

# Marathon Protest Defies Santa Cruz Sleeping Ban

*How can Santa Cruz, with its wealth, its prestige, its University campus, and its reputation for progressive politics, enforce laws which make it illegal to fall asleep at night, indeed, even make it illegal to cover up with blankets?*

by Becky Johnson and Robert Norse

Despite an injunction obtained by the Santa Cruz City Council featuring 41 named defendants and 100 John and Jane Does and dozens of supporters, the City Hall Sleepers Protest has not faded away, but through sheer endurance has weathered late winter rainstorms, spring blooming, and now summer tourist season in high gear. The City Hall Sleepers Protest is now one of the longest-running homeless vigils in the nation, reaching Day 154 on August 1.

Dan Hopkins, 52, one of the cofounders of "The Vigil" as most call it, dogs the mayor, shaming him for his unbending

harshness to the homeless in a city which just took the lead as having the highest cost of living in the state. Will Dan still be on vigil there in the fall when the trees are bearing fruit, and the autumn election season leaves will be falling at City Hall?

The answer depends in part on Mayor Mike Rotkin, and his cohort City Councilmember Scott Kennedy. The question is: who will take the lead to end the City's Sleeping Ban? Municipal code 6.36., passed nearly 20 years ago to rid the town of "undesirable transient elements" makes it a crime to fall asleep after 11 p.m. outside a house. In a car, in a cafe, in a church, under a bridge, the homeless receive "move on" harassment or \$162 tickets which, mostly unpaid, turn into warrants.

If neither politician takes the lead to decriminalize sleeping, protest founder Dan Hopkins and his homeless helpmates will still be doing guard duty at City Hall come September. Their message: How



**The simple act of sleeping becomes an illegal act of defiance in Santa Cruz.**

can a city such as Santa Cruz, with its wealth, its prestige, its University campus, and its reputation for progressive politics, uphold and enforce laws which make it illegal to fall asleep at night, indeed, even make it illegal to cover up with blankets?

After ignoring, then dismissing, then denouncing the protest, Mayor Rotkin,

supported by Kennedy, went to court in April of this year to end the 24-hour vigil. Rotkin and Kennedy wanted to bar the protest at night and, in addition, prevent it from moving elsewhere downtown by imposing long jail terms for violations of laws previously considered infractions. On