

Vandalism in street art

[Law](#), [Crime](#)



Art has been involved in the human society since day one. The first appearance of art that was discovered were the cave paintings in France which date back to 32, 000 years ago. These paintings were created on walls, meaning they were meant to be seen by everyone. Street art is very similar, because it is art work that is displayed on a public level, similar to the cave paintings thousands of years ago. Street Art is a new movement in today's art society that is taking the world by storm. In street art the artist's works are displayed for the world to see.

Artist use urban environments such as buildings, sidewalks, streets, and walls as there canvas to create spectacular works of art for everyone to see. Artist display their work in public spaces by using paint, spray paint, stencils, stickers, and installations. Street art takes everyday objects we see and transforms them into something extraordinary. Designs of faces cartoons, political figures, pictures, illusions, sculptures and statues can be seen on the side of large buildings, asphalt, billboards, everyday walls, and even through traffic signs. Lewisohn 3)Seeing this art work on the side of a ten story building can be breathtaking, and the question comes into play, how did it get there? Well the first thing that is needed to create street art is an artist. The artist will than choose a location were he/she best feels the art needs to be. A location is half of the process, a good location can take weeks to find than there is the process of scoping it out for cameras, law enforcement, traffic in the local area and most importantly when will the operation take place.

These are all vital pieces of information to successfully create a street art master piece. So, there is a location and a set time, now the second half of

the process begins. When arriving to the location there needs to be an idea of what is going to happen, game plan. The game plan for most artists is to be stealthy, quick and effective. As the artist approaches the wall he/she has their materials at hand ready to go. Depending on what street art genre is about to be created there is a need for different materials.

The materials used to create a propaganda poster that will be placed on the wall are the poster, adhesive glue in a bucket and a rolling paint brush. The first artist rolls on adhesive glue all over the wall with their brush, they then apply the poster over the glue by rolling it out and then brush more glue on top of it to protect it from the elements and insure a long viewing life. Final step Walk away and admire the beauty of street art. With the popularity of street art growing and more art work appearing, local law enforcements are noticing the amount of street art.

To law enforcement officers street art is seen as an act of vandalism, which is punishable by state law. Though street art can be considered an act of vandalism at the state level, it will never be punishable under federal law. The laws of America are created under the United States Constitution. The constitution is federal law, which indicates that all fifty states must abide by those set laws. This includes many crimes that, if they did not occur on U. S. federal property would otherwise fall under state or local law.

Within the state there can be state laws created by the state legislature and then be signed into law by the state governor. Each state has its own set of laws that state citizens abide by. With individual state laws comes individual state punishment. Every crime is punishable by law and every state has their way of handle it. (Eichelkraut) So, what is vandalism a federal law or a state

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law? Vandalism is covered by state laws, and changes by state. Some states refer to vandalism as " criminal damage", " malicious trespass " and " malicious mischief".

In an effort to control the impact of vandalism, many states have specific laws that may decrease certain forms of vandalism. For example, some states have local " aerosol container laws" that limit the purchase of spray paint containers or other " vandalism tools" which could be used for graffiti or vandalism purposes. (Eichelkraut) These local laws help prevent graffiti but what is the difference compared to street art. Graffiti is the name for images or lettering scratched, scrawled, painted or marked in any manner on property. These markings are known as " tags".

Tags can be considered any type of public markings that may appear in the forms of simple written words to elaborate wall paintings. A high percentage of graffiti and tags are gang related. The goal of a tag is to mark territory by displaying their trademarks on hard-to-reach places, like billboards and the tops of buildings. The more places they go the more they are recognized. If there are two taggers in the same area they will compete to display their trademarks more and in unique places. (Lewisohn) It is the same concept in street art but with more of a political or social message that makes the asser buy ponder on what he/she saw. Street artist do the same thing the more their art work is seen the more well known it becomes. They have their art displayed were ever they can. Remove the word street from street art and there is just art, it could be hanging in a museum or on display in a building but when street is added to art it transforms into art in the streets. That's

what street art is, beautiful subjective master pieces that were created by the hands of an artist to be critiqued by the public.

There are many genres of art that fall underneath street art and graffiti is one of them. Street art cannot be generalized down into one genre such as graffiti but it all can be defined as vandalism. The artists in the act of creating art know that it is illegal, they know the consequences of being caught but they take the risk of being caught so that their art will be seen. It is simple, street artist know what they are doing is considered vandalism, and that it is punishable by increasing levels of fines, jail time and community service.

While law enforcement officers are keeping a closer eye on the scene of street art, graffiti and vandalism, there are still and will always be street artist getting away with their art being displayed all over the world. Few artist, such as Banksy, Invader, are incognito and the higher authorities do not identify who they are or how to find them. These artists have large works that are well known all around Europe, Middle East and American. If an artist of this magnitude were to be caught what would there criminal punishment be?

When a criminal is caught their crimes are categorized in state law as either a misdemeanor a felony but if the crime is adequate it will be tried as a federal offence. A misdemeanor is considered a crime of low seriousness, and a felony one of high seriousness in state. A federal offence is any law that goes against U. S. Legislature. The act of vandalism will be giving a misdemeanor or a felony never will it be taking to federal charges (Eichelkraut). The punishment for vandalism does not need to be taking any

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further than in state law because state law officers are cracking down on vandalism.

If vandalism grows to increasing numbers and cities become overwhelmed than vandalism will become a federal offence. And if vandalism is tried as a federal crime, would the jail sentence for the defendant be the same or will the difference be that the time served is in Federal prison. The fines and warnings given out by local law enforcement officers are keeping vandalism under wraps, there does not need to be federal agents patrolling the street to look after empty brick walls and street signs. Even the most severe cases of street art vandalism have never been giving a federal sentence and that's how it will stay.

For example a local street artist outside of Pittsburgh was arrested and sentenced two and half years to five years in jail due to over \$700, 000 in damages to private and public property. And when he is released from prison, he will owe \$234, 000 in restoration and be expected to serve 2, 500 hours of community service. (Sudbanthad) This punishment is the most severe sentence that has happened in the street art world. On the other hand, Shepard Fairey, a famous street artist who invented the Obama campaign posters, was charged with vandalism in Boston, Ma.

His charges were on misdemeanor level where he had to appear in court, Fairey was told not to carry any street art supplies with him when he is in Boston or he will be fined. There are many ways inside state laws that the government will reprimand street art vandalism. There is no set punishment for vandalism whether it's done with spray paint or paper and a roller each penalty will depend on the severity of the crime. For an unknown artist

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serving behind bars because he continued what he loved, it's worth it for him in the end.

Vandalism in any area is a crime but artists, do it for people who will not realize (at least for a few moments) that what you have done is art. Avoid recognizable art-categories, avoid politics, don't stick around to argue, don't be sentimental; be ruthless, take risks, vandalize only what MUST be defaced, do something children will remember all their lives. Dress up. Leave a false name. Be legendary. The best Poetic Terrorism is against the law, but don't get caught. (underspary) Create Art as crime and think of crime as art.