Routledge Handbook of Graffiti and Street Art

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How major urban centers in the United States respond to graffiti/street art

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Effects of graffiti and street art

Jeffrey Ian Ross

Introduction

Although a respectable amount of research examines the causal dynamics of graffiti/street art, less scholarship systematically evaluates the reactions (including responses, consequences, and outcomes) to this phenomenon. To help remedy this shortcoming, this section of the Handbook incorporates chapters that review how the public, local/municipal politicians, law enforcement, businesses, moral entrepreneurs, and the private sector have responded to graffiti/street art. These responses include legal reactions, enforcement, abatement, removal, and diversion programs (e.g. mural projects).

Also important are the ways that the work of graffiti and street artists has been appropriated and commodified. This would include how cultural industries have integrated graffiti and street artists, imagery, and characters into movies and literary fiction, and how the news and social media depict graffiti and street art.

This section tracks the changing reactions to graffiti/street art, ranging from purely legal reactions to harm-reduction strategies and diversion programs through to more recent re-evaluations of particular graffiti/street art forms in the creative economy. In addition to a discussion of the tensions between legal and illegal graffiti/street art, this section explores a variety of strategies that have been used in the management of graffiti and street art in different international locations. Finally, it considers the ambiguous nature of the legal wall site and the ongoing art versus crime debate.

Overview of chapters

A total of seven chapters makes up this section, which begins with “How major urban centers in the United States respond to graffiti/street art,” written by Jeffrey Ian Ross. This chapter examines how, in some larger cities, various actors, such as politicians, moral entrepreneurs, the Departments of Public Works, and Business Improvement Districts, have engaged in an array of abatement efforts. Some of these reactions include crackdowns on graffiti/street artists, while other responses are legalistic in nature, such as anti-graffiti ordinances (e.g. laws that force property owners to clean up after graffiti/street art, bans on the sale of spray paint to minors, etc.) and other methods of abatement. One important aspect of this phenomenon is the militarization of the response to graffiti. Finally, Ross discusses the uncertain effectiveness of these various interlinked responses.
This chapter is followed up by “New York City’s moral panic over graffiti: normalizing neoliberal penalty and paving the way for growth machines” by Ronald Kramer. This piece reviews the author’s long-term research in New York City on the official responses to the graffiti writing culture. Drawing from a variety of documents, such as newspaper articles, political press releases, internal memos, and government reports, Kramer shows that the city’s reaction to graffiti constitutes a form of moral panic and that the significance of this response can be understood through theoretical insights developed by urban sociologists. On this basis, Kramer argues that graffiti has become a symbolic and material site of contestation among social groups: Residents, real-estate developers, and public officials have competing conceptions of whose interests the urban environment should address. Conflicts over the meaning of graffiti manifest these social differences.

In “Stealing from the public: the value of street art taken from the street,” Peter Bengtsen discusses the generally negative market reception of removed street artworks, and emphasizes the importance given by the market to the wishes of the artists, who often will not authenticate removed artworks. Cases where such artworks have been authenticated by artists and subsequently have sold underscore the importance of artists openly acknowledging a removed object as their work. The chapter argues that such an acknowledgement confirms not only that an artist has created the initial street artwork but also that it should be considered a work of art after the removal from its original site.

Although the market status of removed street artworks is currently largely reliant on statements from the respective artist, there is a continued effort to take down, restore and preserve artworks. The willingness to cover the great costs incurred from this practice suggest an expectation that more artists will eventually come to acknowledge the removed artworks as part of their oeuvre or that the emphasis now put on their statements will diminish in favor of other types of provenance. Further, the chapter points out the possible long-term benefits of preserving a certain number of street artworks and making sure that they become available to the public. However, it also acknowledges that removal entails a significant trade-off, as the original context often significantly adds meaning to the artwork.

