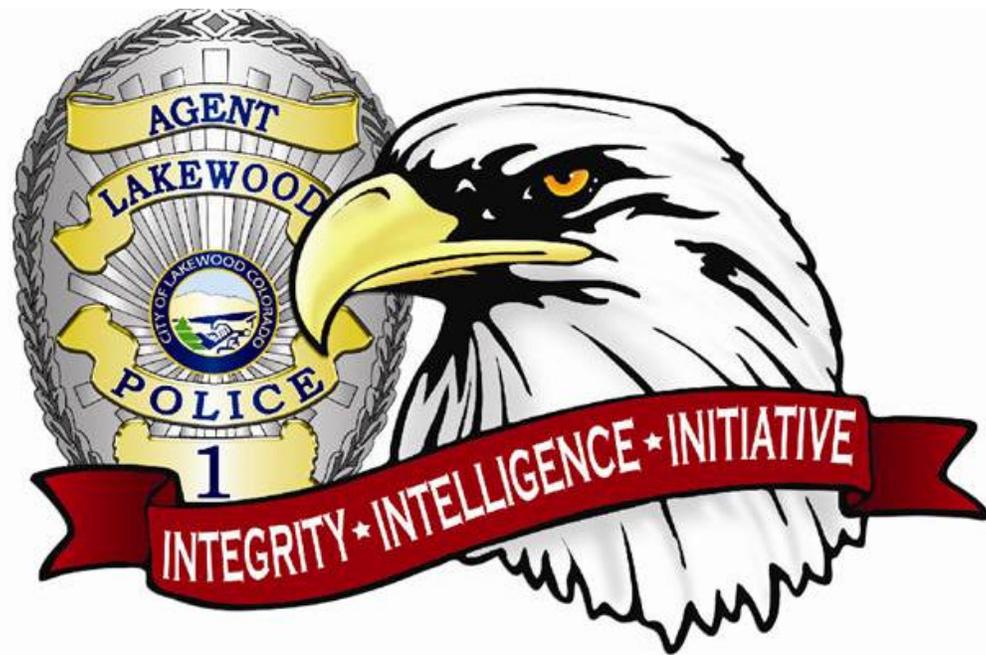


Graffiti Reduction and Enforcement



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Graffiti Reduction and Enforcement Lakewood Police Department

The Problem: Graffiti Reduction and Enforcement in the City of Lakewood

Analysis: In 2006/2007 an increased graffiti problem began to overwhelm the City of Lakewood and the Lakewood Police Department's programs and procedures in place for dealing with it.

Response: The City of Lakewood and the Lakewood Police Department implemented the following responses to the increased graffiti:

Prevention: -Graffiti alarm system.

-Graffiti deterrent QStar cameras in partnership with a community organization.

- Cooperation between The City of Lakewood and Denver for operations and cleanup along the cities' borders.

Reporting: - Creation of a new graffiti-specific report and an internet based reporting system.

-Utilization of volunteer units for photographing graffiti.

Cleanup: - Continued probation based juvenile graffiti cleanup program. The addition of a private property graffiti cleanup permission program.

- Code Enforcement began contacting all property owners with graffiti on their property to ensure timely cleanup and removal.

Investigation/ Enforcement:

- Creation of new City of Lakewood ordinances in regards to the possession of graffiti materials.

- Delegation and assignment of all graffiti investigations to the Special Enforcement Team / Gang Unit, resulting in increased arrests with the inclusion of cold case investigations and cold case inclusion on already arrested offenders.

- A 2010 Patrol Division graffiti goal and objective.

- Citizen education program through community meetings, neighborhood meetings and a Lakewood Channel 8 special.

Assessment: From a high in 2007 to the low of 2010 graffiti reports fell 35.8% and citizen reporting of graffiti fell 57.8%. In 2011, January to April graffiti reports numbers are lower than any year prior. In 2009 and 2010, 102 arrests were made as compared to 80 in 2007 and 2008. An examination of 92 of the 102 arrests that had court dispositions found 86 offenders had pled guilty and paid over \$20,261 in restitution and fines, been sentenced to well over 1,865 hours of community service and 22 had already successfully completed probation or diversion.

Word Count: 328

Description

A. Scanning

Graffiti is and has been a crime problem for decades, if not longer. It can be found in one form or another in every state, city and community across the country and around the world; whether the graffiti is in the form of “Billy loves Suzy” written in marker on a school bathroom stall or a major bombing run in a densely populated area by a tagging crew. Graffiti is not isolated to a geospecific location or any specified demographic. Graffiti can vary greatly in amount and impact from state to state, city to city and community to community.

Graffiti has always existed in the City of Lakewood so it was less about the problem being identified as it was about the problem reaching a point where it had to be addressed. In 2006/2007 the City of Lakewood had a significant increase in graffiti. At the time of the increase, the Lakewood Police Department did not have a quality way of reporting and/or tracking graffiti. When graffiti began to be examined it was found that numerous reports were coming into the City Manager’s office and then given to Code Enforcement, but no police reports were ever made. Other reports of graffiti were also coming into or being given to the probation department in the municipal courts to be cleaned up without being reported to the police department. Less than 15 of these reports were reported to the police department.

Graffiti was the top complaint of citizens to the City Manager’s office. In 2007 there were a total of 843 service requests made to the City Manager’s office of these graffiti made up 369 of them. The next highest complaint was construction with only 33 complaints. These combinations of factors placed a spotlight on graffiti.

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While Lakewood, as a city, was constantly dealing with crimes many people would consider to be more significant graffiti was brought to the forefront because of the effect it has on a community. The majority of Lakewood citizens will live their lives without becoming a direct victim of major crime. However, nearly 100% of those citizens will be effected by graffiti in one way. This effect could be as small as driving past the graffiti on their way to work, to shop, entering their neighborhood or as personal as having the graffiti put up on their home, business or personal property.

