



CITY COUNCIL AGENDA REPORT

MEETING DATE: May 3, 2004

ITEM NUMBER: Item Number

SUBJECT: Claim for Reward - Pursuant to Costa Mesa Municipal Code, Chapter VII 1/2 Graffiti, Section 11-147, Detection Code

DATE: April 21, 2004

FROM: Police Department, Patrol Services Division

PRESENTATION BY: Sergeant Tim Schennum

FOR FURTHER INFORMATION CONTACT: Sergeant Tim Schennum 714/754-5007

RECOMMENDATION:

The City Council is requested to authorize a reward payment in the amount of \$2,000 to a confidential citizen witness in accordance with the provisions of Costa Mesa Municipal Code Section 11-147.

BACKGROUND:

Pursuant to Section 11-147 (1) of the Costa Mesa Municipal Code, the City offers a reward up to two thousand dollars (\$2,000) for information leading to the arrest and conviction of any person for violation of Section 594 of the California Penal Code, or Section 11-142 of the Costa Mesa Municipal Code for the use of graffiti. The Chief of Police determines the amount of any reward that is recommended to the Costa Mesa City Council. Pursuant to Section 11-147(3), the person convicted of committing the graffiti offense shall be liable for any rewards paid pursuant to this section and if that person is an emancipated minor, the custodial parent of the minor shall be liable for any rewards paid pursuant to this section.

On June 6, 2003, the confidential citizen observed one (1) fifteen year old boy writing on a brick wall in the vicinity of 1799 Newport Boulevard, Costa Mesa, with a large black marker. The citizen detained the suspect and escorted him to the Westside Substation. At the Westside Substation, the citizen executed a private persons arrest.

Subsequently, the matter was referred to Community Services Program (CSP).

ANALYSIS:

As specified in Municipal Code Section 11-147, this citizen's claim was fully researched and reviewed by the Police Department. The investigation revealed that the information provided by this citizen did satisfy the stated requirements set forth in Section 11-147, sub-sections (1) and (2).

Section 11-147, (1) specifically states that such rewards will be predicated upon "...the arrest and conviction of any persons for violations". This sub-section further states, "for the purposes of this section, diversion of the offending violator to a community service program...shall constitute a conviction".

A copy of Police Department Case Number 03-19869 is attached. The report has the information identifying the juvenile offender redacted because dissemination of information pertaining to juveniles is prohibited.

ALTERNATIVES CONSIDERED:

None

FISCAL REVIEW:

The \$2,000 reward will be funded from the Police Department's budget.

LEGAL REVIEW:

No legal review is required on this item.

CONCLUSION:

The citizen's claim was fully researched and reviewed by the Police Department. The investigation revealed that the information provided by the citizen satisfied the requirements set forth in the Municipal Code to qualify for a reward in the amount of \$2,000.00. The witness's identity will be provided to the Finance Department to prepare the proper financial documents and warrant.

JOHN D. HENSLEY
Chief of Police

MARC R. PUCKETT
Director of Finance

TIM SCHENNUM
Sergeant/Gang Detail

Attachments: 1 [Costa Mesa Police Department Arrest Report 03-19869](#)