In “How American movies depict graffiti and street art,” Jeffrey Ian Ross analyzes both documentary and commercial films that depict, in whole or in part, graffiti/street art in terms of the actors and motifs used. He finds that there are a number of recurrent themes that perpetuate the myths connected to this subculture, including absentee parents (especially fathers), and the predominance of lower class and racial/ethnic perpetrators. Rarely do the movies move away from stereotypes and challenge their viewers to understand the range of individuals who engage in graffiti and street art.

In “Challenging the defense of graffiti, in defense of graffiti,” Stefano Bloch examines some of the negative reactions to graffiti, specifically the ones that qualify as forms of moral panic and vigilantism, and explores some of the common defenses that speak to graffiti as an art form in need of sanctioned space. Relying on his personal experiences as a former Los Angeles-based graffiti writer and tapping into the social science literature that addresses what Bloch calls “stylized and systematic urban graffiti in the U.S. context,” He touches on the contradictions inherent in interpretations of graffiti as vandalism. Unlike systematic criminalization, informal reactions to graffiti point to its power as both an effective aesthetic disruption and an affective act of defiance worthy of sometimes aggressive responses. Whereas legal criminalization targets a specific criminal act (i.e. vandalism) in a codified and proscribed way, moral panic, and vigilantism, like the production of graffiti itself, illustrate people’s willingness to operate outside
the confines of the State in an effort to exact innovative forms of justice, power, and socio-spatial order.

As graffiti/street art have gained in popularity and become a recognized commodity, a number of contextual arguments regarding their protection have been raised. Some scholars have focused on the protections available to private property owners, who are victimized by graffiti while being required by municipal ordinances to remove it, but who may wish to retain the art work under the free speech guarantees of the U.S. Constitution (Mettler, 2012). Alternatively, in “Does copyright law protect graffiti and street art?” Dan Schwender reviews the rights offered to artists under the copyright laws of the U.S. and discusses the laws’ limitations regarding graffiti. The U.S. Copyright Act grants a bundle of limited, exclusive rights to original works of art fixed in a tangible medium. Its application to graffiti remains complex, in part, due to the varying definitions of “graffiti,” which often include simple tags or short words and phrases that may not be protected. In addition, many works of graffiti/street art contain the work of other artists, such as a stencil of another’s photograph, which may infringe on another’s copyright, absent a finding of “fair use.” Further, although the U.S. Copyright Act does not mention legality of creation as a precondition, the courts have not fully considered whether copyright covers art created by illegal conduct, and such recognition could create difficult property right issues, such as the prevention of a property owner from removing or altering a work from his property. Finally, graffiti artists would risk criminal and civil prosecution should they shed their anonymity by claiming copyright infringement. In short, the application of copyright law to illegal graffiti remains ambiguous and difficult.

Finally, Maia Morgan Wells’ chapter, “Graffiti, street art, and the evolution of the art market,” argues that graffiti’s uncertain romance with the gallery world is nothing new. Almost from the very beginning of the modern graffiti subculture, the art world – at least at its margins – has taken notice. From the Razor Gallery show in 1972 to Patti Astor’s Fun Gallery to the Times Square Show and Fashion Moda in the South Bronx, the gallery scene recognized this powerful new style almost upon inception, but it has taken over forty years for the genre to crystalize into the fine art phenomenon it is today. This essay focuses on the fault line between art and vandalism, exploring the nuances of the graffiti art world’s canonization through a brief review of recent social science literature on the topic. From criminology to sociology of culture to urban studies, there is a wide body of work on graffiti as art. However, as this chapter argues, the extant literature leaves room for more depth of engagement concerning the complicated ways in which art worlds and graffiti relate to one another.

Omissions

Although the chapters included in this section provide a respectable introduction to the effects of graffiti/street art, it would be useful to understand the various businesses that have been established to make money from the offering of graffiti removal and remediation services to municipalities and businesses. Alternatively, another related topic pertains to the subject of how graffiti and street art is taught to students in different settings (i.e. art colleges and universities), including both art and academic kinds of classes. These other topics might give us a fuller understanding of the effects of graffiti/street art.