There was little data available to start determining problem areas or the scope of the increase; however from observations by patrol Agents who specifically identified the W Alameda Ave and S Sheridan Blvd corridor in Lakewood's south sector was seeing the largest amount of graffiti. (See appendix A for a graffiti density map of Lakewood) Since this is a main roadway into the City of Lakewood from Denver, increased numbers of citizens from Lakewood and Denver were observing the graffiti.

B. Analysis

In response to the increasing number of incoming graffiti reports, the City of Lakewood created a Graffiti Abatement and Enforcement Subcommittee. The task of the Abatement and Enforcement Subcommittee was to examine alternatives for graffiti removal, current laws and penalties pertaining to graffiti, and explore more effective enforcement strategies. As there was no hard data at the time, the increase in graffiti was determined mainly by observation. It was evident to the Lakewood Police Department Agents, along with the businesses and residents in Lakewood, that the amount of graffiti was abnormal which drew attention to it.

One of the first things done was the creation a graffiti specific report. Prior to this report, the majority of graffiti reports would be made as criminal mischief, defacing property or as incidents. This made going back through reports to identify problem locations extremely difficult. Along with the graffiti specific report, Lakewood created an online graffiti reporting system so citizens could report graffiti online allowing a more consistent level of reporting to be done.

While Lakewood has always had graffiti within the city, it was this significant increase in reporting and by observation that drew attention to it and established it as a real crime problem. Again, it is difficult to understand the scope of the problem since there is no data that shows what would have been considered the median number of graffiti reports prior to the increase. Once the graffiti report was created, allowing the Lakewood Police Department to begin tracking graffiti, there were 1,280 graffiti reports made from April of 2007 to August of 2007, a 5 month period. Of these reports, 841 of

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them were made by citizens and 277 were made by patrol Agents. The remainder of the reports came through the front desk or detective units.

Attempting to identify those involved with graffiti can be a very daunting task. The offenders can be any age, with any background. While graffiti tends to be more prominent with juveniles, this does not exclude adults. Often the more prolific and destructive graffiti vandals tend to be adults. Graffiti vandals can be gang members, tagging crew members, members of both or neither. The main goal of the graffiti vandal is to put their graffiti up in areas with high visibility or were they can get the most notoriety.

When it comes to victims of graffiti, some are directly victimized by the graffiti itself. These victims can range from business owners, private property owners, landlords, utility companies, the city or the state where graffiti has been put up on their property. These victims have to deal with the monetary amount needed to clean up the graffiti. However, the victimization doesn't stop with these direct victims. Graffiti affects and victimizes the area as a whole.

Graffiti is one of those crimes that when each individual event is looked at, the harm seems relatively minor. A single, typical form of graffiti costs a business or property owner less than \$1,000 to clean up. The majority of graffiti costs less than \$50 to paint over or clean up. The real harm manifests itself when you begin looking at the totality of graffiti and the effect it can have on a community. Graffiti creates a sense of insecurity and leaves residents feeling vulnerable and concerned about the safety and quality of the area in which they live. Graffiti breeds more graffiti and attracts additional crimes. It is a classic beginning element to the broken windows theory, where an area

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appears neglected or rundown, resulting in criminals and crime to be attracted to the area. If allowed to continue, property values can go down and people move out of the area. The businesses attract fewer customers and they move from the area to one where they can get their clientele back.

The City of Lakewood itself did not have an organized public works graffiti abatement program. The abatement of graffiti on private property has been the responsibility of the individual property owner. A city ordinance mandated that a property owner be served notice when graffiti appears on their property, giving them five days to remove the graffiti. If the private property owner does not remove the graffiti, Code Enforcement has several enforcement avenues they can pursue.

Prior to this increase in graffiti, the Lakewood Police Department had a very typical response to graffiti; take the report and arrest the offender if caught. When it came to enforcement the majority of arrests consisted of offenders caught in the act. These offenders were often only charged for the act they had been caught doing. There was almost no cold case investigation, inclusion of previous cases or charges on those who had been arrested. The exception to this was when offender(s) were arrested on a bombing run and they were willing to show officers everything they had done. The Graffiti Abatement and Enforcement Subcommittee found that the apprehension of graffiti vandals to be relatively rare. In 2006, the Lakewood Municipal Court received only 29 Defacing Property summonses related to graffiti. They also found that in 2007 enforcement efforts mostly involved relying on citizens to notify the police department when they observed a tagging in progress, or police agents observing the crime while they were on routine patrol. During 2006/2007, the Lakewood Police Department used

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agents and civilian volunteers on graffiti targeted surveillances several times with little success. They also found many targeted sites for surveillance were tagged within hours or days of ending the surveillance.

The City of Lakewood's Municipal Court's probation department had a graffiti cleanup program along with a graffiti hotline. The hotline allowed citizens to call in to report graffiti that needed to be cleaned up. The graffiti cleanup program was the sole program in the city responsible for cleaning graffiti off public property. The program allowed eligible juveniles who were sentenced in Lakewood Municipal Courts to perform community service to be assigned to the Graffiti Cleanup Work Program. The charges against the juvenile did not have to be for graffiti to make them eligible for the program. The program consisted of 10 juveniles per day, 6 days per month, for about 8 hours a day. The hours completed by a juvenile could range from 8 to 120 hours. The Graffiti Cleanup Work Program cleaned public property in Lakewood on utility boxes, light poles, dumpsters, newsstands, bus stops, drainage ditches, etc. In 2007, the program cleaned 2,917 tags off property in the City of Lakewood.

