

Serial graffiti vandal to do 1,000 hours of clean-up

By Patrick Lakamp / News Staff Reporter /

A serial graffiti vandal described as “a total loser” was spared prison Monday and instead placed on probation and ordered to spend 1,000 hours cleaning up his and others’ graffiti.

Erie County Judge Sheila A. DiTullio said she could not understand what motivated 26-year-old Richard Whitefield, of Grand Island, to deface properties in Buffalo with his “bcuz” tag.

“You had the audacity to deface and paint and dirty up our city,” DiTullio told him. “Now, you will clean up your mess and your graffiti under the watchful eye of city officials, the Probation Department and this court. I would guess, Mr. Whitefield, that cleaning up your mess will be a lot harder than creating it. It’s a lot harder to take off paint than slap it on.”

She also ordered Whitefield, a part-time warehouse employee for a paint store, to reimburse the city the \$1,005 it spent cleaning up his graffiti, and she imposed almost as much in court fees and surcharges.

Community leaders who have tracked Whitefield’s graffiti over the years have described him as one of the city’s most active but least artistically talented vandals.

Whitefield pleaded guilty in February to two felony counts of third-degree criminal mischief and two misdemeanor counts of making graffiti. He admitted defacing a retaining wall near the Peace Bridge in September and a pedestrian bridge over the Scajaquada Expressway in October. Whitefield also initialed and dated the photographs of some 50 other properties that he acknowledged defacing.

After his plea, Erie County District Attorney Frank A. Sedita III called him a “total loser.”

But defense lawyer Michael T. Dwan rejected that characterization.

“I have heard since the last time we were in court many people say Mr. Whitefield is a stupid guy, pathetic and all these words. The truth of the matter is he’s a very smart kid, one of the smartest people I have ever represented,” Dwan said. “And that’s why this matter is so sad.

“In my opinion, he never intended to hurt anyone,” Dwan said. “I don’t even think he’s capable of hurting anyone, judge. These were property crimes. In his mind, he did not understand there were victims here.”

But Whitefield now understands how he harmed the community, Dwan said.

Whitefield’s circumstances are not what makes this case so sad, Assistant District Attorney Patrick B. Shanahan replied in court.

“What’s sad is we have hundreds of property owners who had their properties damaged and who will never get a cent from Mr. Whitefield,” Shanahan said.

The prosecutor asked for a sentence that took into account graffiti that was far-reaching and pervasive.

At his plea hearing earlier this year, Whitefield said that his markings expressed “a rebellion” against authority.

At his sentencing Monday, Whitefield apologized but offered no insight into why he vandalized the properties.

“I would like to apologize to my family for what I put them through,” he said. “I would like to apologize to anyone I hurt.”

“The City of Buffalo is not your canvas,” DiTullio told him. “This is vandalism and destruction of other people’s property, period. There are real consequences that go along with that.

“You sneak around in the middle of the night and spray paint on structures like the Peace Bridge and a walkway silly words like ‘bcuz.’ I do not understand where you’re coming from. I wish I did, because you grew up in a very loving family, with wonderful parents and a very nice home. It’s hard to explain.”

Buffalo residents expect their structures to be free from graffiti, the judge said.

“It’s not much to ask,” she said.