

CITY ATTORNEY UPDATE

JULY 1, 2013

STATEMENT OF SAN DIEGO CITY ATTORNEY'S OFFICE, CRIMINAL DIVISION REGARDING JURY VERDICT IN GRAFFITI VANDALISM CASE

San Diego, CA: Today a San Diego Superior Court jury found Defendant Jeffrey Olson not guilty of thirteen counts of vandalism. We respect the jury's verdict.

Our office receives about 20,000 criminal cases annually, referred to us by the San Diego Police Department (SDPD). This case was referred to our office by SDPD and was issued by prosecutors in the Neighborhood Prosecution Unit. That unit is charged with, among other things, working closely with SDPD's Graffiti Strike Force.

Our prosecutors never treated this case as anything more than a graffiti case. As with most graffiti cases, Mr. Olson was offered reduction to an infraction after completing volunteer work service cleaning up graffiti. His refusal of that offer resulted in the trial and his successful defense.

Graffiti remains vandalism in the state of California. Penal Code section 594(a) prohibits maliciously defacing, damaging or destroying the property of another. Under the law, there is no First Amendment right to deface property, even if the writing is easily removed, whether the message is aimed at banks or any other person or group. We are, however, sympathetic to the strong public reaction to this case and the jury's message.

Please contact Mike Giorgino at (619) 533-5671 or mgiorgino@sandiego.gov for more information.

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