Despite the above programs the Graffiti Abatement and Enforcement Subcommittee found that the 2007 procedures and policies were inadequate to address the ever-increasing incidents of graffiti crime throughout the city, on both public and private property. Without pre-increase data it was not possible to determine what precipitated the increase in graffiti making it difficult to say what causes and underlying conditions led to the problem surfacing. The general consensus of the analysis revealed graffiti related crimes were on the rise and were overwhelming the current programs and procedures in place.

C. Response

Due to the nature of graffiti and ongoing aspects of the problem the response has to be multifaceted. It has to address graffiti from the point prior to the graffiti going up (prevention), once the graffiti is up (reporting), how to remove the graffiti (cleanup) and finally what happens to the case (arrest and/or investigation).

In 2007 the Graffiti Abatement and Enforcement Subcommittee made 13 recommendations. Its initial recommendations included transferring of abatement responsibilities to the public works department, and creating and equipping two full-time employees whose sole responsibility would be the cleanup of graffiti on public property within the City of Lakewood. They also recommended the creation of a private property cleanup program with a small yearly fee. Their last recommendation was to create a full-time graffiti coordinator position. They went on to recommend to the Lakewood Police Department that all applicable graffiti cases be charged as defacing property in municipal court. They also suggested that the minimum mandatory penalties be raised. In addition they proposed new city ordinances against possession of graffiti materials, and how graffiti materials are displayed and sold. Lastly they recommended purchasing surveillance cameras and related equipment to address detection and enforcement.

Based on the above recommendations the City of Lakewood adopted several new ordinances, prohibiting juveniles from possessing graffiti related materials and prohibiting adults from possessing graffiti related materials if they were using those materials to create graffiti. (See appendix B for the City of Lakewood ordinances)

Cleanup of graffiti on public property was still left to the graffiti cleanup program through the probation department of the municipal courts. A private party permission

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form was created allowing private property owners to give the graffiti cleanup program permission to come onto their property and remove the graffiti. The program's coordinator works with Code Enforcement, as needed, to clean private property of the elderly, those with limited income and repeat victims.

Code enforcement continued to go out and contact property owners to insure a timely cleanup of graffiti. From 2007 to 2009, Code Enforcement was only sent out on the complaints that came through the city manager's office. This amounted to a total of 1,158 service requests over the three years. In 2010, the Code Enforcement unit was brought into the Lakewood Police Department and included in our records management system. As a result, they began receiving every graffiti report as a service request, thus increasing their service requests to 1,059 for the single year. This meant all reported graffiti was being cleaned up in a more expedient manner.

The immediate response of the Lakewood Police Department was the creation of the graffiti reporting system. However, the initial graffiti reporting system that was created focused more on collecting rough statistical data and left out key crime report information such as victim, damage amounts, and time of occurrence. This was addressed later as additional responses were implemented.

The initial increase in graffiti in specific areas of the city needed to be addressed immediately to stabilize graffiti as a whole. Over the summer of 2007, the W Alameda Ave and S Sheridan Blvd corridor was effected the most by the increase in graffiti. In response an alarm system was deployed that worked off of motion detectors and a dialer that would call programmed numbers with a message when motion was detected. The

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motion detectors were placed on buildings prone to graffiti. Patrol officers would carry the alarm system phones and respond to investigate any activation.

In mid-2009, the Lakewood Police Department purchased a QStar graffiti camera. The camera is self-contained, solar powered, low maintenance and simple to mount. It is activated by motion and takes a series of photos accompanied by an audible message. The camera is marketed as a tool for deterring graffiti, not an aid in the apprehension of offenders however it can set up in multiple modes. The first camera has been used as a deterrent tool with the audible message "Graffiti is illegal in the City of Lakewood. Your photo has just been taken." Due to the success of the camera as a deterrent tool, the Alameda Gateway Association teamed up with the Lakewood Police Department purchasing a second QStar camera.

The Lakewood Police Department addressed the enforcement element of graffiti by delegating the Special Enforcement Team and Gang Unit (SET) to investigate and handle all graffiti related cases. Several challenges were faced in investigating and charging of these cases, specifically the cold cases. The first challenge was that graffiti cases are notoriously difficult to prosecute when the offender was not caught in the act. To address these problems, SET opened lines of communication with the Lakewood City Attorney's Office, the Jefferson County District Attorney's Office and the Denver Police Department's graffiti detectives.

In working with the Lakewood City Attorney's Office and the Jefferson County District Attorney's Office it was determined what was needed to build a prosecutable case. Both offices would not take cold cases that were filed as a new case or wrapped into a case when an offender had been caught in the act. Both offices also declined cases

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where parties admitted to the graffiti, but had not been able to point the graffiti out, or had photos they could look at and confirm the graffiti was theirs. In prosecutable cases we needed one or a combination of the following elements: the offender being caught in the act, eyewitnesses to the crime tying the offender to the crime, a significant number of combined factors tying an individual to the graffiti or a quality confession as described above.

In working with the graffiti detectives with the Denver Police Department, we learned how to investigate open or cold cases and how to take those cases and, where applicable, combine them into larger case fillings. Members of SET learned how to build case files, interview offenders and what type of information should be sought in those interviews, including giving the offender a chance to identify their graffiti from photos from the open cases.

With this new knowledge base, SET began applying what they could to their graffiti investigations. The first major open case investigation using these new principles was a bombing run in the south sector of Lakewood. On October 21, 2009, graffiti reading TWK, TWQ, GRIM, W/S and TINK appeared in high concentration in a small area of Lakewood with no arrests made the night the graffiti went up. Prior to this bombing run, a juvenile had been arrested at a local High School tagging TWK. Working with patrol, SET put a case file together and interviewed the juvenile who had been arrested. The first juvenile admitted to taking part in the bombing run and named the other three parties involved. The three remaining parties also confessed to their involvement in the bombing run while looking at the photographs of the graffiti. All four

parties were arrested closing 11 cases. The four offenders later pled guilty to multiple charges of criminal mischief.