Note

1 Special thanks to Stefano Bloch, Rachel Hildebrandt and Ronald Kramer for their comments.
Jeffrey Ian Ross

References

How major urban centers in the United States respond to graffiti/street art

Jeffrey Ian Ross

Introduction

Since the widespread emergence of graffiti/street art in the early 1980s, most municipalities in the United States have been forced to respond to this phenomenon. Although a considerable amount of graffiti falls into the category of tags that do not require a considerable amount of skill to create, increasingly there are other types of graffiti/street art, including throwies (i.e. throwups), pieces (i.e. masterpieces), and a variety of street art forms, that occupy large open and visible spaces in the urban community, and that require the artists to expend considerable resources in their creation.

The majority of the graffiti/street art that appears in cities is placed on buses, subways, retail establishments, residences, walls, doors, lampposts, signage, retaining walls, bridges, and overpasses. Almost every type of surface imaginable (e.g. brick, concrete, glass, wood, plastic, and metal) can be the site of graffiti/street art.

Graffiti/street art elicit varying responses from both the artists/writers and the neighborhoods and cities in which the works appear. These reactions differ widely and are sometimes contradictory (Gomez, 1993). Many politicians, members of the news media, and moral entrepreneurs, using a “broken windows” rationale (Wilson & Kelling, 1982; Ferrell, 1995; Halsey & Young, 2002), for example, argue that graffiti/street art may lead to other kinds of deviant and criminal activity, including the presence of street gangs. This argument suggests that neighborhoods and cities that experience graffiti/street art undergo a decline in the use of public transportation systems, a loss of retail sales, and a decrease in property values (Weisel, 2004). On the other hand, graffiti/street art may help bring color to an otherwise drab or austere part of a city, and therefore be perceived as a positive factor in the branding of that neighborhood with a sense of cultural uniqueness, which might even promote tourism (Ferro, 2014). Alternatively graffiti/street art and other kinds of public art have been perceived as an asset to the so-called creative cities movement, a perspective that by extension challenges previously held notions of graffiti/street art as deviant behavior (Zukin & Braslow, 2011; McAuliffe, 2012).
According to Taylor and Marais (2009),

In addition to the countless hours and funds spent on removing tags, throw-ups, and pieces, considerable resources are also spent on a plethora of ad hoc reactive and proactive graffiti prevention measures. However, many of these measures have been adopted without a credible body of empirical evidence to either support or negate their effectiveness. In some instances, the initiators of these reactive and proactive measures draw support for their use from an associate body of literature pertaining to the prevention of other aspects of youth anti-social/criminal behaviour.

(p. 59)

Regardless, the sums of money spent by municipalities on abatement are considerable. Although there is no single database or source that tracks the dollar value spent by cities, counties, or other governmental units, periodic newspaper reports have mentioned different, yet staggering amounts. One recent report places the amount that municipalities in the United States have spent on clean-up activities at $12 billion (Silver, 2013). More importantly, graffiti/street art has led to a number of challenges to the controlling, managing, abating, and removing of graffiti/street art. At the base of these efforts are numerous constituencies and methods, both proposed and implemented.

Before continuing, one must distinguish among important relevant terms and processes: abatement, removal, and deterrence. First, abatement concerns a multiplicity of activities designed to prevent, reduce, and remove graffiti/street art. Second, removal, on the other hand, is the attempt to eradicate graffiti/street art through power washing, sandblasting, scraping, chemical peel, or some other similar technique. Third, deterrence refers to legal methods designed to increase the costs to perpetrators of engaging in graffiti/street art, in the hopes of preventing individuals from participating in this activity again. It is also understood that,

[m]ost current methods aimed at fighting graffiti vandalism are ineffective and demonstrate that it is time for a change in both law and policy. In response to the problem, cities and states have enacted legislation and adopted policies designed to prevent the purposeful destruction of property.

(Gomez, 1993: p. 657)

She adds, “Many of these policies and laws, however, fail to reduce vandalism because they fail to address, and in fact often purposefully ignore, the reasons behind graffiti vandalism” (p. 657).

