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**Graffiti 2004**  
**by Craig McGuire**  
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Members of the [Glendale Civilian Observation Patrol](#) were so disgusted by the graffiti "tags" that blanketed thousands of locations in their neighborhood in Northwest Queens that they set up surveillance cameras in several trouble spots in the 104th police precinct. In one spot alone, the group taped more than 50 people, 25 of whom were arrested and made to wear bright T-shirts announcing that they are graffiti offenders while cleaning up the marred site.

"It's in the middle of the night, it's in the middle of the afternoon," patrol president Frank Kotnik said. "They are teenage girls. They are middle-aged men. They are white. They are black. They are poor. They are from affluent families. But one thing is for sure. They keep on coming."

While some New Yorkers look at graffiti nostalgically as an art movement from a bygone era, and others as an old war long since won, plenty of New Yorkers say it is a problem that has not gone away; they fear it is getting worse. In response, Councilmember Hiram Monserrate of Queens has introduced a [bill](#) that would require property owners to take responsibility for their defaced buildings. Owners of commercial or residential buildings with six or more units would have 30 days to remove graffiti before the city issues fines of up to \$300. The bill also calls on the state to provide property tax exemptions for those landlords in order to cover the cost of graffiti removal.

"Graffiti continues to be a major nuisance in many areas of this city, fostering an atmosphere of neglect," said Councilmember Peter Vallone, a co-sponsor of the bill. "We've reached a point where something more has to be done, because there are many owners in my district and other neighborhoods that have shown every inclination that they will never clean up their properties."

There is opposition to the measure. Opponents are not arguing artistic freedom, but claiming economic hardship. Neal Dunatov of Small Property Owners of New York said a fine would burden property owners already suffering from the economic downturn and the increase in property taxes.

## FROM SUBWAYS TO STREETS

The city's multi-agency [Anti-Graffiti Task Force](#) has removed more than 16.3 million square feet of graffiti from about 6,250 sites across New York City since July 2002. And the task force is not



An unused building a few blocks from City Hall in lower Manhattan has become a magnet for graffiti writers.

alone. Since July 2002, the Department of Transportation has painted over more than 4.1 million square feet of graffiti on areas surrounding the New York City highways. During that same time, the Department of Parks and Recreation has removed over two million square feet. Other city agencies have removed scrawls from hundreds of other sites. The police department has made 468 arrests for graffiti-related crimes.

These efforts are not driven solely by aesthetic considerations. Graffiti, many believe, conveys an image of urban decay and despair. In expounding their "broken windows" theory in 1982, conservative theorists James Q. Wilson and George L. Kelling wrote in an [article](#), "If the first broken window in a building is not repaired, then people who like breaking windows will assume that no one cares about the building and more windows will be broken. Soon the building will have no windows."

When graffiti emerged in New York City on a large scale in the mid-1960s, it was primarily the work of political activists and street gangs. In 1971 the New York Times profiled a Washington Heights writer who went by the tag [TAKI](#), marking the first mainstream recognition of the graffiti subculture. Writing rapidly spread to the subways. A 1973 article in New York magazine by Richard Goldstein entitled "The Graffiti Hit Parade" hailed the artistic value of the graffiti artists. But many saw the bulk of graffiti writers simply as vandals, tagging as many subway cars as possible, much to the frustration of a beleaguered Metropolitan Transportation Authority.

By the late 1970s, the authority made elimination of graffiti a high priority, buffing trains to remove it and increasing security in train yards. In the mid-1980s, the city restricted the sale of spray paint to minors, further reducing graffiti. On May 12, 1989, the Metropolitan Transportation Authority officially declared graffiti dead in the system.

It is not that graffiti has exactly risen from the dead. It simply moved from the train yards to city streets. And there it has stayed.

"We have seen a resurgence in graffiti in this city, matching a rise in gang activity in some areas," Monserrate said. "These gangs use graffiti as a source of communication. The reality is, the longer it stays up, the worse the criminal activity in an area becomes. The city is suffering at the hands of these graffiti vandals, who I refuse to call artists."

## **HOLDING OWNERS ACCOUNTABLE**

In response, most council members have launched anti-graffiti initiatives in their districts. And in January, 2003, Mayor Michael Bloomberg signed two laws -- one that toughened penalties for people repeatedly arrested for doing graffiti and another that makes it more difficult for minors to buy acid etching cream that some use to make their mark on windows and other surfaces.

But some say additional legislative efforts are needed to address the many privately owned sites around the city smeared with graffiti. Currently, before cleaners -- whether they are paid city workers or community volunteers -- can clean a property, the owner must sign a waiver granting them permission.

"It's a matter of access and liability," said Councilmember Anthony Avella, who has led clean-up campaigns and founded the North Shore Anti-Graffiti Volunteers. "We've got the supplies, we've got the manpower, and we do it for nothing, but if we can't get the owner to sign a waiver giving us permission, we can't gain access."

"I can't tell you how much time we've spent calling and banging on doors, but either they [the owners] can't be found or just don't care enough to have it cleaned," testified Councilmember Melinda Katz.

"It's very frustrating that no matter how hard we try to remove this blight, there are many landlords, mostly absentee landlords, that just don't give a damn," Councilmember Philip Reed said. He supports placing liens on properties whose owners ignore multiple violations.

Kotnick of the Glendale Civilian Observation Patrol admits Monserrate's bill "would victimize the victim twice, hitting them with a fine on top of the act of vandalism," but, he adds, "This isn't aimed at the responsible, law-abiding owners. There are property owners who have lost faith in the system and simply collect their rents and don't put a dime back into their properties."

The legislation faces an uphill battle nonetheless. Testifying at the hearing, Community Assistance Unit Commissioner Jonathan Greenspun said he "applauds the concept" of Monserrate's proposal. But he called the measure "unworkable" because it does not define what graffiti is, nor address the issue of added costs from the massive influx of requests for clean-ups that the legislation would drive.

In the meantime, private groups continue to do what they can. The [Greater Ridgewood Restoration Corp.](#) -- a non-profit organization that charges a \$100 fee for cleanings in the area covered by Community Board 5 -- uses labor supplied by a work release program from the Department of Corrections and a community service program from the Department of Probation.

As one former "tagger" who "bombed" train yards and other sites throughout Brooklyn in the 1990s, Eric Berg adamantly opposes prison sentences for graffiti vandals, but concedes that such laws were definitely a deterrent for him. "As I developed a goal for my life," Berg said, "I no longer felt that doing graffiti was a risk worth taking."



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