Much was learned through this first investigation and case filing. The most important lesson was the importance of the quality of the reports the case is being built on. In total, there were over 34 cases opened because of this bombing run. Of those cases, only about half had photos associated and 11 cases received confessions. This also led to the need to make changes to the graffiti reports currently being made. A shift had to be made from statistical reports to placing a greater focus on crime reporting. Part of how this was accomplished is the Lakewood Police Department utilized the civilian volunteer unit to go out and photograph all graffiti that was not photographed when the initial report was taken.

Acknowledging the fact that graffiti does not recognize city boundaries, and since Lakewood shares such a large border with Denver, the largest city in Colorado; Denver and Lakewood began working together through an unofficial coalition. The coalition includes representatives from both cities' governing councils, prominent community and business leaders, and representatives from both police departments. The coalition meets to discuss what is being done, what can be done and what we can do in partnership to combat graffiti. The Lakewood Police Department and Denver Police Department team up and work organized graffiti stings along our shared border. These stings are multifaceted as they require a major clean-up effort. Then multiple teams of officers and volunteers are brought together for mobile patrol and static surveillance with a goal of prevention or apprehension of graffiti and any other crime related activity.

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In 2010, the Lakewood Police Department made graffiti reporting and enforcement a year-long goal and object for the patrol division. The goal was to get patrol Agents to play a more pivotal role in taking graffiti reports and apprehending graffiti vandals. This also included taking a Graffiti Watch program that had been used very successfully in the south sector of the city and implementing it citywide. The Graffiti Watch program was a program which identified high graffiti areas and passed that information along to patrol Agents providing them with information for targeted patrols of that area.

Over the course of 2010, 10 graffiti presentations were given to neighborhood organizations, community meetings, and citizen police academies. These meetings were meant to educate the public on how to report graffiti, and how to call in suspicious activity and in progress graffiti. There were also opportunities to answer questions and inform the public as to what the City of Lakewood was doing as a whole to address graffiti. One of these presentations was a segment on “Looking at Lakewood” with Mayor Bob Murphy, a Lakewood Channel 8 TV show.

Several factors played into what responses were chosen for implementation. The creation of the full time abatement positions was not implemented due to the initial start up cost of \$214,298.74, and the continuing cost each year of \$153,298.74, to the city. The minimum fines and punishments of defacing property were not implemented as the courts did not want to limit the discretion of the municipal court judges. The display and sale of graffiti materials ordinances were not implemented due to fear businesses would lose sales due to the inconvenience the new ordinances would have created. The

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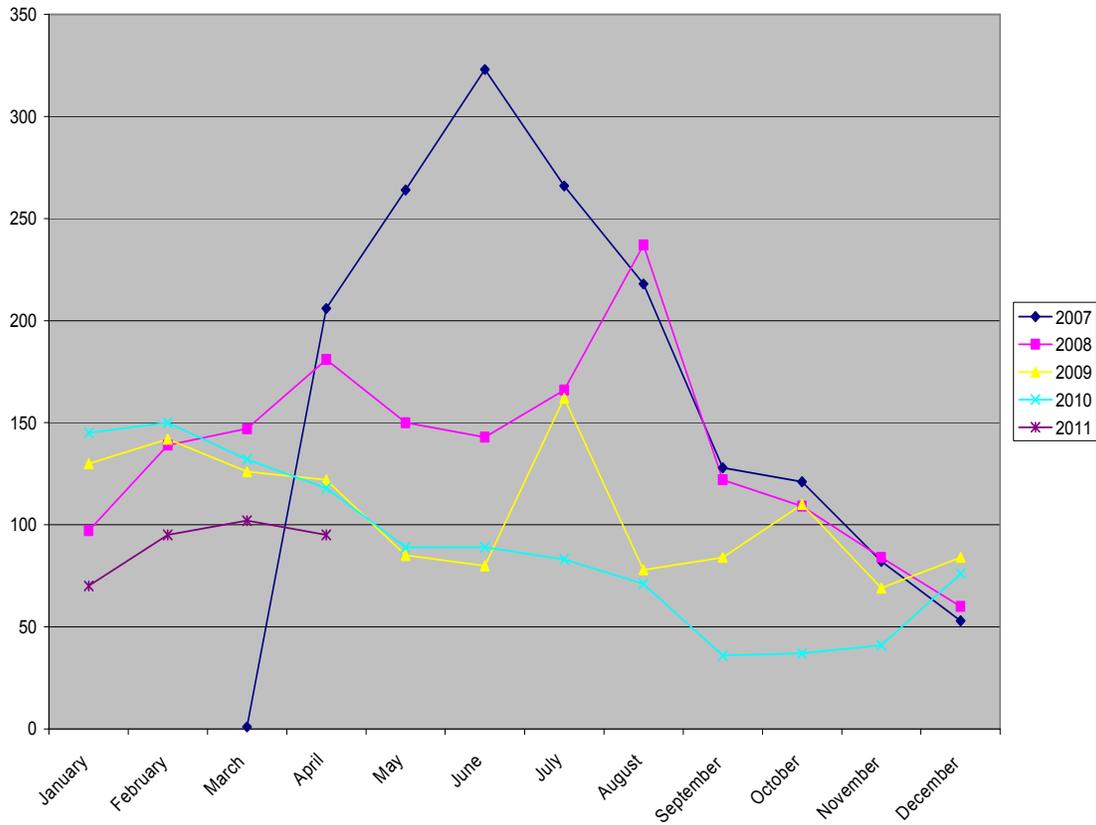
responses that were implemented utilized resources and personnel already available to the city and the police department which also made them cost effective.

The goal of all responses was to reduce the amount of graffiti within the City of Lakewood by attacking the problem from multiple angles. Through the process, a baseline of reporting numbers has been established with the goal of seeing a reduction in those numbers in the following years.