The unique challenges of responding to graffiti/street art for municipalities

Introduction

For politicians, Departments of Public Works, Business Improvement Districts, home and business owners, and community activists, not to mention law enforcement agencies, graffiti and street art pose a number of challenges. Rarely do cities utilize experts to develop a comprehensive response plan to graffiti/street art, one that is “inclusive, balanced, informed, and equitable” (Young, 2010: p. 101). Also less frequent are solutions that incorporate ideas from perpetrators about controlling graffiti (e.g. Brewer, 1992). Even if this does happen, as Young mentions, the hard work and rationales that go into crafting a draft abatement strategy (e.g. Melbourne,
Australia) might be ignored (or selectively utilized) by a city council when it determines unilaterally, or sometimes with encouragement from law enforcement and state governments, that the approach articulated in an inclusive strategy is too radical. In light of this complicated framework, this chapter reviews the most common difficulties encountered in responding to graffiti/street art.

**Appreciating nuance**

When responding to graffiti/street art, constituencies need to understand that each city has a slightly different graffiti/street culture. In Washington, D.C., for example, some of this culture has been celebrated in movies (e.g. *The Red Line*, *The legend of Cool “Disco” Dan*), in books on local graffiti (Gastman, 2001), and in exhibitions in private and public galleries (Corcoran Gallery, Fall 2013 event). Moreover, certain local personalities can have an effect on framing the discussion. Roger Gastman, one of the most well-known graffiti impresarios in the country, originally from Bethesda, MD, (adjacent to Washington, D.C.) native, has had an effect on the growth and interpretation of graffiti in the District. One cannot ignore this legacy. More specifically, one must understand this legacy and respect it in order to manage its production (http://redlinedc.wordpress.com/).

It is also important to understand that in Washington, as in other large urban centers, graffiti/street art is not simply limited to one neighborhood. A considerable amount of this activity can be found around 14th Street, U Street, Union Market, Georgetown, and in selected portions of the Metro’s red line (especially between Fort Totten and Silver Spring, MD). Each of these neighborhoods has its own norms that must be considered in abatement attempts.

**Managing different constituencies**

One of the numerous problems that municipalities have faced is the managing of the different constituencies that are interested in graffiti/street art abatement. This group includes but is not limited to the residents who complain about the shade of the paint that the BID uses to cover over existing graffiti, private volunteer groups (such as environmental and community activists, and historical preservationists), politicians, employees, and managers for the DPWs and BIDs, and vigilantes who might harass and/or physically attack graffiti writers/street artists, or engage in abatement efforts themselves.

As previously mentioned, sometimes the news media (from the editorial staff to columnists) and community groups are worried that graffiti/street art is gang-related. This raises the possibility of a moral panic (e.g. Garland, 2008). When elites or agents of social control connect graffiti to gangs, this connection is often used to demonize graffiti/street art and the people who engage in this activity, not to mention art school students and teenagers whose outward appearances may make them look like they are part of this demonized subculture. As a result, unnecessary profiling and increased stop-and-frisk encounters may increase. According to Ferrell (2013),

> In both public pronouncements and day-to-day street policing, such campaigns have regularly conflated the various forms of graffiti under the general heading of gang activity and dangerous youth crime, in part as justification for more aggressive legal penalties for graffiti writing. As a result, public perceptions of graffiti have in many cases hardened, and arrests and convictions for graffiti writing have multiplied.

(p. 181)
**Historical properties**

In terms of the sites of graffiti/street art, numerous historical properties must be properly protected from potentially invasive or destructive abatement practices. For example, sometimes brown brick surfaces are chosen for graffiti, and the nature of this material makes removal difficult. The DPW and BID authorities, as well as private contractors, need to take into consideration that each type of surface must be treated individually. Occasionally the DPW, BID, and/or their subcontractors have painted over or used invasive solvents on graffiti laden walls that were historically significant, and that has resulted in the further and irrevocable destruction of the surface being freed of graffiti. These errors clearly indicate the necessity for them to co-ordinate with multiple political actors.

