

**THE COMMITTEE ON PUBLIC SAFETY AND NEIGHBORHOOD SERVICES
OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO**

**ACTIONS FOR
WEDNESDAY, MARCH 28, 2007, AT 2:00 P.M.**

**COUNCIL COMMITTEE ROOM (12TH FLOOR), CITY ADMINISTRATION
BUILDING
202 C STREET, SAN DIEGO, CALIFORNIA**

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NON-AGENDA PUBLIC COMMENT: Larry Knight commented on the need for imposing penalties on persons responsible for putting up graffiti in the downtown neighborhood where he lives.

Doug Beckham, President of the Linda Vista Civic Association, wished to express support for the steps taken by the Committee to prevent graffiti in the City. Mr. Beckham also commented on the possible liability factors that may be encountered among the crossing guards at Kit Carson and Linda Vista Elementary Schools.

Barbara MacKenzie commented on the laws regulating the use of medical marijuana.

Paul Krupski expressed his views on various important community issues, particularly the use of alcohol by beachgoers on San Diego beaches.

COMMITTEE COMMENT: None.

CITY ATTORNEY, IBA, AND MAYORAL STAFF COMMENT: None.

ADOPTION AGENDA

Approval of the Record of Action Items for February 28, 2007

ACTION: Approved by common consent.

ITEM-1: Informational Report from the Independent Budget Analyst regarding POLICE SWORN OFFICER ATTRITION

(See Independent Budget Analyst's Report No. 07-29; Independent Budget Analyst's March 28, 2007, PowerPoint presentation)

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ACTION: Information only. No action taken.

ITEM-2: Informational Report from the San Diego Police Department regarding
RECRUITMENT AND RETENTION

(See Report to City Council No. 07-055; San Diego Police Department's
March 22, 2007, PowerPoint presentation)

ACTION: Information only. No action taken.

ITEM-3: In the Matter of the Report from the San Diego Police Department regarding
THE GRAFFITI TASK FORCE

(See Committee Consultant John Rivera's March 28, 2007, report; San Diego
Police Department's March 28, 2007, PowerPoint presentation)

ACTION: Motion by Councilmember Hueso, second by Council President
Pro Tem Young, to change the Municipal Code by referring Chair
Maienschein's proposed Zero Tolerance of Taggers Ordinance to the Mayor and
City Attorney, and request that the City Attorney work with the Committee
Consultant to return to the PS&NS Committee with an ordinance that is as close
as possible to the Chair's proposal, and to return within 60 days with draft
language, to include the following:

1. Declaration of purpose stating that graffiti is a crime that is related to
gang
activity;
2. Individuals, both juveniles and adults, who violate the City's graffiti laws
are to be prosecuted, to pay for their damages, and face other penalties;
3. City Attorney to charge and prosecute all taggers at a minimum with a
misdemeanor, and require all taggers who plead guilty to automatically be
assessed the mandatory penalties and be subject to further court
proceedings;
4. Require juvenile taggers to remove their own tags and/or remove graffiti
throughout the City as part of their mandatory minimum of 24 hours of
community service;
5. Require juvenile taggers to have curfew restrictions for a minimum of six
months and to include limits on the juvenile from being in the company of
other juveniles in public without a parent or guardian present;
6. Require juvenile taggers' community service hours to be doubled for

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- additional graffiti violations;
7. Require all adult taggers to perform a minimum of 48 hours of community service in addition to the penalties associated with a misdemeanor;
 8. Require that adult taggers' fines and community service hours be doubled for additional graffiti violations;
 9. Require the San Diego Police Department to separate out graffiti statistics from vandalism statistics and submit an annual report to the PS&NS Committee;
 10. Require the City Attorney to provide to the PS&NS Committee an annual report of the prosecutions and penalties that were assessed; and
 11. Require the Director of the Neighborhood Code Compliance Department to prepare an annual report to the PS&NS Committee regarding the success rate of the City's efforts to collect payment for damages from adult graffiti violations and parents of juvenile violators.

Direction was given to the City Attorney to provide to the Committee a written memorandum on any existing legislation which limits, restricts, or increases the penalties for the sale of spray-can paint, markers, and Sharpies, including imposing a tax on these products in order to mitigate the damage that they cause; or, in the alternative, whether such legislation would require a voter-approved measure.

VOTE: 4-0; Maienschein-yea, Faulconer-year, Young-yea, Hueso-yea

ITEM-4: Informational Report from the Office of Homeland Security regarding the DUTIES OF ELECTED AND APPOINTED OFFICIALS DURING AN EMERGENCY

(See Office of Homeland Security's March 28, 2007, PowerPoint presentation)

ACTION: Information only. No action taken.

Brian Maienschein
Chair