D. Assessment

Beginning March of 2007, the Lakewood Police Department began tracking graffiti reports in the City of Lakewood. Since 2007, as the Lakewood Police Department began implementing the above responses, graffiti fell from 1,662 reports in 2007 (with no reporting in January and February and only 1 report in March) to 1,067 reports in 2010. This is a 35.8% reduction in total reports.

Figure 1: Total Graffiti Reports by Month

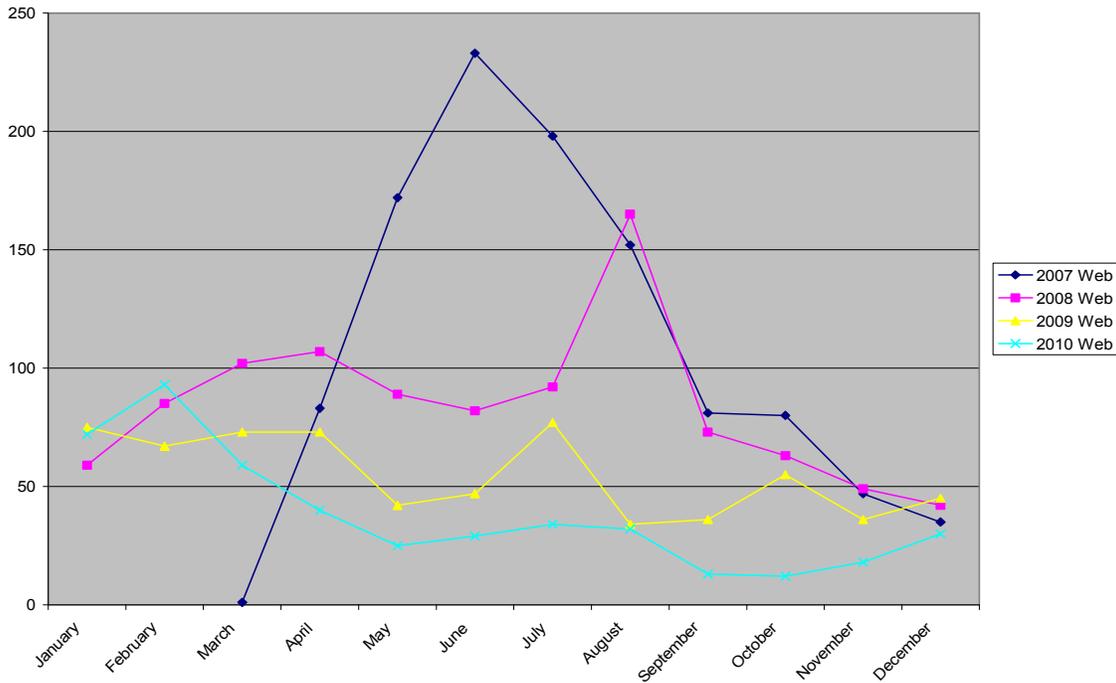


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An even more impressive statistic is the decrease in the number of citizen-made reports via the internet. In 2007, there were 1,082 citizen graffiti reports as compared to 358 graffiti reports made by Agents. In 2010, internet reporting had dropped to 457 citizen reports, while Agent reporting increased to 440 reports. This is a 57.8% decrease in citizen internet reporting and an increase of 22.9% in Agent reporting.

This increase in Agent made reports is encouraging as one of the primary goals of making graffiti one of the 2010 patrol goals was to get patrol Agents who previously would have ignored the graffiti in their patrol beat to take an active role in reporting it.

Figure 2: Citizen Graffiti Reports via Internet by Month



(See appendix C for individual years broken down by month with Agent reports and citizen internet reports compared side by side.)

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In 2009 and 2010, 102 arrests were made as compared to 80 in 2007 and 2008. An examination of 92 of the 102 arrests that had court dispositions found 86 offenders had pled guilty. They have paid \$20,261 in restitution and fines, been sentenced to well over 1,865 hours of community service, and spent 170 days in detention. Of the 86, 22 have already successfully completed probation or diversion meaning they did not reoffend or commit any new crimes. Approximately 16 of these cases were cold cases or previously open cases were incorporated into the final case filing. These are also very conservative numbers and not exact due to limited access to disposition numbers. Of those arrested only two individuals were arrested a second time for graffiti.

The use of the graffiti alarm system is the only response described previously that has been discontinued. The initial belief was the graffiti alarms would be an apprehension tool, but over time the alarms turned into a major deterrent. The locations where the alarms were installed saw a 91.3% drop in graffiti. There was one occasion where the alarms were tripped, officers responded and failed to locate the suspects on the roof of the building that were actively tagging a wall. The main issue was that the alarms were very difficult to maintain and had to be constantly repaired to keep in working order. There were also a large number of false alarms due to weather conditions, animals or passers-by tripping the sensors.

While the total number of graffiti reports were consistent in 2007 with 1662 and 2008 with 1635 it was the implementation of enforcement element that began to see the total number began to fall with 1272 in 2009 and 1067 in 2010 with this trend continuing in 2011.

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Graffiti is also not a problem that can be eliminated, but has to be continually monitored and addressed. These new responses to graffiti are intended for long term implementation. The responses to the problem need to be continually examined and reevaluated for effectiveness.