Gomez (1993) distinguishes four primary approaches that governments have used to “combat” graffiti: including “criminal prosecution and penalties,” civil remedies directed against writers, actions used for their parents, and “prophylactic measures” (pp. 656–696). McAuliffe (2012), on the other hand, suggests that enforcement, removal, and engagement are the dominant responses by cities in their attempts to deal with graffiti. The first two reactions require coordination with municipal agencies including the police and DPWs, whereas the last involves the participation of the graffiti/street artists.

**Costs**

All alternatives are bounded by costs. Not all expenditures for graffiti/street art removal can be passed on to the perpetrators, their parents, or the targets of the graffiti/street art (Gomez, 1993). For example, some municipalities have decided to charge a tax on the sale of spray paint to defray the cost of abatement; however, not even an economic measure like this one can sufficiently deal with the removal of graffiti (ibid.).

**Options/Solutions**

Municipalities have at their disposal a wide range of responses and techniques, ranging from what might be called hard to soft reactions to address graffiti/street art. Many of these strategies, sometimes collectively subsumed under the label of “war against graffiti,” often have unintended consequences that serve to either infuriate graffiti/street art practitioners and/or to increase the production of graffiti/street art. Some of the responses to graffiti/street art are diversion programs, while others are sanctions and/or ordinances. The reactions reviewed below are rank-ordered from least to most frequent in terms of their approximate use or frequency of occurrence.

**Increasing meaningful youth programs**

Some scholars (e.g. Gomez, 1993) have argued that if cities implement programs that engage youths, these will provide an alternative and creative outlet for them, minimizing gang activity and, in turn, graffiti. Unfortunately, not only do many of these initiatives conflate gangs with graffiti, but this proposition has not been tested in a systematic fashion in the graffiti/street art realm. Most of the evidence upon which these statements are drawn is from newspaper articles and not from rigorously conducted research. These programs and activities could equally provide a place for youth to meet and improve their artistic skills.
Vigilante actions

Not only are numerous private citizens (and the groups they do or may claim to represent) vocal regarding their displeasure of graffiti/street art, but some believe that they have the authority to take aggressive action against graffiti/street art in their communities and/or against the individuals who engage in this activity. These citizens do this by painting over instances of graffiti/street art, scraping it off surfaces, or intimidating and/or attacking the artists. In most cases, the private citizens think that the police, and the DPWs and BIDs are not doing a proper job at graffiti/street art abatement. The so-called “shadow buffers” – people who in the early hours of the morning use a scraping tool, a roller, or a spray can to cover up the graffiti/street art that has been placed at night – have become iconic figures in many municipalities. However, despite their efforts, they often fail to remove the stickers and posters on the wall surfaces, and simply paint over them. The entire process often results in a surface that looks less appealing.

One of the most well-known portrayals of the buffer culture is the documentary movie, Vigilante Vigilante (2010). The filmmaker depicted the activities of three prominent American buffers, including Jim Sharpe in Berkeley, CA, Fred Radtke in New Orleans, LA, and the infamous Jim Connolly in Los Angeles, CA. Given the long-term connection between tagging and gang activity, during the 1990s, graffiti artists/writers have also been attacked by gangbangers in selected locations. In Los Angeles and other cities, for example, graffiti artists have even been shot by citizens (Carrillo, 1995; Riccardi & Tamaki, 1995; see Bloch, this book).

Legal walls and murals

Many municipalities recognize that they cannot totally eradicate graffiti/street art. As an alternative, they have occasionally adopted a strategy where designated groups can manage the graffiti/street art activities, channeling them to locations where the artistic works might be seen as less of an eyesore and be more appealing to the different constituencies (e.g. Gomez, 1993; Kramer, 2010). Typically these spaces are protected locations managed by a city’s public art department or an arts foundation. Former graffiti artists and/or arts professionals may even teach painting skills to youth. In order to be successful, these programs need to be implemented in a professional, systematic, and non-haphazard manner, promoted through proper advertising channels, especially social media. In short, these programs need to be credible (Craw et al. 2006).

