury report. If additional explanation is needed, please feel free to contact City Manager Yvonne Quiring at 805-524-3701.

Sincerely,

A handwritten signature in cursive script that reads "Gayle Washburn".

Gayle Washburn, Mayor

C: Foreman, Ventura County Grand Jury
800 S. Victoria Avenue
Ventura, CA 93009

Honorable City Council
Yvonne Quiring, City Manager
Captain Monica McGrath