Word Count: 3,979

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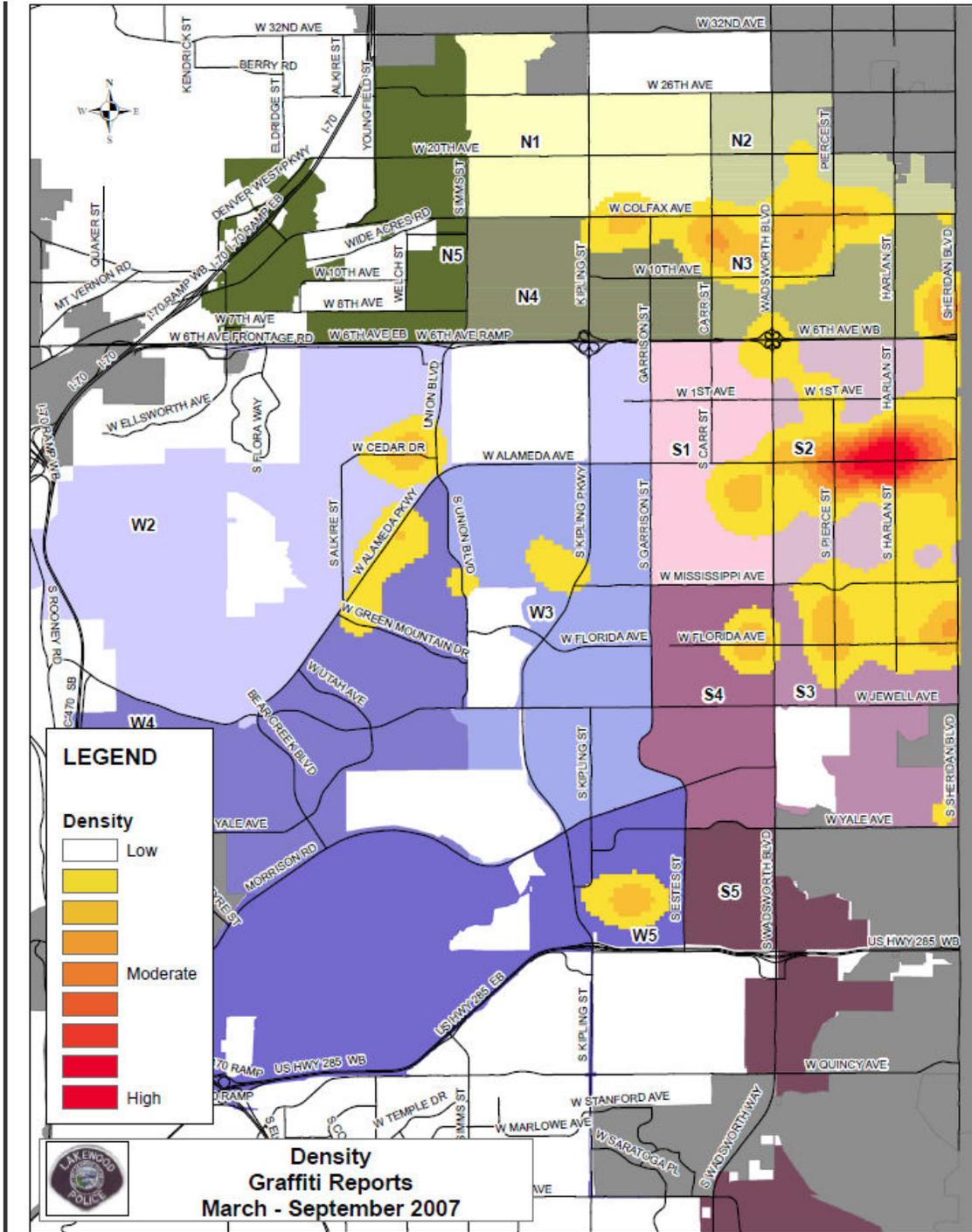
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Appendix A:



Appendix B:

9.60.055 Possession of graffiti materials by minors prohibited.

A. It shall be unlawful for any person under eighteen (18) years of age, except for a minor under the direction or supervision of the minor's parent, legal guardian, instructor, employer, or law enforcement officer, to purchase, procure, or possess, or attempt to purchase, procure, or possess any prohibited graffiti material.

B. For the purposes of this section, the words and phrases are defined as follows:

1. "Broad tipped marker pen" means a felt-tip indelible marker or similar implement with a flat or angled writing surface that, at its broadest width, is greater than one-fourth (1/4) of an inch, containing a fluid which is not water soluble.

2. "Glass etching tool or instrument" means any tool, device, or substance that can be used to make permanent marks on any surface or to create a frosted effect on any surface or to deliver a solution to any surface in order to create an image, or any container of such solution, including, but not limited to, glass etching creams or solutions.

3. "Paint pen" means a tube, marker, or other pen-like instrument with a tip of greater than one-fourth (1/4) inch in diameter that contains paint or a similar fluid and an internal paint agitator.

4. "Prohibited graffiti material" means any can of spray paint, spray paint nozzle, broad tipped marker pen, paint pen, glass-cutting tool, or glass etching tool or instrument.

5. "Spray paint" means any aerosol container that is made or adapted for the purpose of applying spray paint or other substance capable of defacing property.

6. "Spray paint nozzle" means a nozzle designed to deliver a spray of paint of a particular width or flow from a can of spray paint.

C. Affirmative Defense. It shall be an affirmative defense to a violation of this section that the minor possessing the prohibited graffiti material was:

1. Within the minor's home;

2. At the minor's place of employment and the minor possessed the materials or devices within the scope of that employment;

3. Upon real property with permission to possess such materials from the owner, occupant, or person having lawful control of such property; or

4. Attending a school or traveling between any location set forth in this subsection (C) and a school, at which the minor was enrolled if the minor was participating in a class or a school sanctioned activity at the school that formally required the possession of the materials. (Ord. O-2008-18 § 1, 2008).

9.60.057 Unlawful possession of graffiti materials.

A person commits unlawful possession of graffiti materials if he possesses any tool, instrument, or other article adapted, designed, or commonly used for committing or facilitating the commission of an offense involving damaging, defacing, or destroying public or private property and intends to use the thing possessed, or knows that some other person intends to use the thing possessed, in the commission of such an offense. Graffiti materials include those tools, devices, materials, or substances meeting the definition of prohibited graffiti materials as set forth in Section 9.60.055. (Ord. O-2008-18 § 2, 2008).