Legally sanctioned graffiti walls may be successful at deterring some graffiti and street artists from painting over the already-existing artwork. On the other hand, it may also serve as a location for other artists to paint over the existing work.5 Yet another alternative approach involves municipalities, DPWs, BIDs, and/or private businesses installing removable panels at or near locations that are frequently targeted. Also at construction sites, in order to minimize graffiti or the posting of bills on street dividers/partitions, the owners of these properties occasionally identify and clearly mark sections where graffiti is sanctioned. With proper incentives (e.g. awards/prizes based on creativeness, convened by mutually agreed-upon experts), graffiti and street artists can be encouraged to use these spaces to place their work. The panels might be removed at some point in time, and then displayed in other places, such as public or private galleries, or even auctioned off for charity. As these examples reveal, graffiti/street art should be an integrated part of the total public art strategy for a neighborhood.

Despite the seemingly positive impact of these kinds of practices, the limited scholarly research on this topic is less than heartening. Two studies from Western Australia question the effectiveness of these approaches. Craw et al. (2006) argue that although the establishment of
legal walls minimizes graffiti in nearby locations, they do not completely eradicate it. Similarly Taylor and Marais (2009) suggest that sanctioned murals do not help minimize the existence of graffiti. Both studies do indicate, however, that legal walls reduce graffiti in the short term.

**Advertising/anti-graffiti campaigns**

Many municipalities have engaged in anti-graffiti advertising campaigns. In New York City, for instance, during the early 1970s, famed boxers Hector Comancho and Alex Ramos, baseball player Dave Winfield, and singer-songwriter and actress Irene Cara spread the perspective that doing graffiti was bad (Chronopolous, 2013: p. 113). This public-service program, called “Make your mark in society, not on society,” featured billboards, subway advertising, and spots on television using images of and anti-graffiti quotes from the previously mentioned spokespersons. Similarly, in 1997, the City of Los Angeles distributed a children’s coloring book titled *Kyle the Graffiti Fighting Bear*. Some of this advertising was planned in conjunction with tip lines, where members of the community could call a dedicated number to report graffiti in their neighborhood and any possible suspects. These programs sometimes offered a reward if a tip led to the successful prosecution of perpetrators (Schwada & Sahagun, 1992).

**Covering extant graffiti/street art**

Property owners, DPWs, and BIDs frequently paint over graffiti/street art. Numerous alternative methods have been used, ranging from “soap and water, to sandblasting, to chemical solvents, to lasers” (Gomez, 1993: p. 685). “The majority of these removal costs are spent removing tags” (Taylor & Marais, 2009: p. 58). Even when private contractors are hired, there is no guarantee that the work will be done properly and/or in a systematic fashion. Most BIDs deploy teams of individuals who, in addition to their duties of trash removal, snow removal, and leaf cleanup, paint over graffiti and, if possible, scrape off sticker art and posters.

In some communities, there is a perception that the failure to remove hate-related graffiti/street art will increase violence directed towards the group that is attacked (See Martin, this book). Sometimes abatement and removal is done by paid professionals, and at other times, there are volunteers who assist in this process (Tavares, 2014). DPWs and private contractors are often part of the clean-up process as well. According to Gomez (1993), another method of defraying costs is to develop various programs, such as the California Department of Transportation’s Adopt-A-Wall program:

> Under this program, the Department encourages individuals to pick up the expenses of cleaning up walls along transportation routes, such as highways. Some cities and towns have sought to collect clean-up money either through imposing taxes on the sale of spray paint and markers or through tax donations.

