



University of Massachusetts Amherst

Facilities & Campus Services 

Physical Plant Division

policy and procedures manual

PP.2.H.002.A

April 1, 2016

From: Ray Jackson, Director Physical Plant

Subject: Policy on Graffiti Removal

Purpose: To establish a protocol on graffiti removal

Discussion: Massachusetts has enacted MGL 266 section 127A which states:

Whoever willfully, intentionally and without right, or wantonly and without cause, destroys, defaces, mars, or injures a ... school, educational facility or community center or the grounds adjacent to and owned or leased by any of the foregoing or any personal property contained in any of the foregoing shall be punished by a fine of not more than two thousand dollars or not more than three times the value of the property so destroyed, defaced, marred or injured, whichever is greater, or by imprisonment in a house of correction for not more than two and one-half years, or both; provided, however, that if the damage to or loss of such property exceeds five thousand dollars, such person shall be punished by a fine of not more than three times the value of the property so destroyed, defaced, marred or injured or by imprisonment in a state prison for not more than five years, or both.

Physical Plant has historically removed or covered any offensive graffiti as soon as possible. As a result of the MGL22 law stated above, it is essential that graffiti of an offensive nature may constitute a violation of law and therefore **investigated by University of Massachusetts Police Department (UMPD) before we remove it.** It should be noted that “graffiti” includes lighted or projected images that fall into the categories listed below. This policy is meant to clarify those incidents requiring reporting to the UMPD and appropriate actions to be taken.

Action: Upon notification of the existence of graffiti on the campus of the University or other University owned property, the Facilities & Campus Services Solution Center shall consider notifying UMPD. In

cases where notification comes from UMPD, the Solutions Center shall ask for clearance from UMPD before dispatching any personnel. If the graffiti consists of anyone of the following categories, UMPD shall be notified and removal postponed until their investigation is complete.

- Hate graffiti of any sort
- repetitive instances or persistent patterns
- a high degree of visibility
- victim is identified
- perpetrator is identified
- inciting to violence
- targeted to particular group(s) or includes threats or intimidation

Examples: swastikas, epithets in public places or on personal property, hate graffiti clearly aimed at individuals by naming them, being placed on their belongings, etc.

However, in all cases the graffiti shall be removed/covered at the earliest possible time after the scene has been released by UMPD. The only graffiti that can be immediately removed is that which does not suggest any of the above.

Examples: small graffiti in bathrooms and other public places which is general and vague.

It is imperative to report graffiti to the appropriate person(s). The Solutions Center shall send notification via the RAVE system of all offensive graffiti to the Director of Administrative Services (Larry Snyder), the Director of Physical Plant (Ray Jackson), the Assistant Director for Utilities (Tom Fydenkevez), the Vice Chancellor for Administration & Finance (Andrew Mangles), the Vice Chancellor for Facilities & Campus Services (Shane Conklin), and the F&CS Administrative Services Customer Service Manager (Melissa Bergeron). Graffiti that involves UMPD shall be removed immediately after their investigation is complete, maintaining records of all materials and time required to do so.

The F&CS Solutions Center shall immediately contact the Environmental Services Unit supervisor and request they standby for authorization to remove or cover the graffiti. The Solutions Center shall generate an Emergency Work task for the ESU crew for removal.

Distribution:

Director
Assistant/Associate Director
Executive Assistant
All Managers
All Supervisors
Service Desk Supervisor
Taxi Service Office