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Appendix C:

Figure 3: 2007 Agent vs. Internet Reports

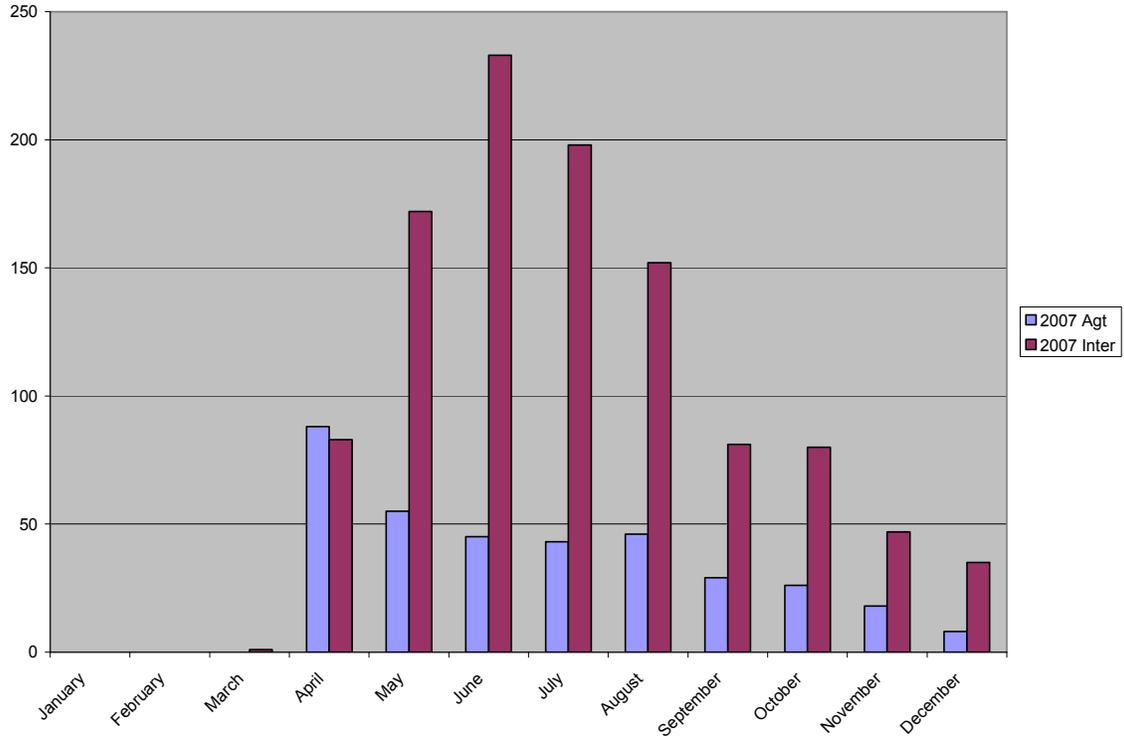
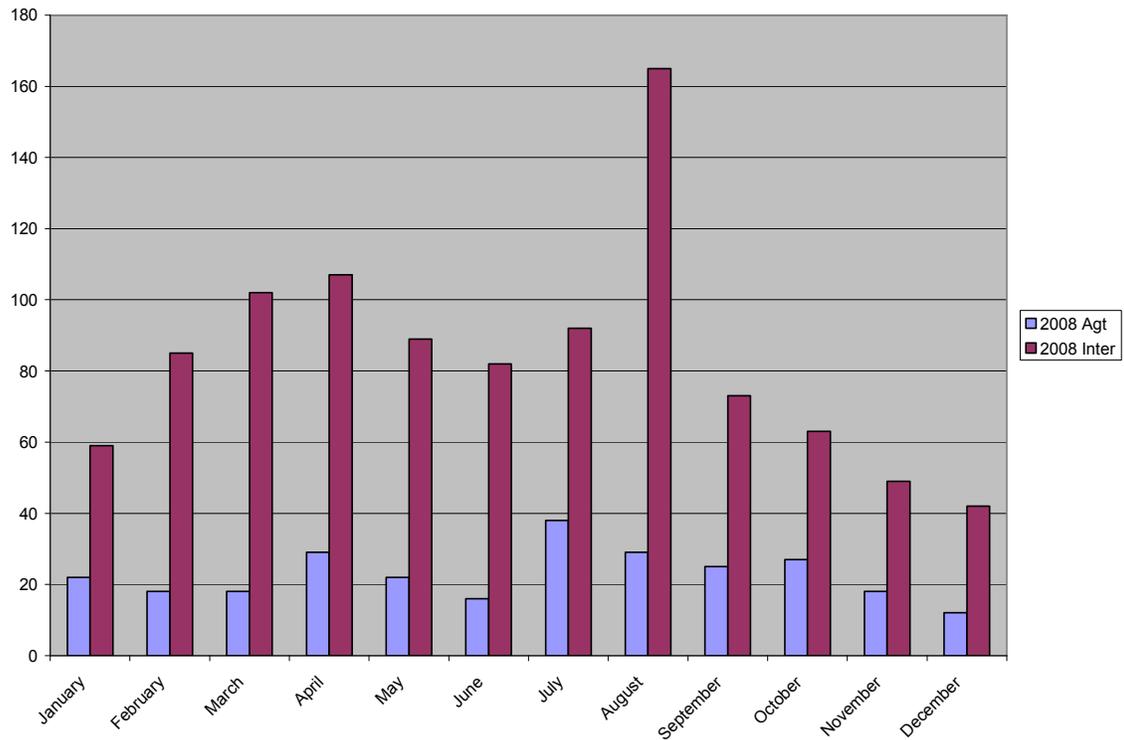


