



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 18, 2005

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: January 5, 2005

FROM: Police Department, Field Operations Division

PRESENTATION BY: Sergeant Dave Hamel

FOR FURTHER INFORMATION CONTACT: Sergeant Dave Hamel 714/754-5007

RECOMMENDATION:

The City Council is requested to authorize a reward payment in the amount of \$500 to Ms. Karen Shell and Ms. Mary Fewel of Costa Mesa, California, 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 un-emancipated minor, the custodial parent of the minor shall be liable for any rewards paid pursuant to this section.

ANALYSIS:

On May 5, 2004 Ms. Shell and Ms. Fewel saw a male suspect with a can of spray paint in his hand painting graffiti on a wall. Ms. Schell and Ms. Fewel immediately went to Ms. Schell's house and called the Costa Mesa Police and reported what they had witnessed. They both ultimately identified the suspect that was located and detained by police personnel. The suspect was later charged and convicted after pleading guilty to one (1) count of vandalism (graffiti), under section 594 of the California Penal Code. The suspect was sentenced to informal probation and ordered to pay restitution.

Ms. Schell and Ms. Fewel assisted in the investigation by participating in an in-field identification of the suspect and providing a detailed statement to the police. Their statements and eyewitness account led to a successful prosecution.

A copy of Police Department Case Number 04-16847 is provided as attachment (1)

ALTERNATIVES CONSIDERED:

None

FISCAL REVIEW:

The \$1,000 reward will be funded from the Police Department's budget.

LEGAL REVIEW:

No legal review is required on this item.

CONCLUSION:

Ms. Schell and Ms. Fewel's claim was fully researched and reviewed by the Police Department. The investigation revealed that the information provided by Ms. Schell and Ms. Fewel satisfied the requirements set forth in the Municipal Code to qualify for a reward in the amount of five hundred dollars.

JOHN D. HENSLEY
Chief of Police

MARC R. PUCKETT
Director of Finance

Dave Hamel
Sergeant/Gang Detail

Attachments: 1 [Costa Mesa Police Department Arrest Report 04-16847](#)

Claim for Graffiti Reward

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