(pp. 687–688)

**Hardening targets**

One of the most common reactions to graffiti/street is for business owners and municipalities to “harden the targets.” This can include the installation of physical security or increased human security. To begin with, as one of the multiple responses to the increase in graffiti/street art, barbed wire, razor, Constantine, and concertina ribbon fences are often installed where they did not already exist. Other measures include double fences with guard/attack dogs, if
permissible, and the use of or an increase in security patrols to minimize the attacks by graffiti crews. Sometimes even surveillance cameras are installed. Most cities now have the ubiquitous barbed/razor wire zones surrounding their subway tracks and yards, and bus garages (Iveson, 2010). Municipalities may also use graffiti-resistant material in the construction of various surfaces, making them easier to clean and/or remove graffiti.

Target hardening against graffiti has had a long and colorful history. New York City’s efforts have been chronicled by a handful of scholars and bear repeating.19

The first anti-graffiti alliance (1971–1973) organized by the then-mayor of New York John Lindsay, was unsuccessful. The second attempt at the ‘war on graffiti’ (1980–1983) led by Mayor Edward Koch, however, resulted in a mass transposition of graffiti from subway trains to city walls.

(Waclawek, 2011: p. 50)

According to Waclawek, “The city’s first attempt to eliminate subway graffiti failed primarily because the initial plan focused on repainting graffiti laden trains. This solution backfired for two important reasons” (p. 50). To begin with,

repainting the trains provided graffiti writers with fresh canvases, thus creating new spaces on which they could paint. As writers painted these surfaces, the scale of their works increased dramatically. The culture’s visual and social history had been erased, encouraging new attempts at fame and new competition for [status].

(Waclawek, 2011: p. 50)

Second, . . . the task of removing graffiti was often imposed as a sentence on convicted writers. The idea that “buffing” or chemically removing graffiti could work as a punishment for writers was misplaced: instead of teaching young people a lesson, this clean-up sentence proved to be an excellent opportunity for graffiti writers to meet others from all over the city and make plans to paint together.

(Waclawek, 2011: pp. 52, 54)

Given these dismal results, Koch and his administration tried to “implement a successful ‘clean car programme,’ which committed subway staff to clean the trains after each run” (Waclawek, 2011: p. 54). This was supplemented by installing two rows of fences around subway train depots, along with using guard dogs to protect the trains. Community leaders and citizens who talked to the news media about the “scourge” of graffiti on the trains further shored this approach. This strategy

proved successful, making the second major attempt at getting rid of graffiti one that forever changed the writing culture in New York. The tactics used – guard dogs, video surveillance, a task force and razor fences – worked to deter writers from trains and back onto city walls.

(Waclawek, 2011: p. 54)

Eventually, the MTA purchased new subway cars that had stainless steel and/or Teflon interiors, and exteriors from which it was easier to remove spray paint. Unfortunately, some of the chemicals that were applied to the graffiti slowly ate away at the surfaces of the trains, and the MTA was forced to replace many car windows.
Increased patrols and surveillance

One of the typical responses to graffiti/street art is increased patrols and surveillance by both private security and local law enforcement and transit police, sometimes in coordination with citizen volunteers (Rainey, 1993; Rivera, 2008). These strategies, however, are resource-intensive responses. Even if a facility or location uses surveillance cameras, if a person or crew suspected of engaging in graffiti/street art is detected, then someone is ultimately required to respond to the situation, and if the response takes too long, the perpetrator/s will have fled. When the police are called, there is often a delayed response time, as most municipal police consider graffiti/street art to be a low-level/less serious enforcement action (Ross & Wright, 2014). Nonetheless, some municipalities have created specialized police task forces designed to respond to graffiti (Gomez, 1993; Iveson, 2010). In addition to closed circuit television (CCTV), which provides visual information to those who are monitoring the camera, some municipalities have explored the use of motion, audio, and vapor detection systems (that have been adopted from the military). These alert security officers and/or police when someone is engaging in graffiti/street art on monitored properties (Iverson, p. 120). These practices may be supplemented by vandalism hotline programs that provide financial rewards to citizens who report on individuals who engage this kind of activity (Schwada & Sahagun, 1992; Rainey, 1993).