Figure 4: 2008 Agent vs. Internet Reports



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Figure 5: 2009 Agent vs. Internet Reports

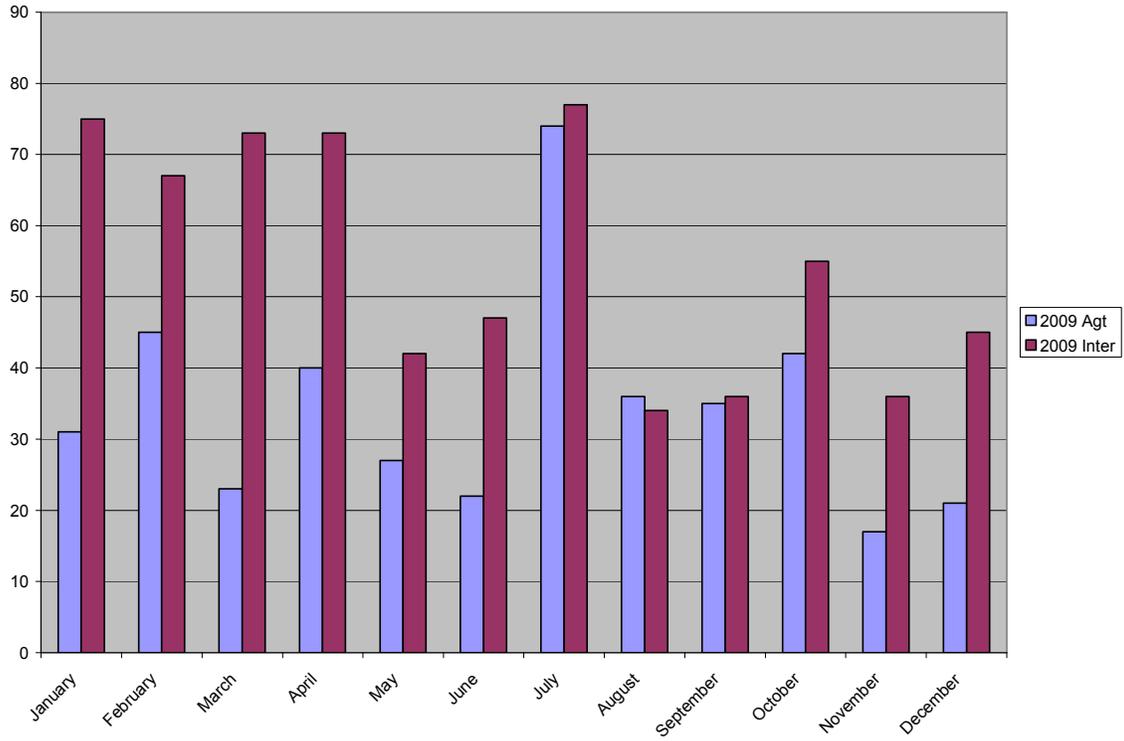
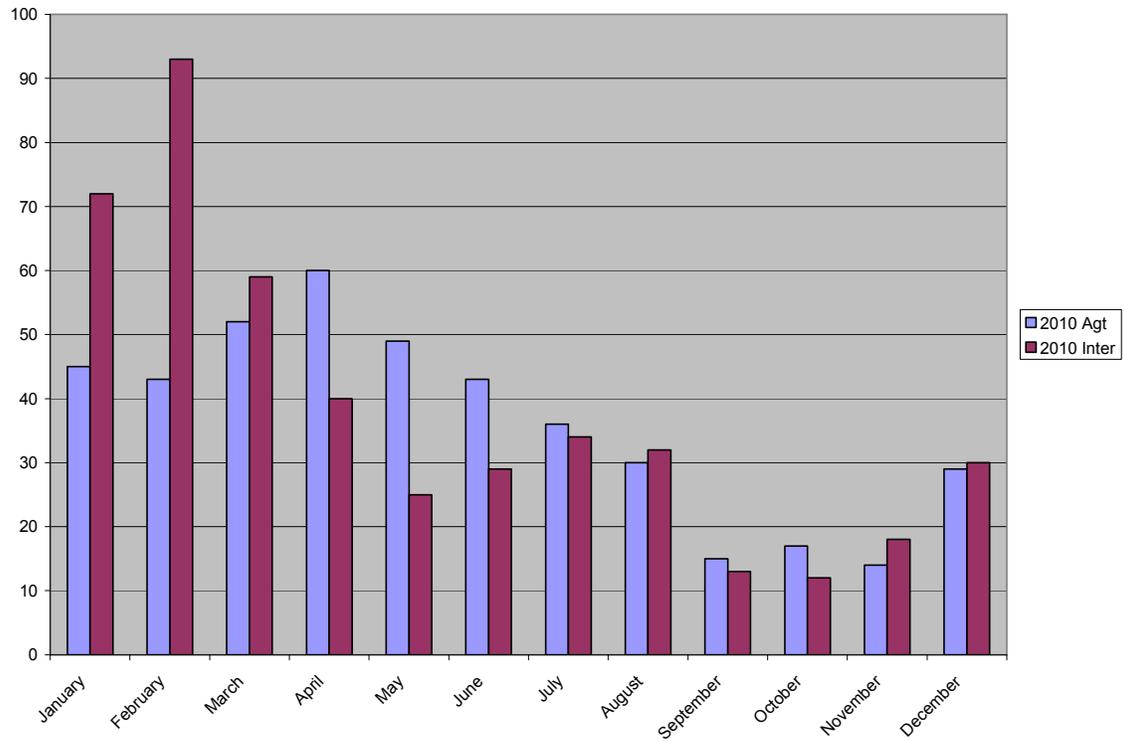


Figure 6: 2010 Agent vs. Internet Reports



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Figure 7: 2011 Agent vs. Internet Reports