Laws/ordinances/criminal penalties

According to Gomez (1993), “many cities first have sought to encourage more arrests and prosecutions of vandalism under criminal mischief, malicious mischief, intentional destruction of property, or criminal trespass statutes” (pp. 657–658). Convictions usually are accompanied by sanctions such as fines, jail sentences, community service, mandatory education classes, drivers’ license suspensions, or delays in license application deadlines. Gomez (1993) argues, as do others, that these measures do not work (pp. 666–670).

Not only have criminal law remedies been applied to graffiti writers, but so too have civil remedies, including but not limited to civil trespassing and nuisance charges (Gomez, 1993: pp. 670–672). Another common part of the repertoire of responses has been involving the parents of the perpetrators through parental fines or setting in place “education, counseling, and cleanup” requirements (Gomez, 1993: p. 673).

Traditionally because of overcrowded dockets and because of perceptions among criminal justice practitioners that graffiti/street art is not a serious infraction (e.g. Gomez, 1993: p. 659; Ross & Wright, 2014), charges of this nature rarely come to court. “Convictions on graffiti-related charges are rare and sentences, if given at all, are short. Contributing to this effect is the fact that most writers are young and are tried as juveniles” (Gomez, 1993: pp. 659–660).

Some municipalities have introduced ordinances directed toward banning the sale and possession of graffiti-related materials. In many jurisdictions, it is illegal for retailers to sell spray paint to individuals less than eighteen years of age (Gomez, 1993; Gee, 2013). Alternatively, select cities have placed bans on the sales of felt tip markers over a particular size. In some instances, signs (similar to those which are used in the sale of alcohol) are posted to indicate that spray paint cannot be sold to people under a certain age and that these materials are to be carefully stored in retail establishments. Legislators believe that these procedures will minimize the theft of spray paint. Also, some jurisdictions have made it a misdemeanor to be in possession of “graffiti tools.”

Despite their good intentions, these measures have had a minimal deterrent effect. Why? Graffiti writers are more likely to steal their materials from somewhere, than to buy them legally.
Other writers will simply resort to using other materials. Problems with respect to enforcement also plague this strategy. In terms of the age-related bans, just as with alcohol purchases, writers can often convince adults to purchase the materials for them.

Conclusion

This chapter has attempted to provide a comprehensive rendering of the range of efforts that municipalities and their citizens engage in when experiencing or contending with graffiti/street art. As in any kind of analysis, legislators, policy makers and practitioners must be cognizant of the unintended consequences of their responses, which are bounded by the perceptions of the seriousness of the problem and the various constituencies involved. The response is also predicated on the resources that the entities have at their disposal. If they have sufficient resources, then there are more options how they can deal with illegal graffiti/street art.

According to Tavares (2014), “Unfortunately, graffiti removal programs tend to be among the first to experience budget cuts in the wake of financial crisis” (p. 60). In her evaluation of graffiti removal programs in California cities, Tavares points out that by “practicing cost-savings strategies, staff is eliminated and positions are contracted out” (p. 60).

Unfortunately, no analytical studies exist that examine the relative effectiveness of these processes. In fact, it has been argued elsewhere that most of these measures have been of minimal deterrence value (Gomez, 1993). In general, the “war” against graffiti/street art is unwinnable. At the very least, municipalities can control discrete aspects of these activities and minimize their flow. However, they cannot completely eliminate or eradicate graffiti/street art, regardless of the extent of their efforts.

Notes

1 Special thanks to Stefano Bloch, Rachel Hildebrandt, and Ronald Kramer for their comments and Christopher Brees-Rostveit for research assistance.

2 Although important, this chapter does not review attempts to commodify graffiti and street art through its use in fashion, and museums.

3 Although important, this chapter does not review the system of self-policing among graffiti artists/writers. For a discussion of this see, for example, Docuyanan (2000).

4 For a review of The Red Line, see, for example, Rudansky (2013).

5 For a review of a legal wall in Adelaide, Australia, see for example, Halsey & Pederick (2010).

6 Alternative renderings of this story have been presented by Austin (2001) and Castleman (2011), among others.

References


