

Creative Protests Challenge Sitting Ban in Santa Barbara

by Robert Norse

Two days after Santa Barbara's "Sit on the sidewalk, go to jail" law went into effect, protesters struck back with signs, smiles, and soup within a block of City Hall. On Saturday, May 24, Santa Barbara's Food Not Bombs launched an all-day resistance effort in the 700 block of State Street, featuring poetry, songs, and citations. African-American poet Sojourner Kincaid Rolle read and distributed her "El Paseo" poem; writer Peter Marin passed out copies of his latest Sit-Ban song; police officers cited sympathizers sitting on the low-lying wall that separates State Street from the Storke Placita Park.

Homeless activist, long-time protester, jovial carpenter, and chronic mayoral candidate Bob Hansen himself sat down — in spite of a probation condition still in effect from his last City Council protest (when he was arrested for seeking open bathrooms downtown). City workers, Hansen noted, have also removed waist-high planter boxes from the 700 block as

part of a campaign to "redecorate" the downtown, ultimately to eliminate areas for sitting all along the downtown commercial district.

Literature major Jack Dedlitz reported he was interrupted while reading Chaucer and cited under the Sitting Ban. "I came specifically to protest the ability of businesses for the sake of profit to infringe on individual liberties," he said.

The Sit-Ban law, Hansen suggests, is aimed at the homeless and the young, but will impact everyone: "People can't come down to State Street and sit unless they sit in these little cafes." Protesters opposing such compulsory consumerism got honks of support from passing motorists.

Civil rights attorney Will Hastings joined a second round of protest three

days later at lunchtime on May 27, when he and half a dozen other lawyers sat down on the same wall where protesters were previously cited. Several police officers responding to the Sitcrime emergency put their heads together and decided to delay ticketing the lounging lawyers until they could "get an opinion from the City Attorney."

Students from nearby UCSB passed out petitions urging the council to mend their ways and rescind the ban. Literature major Jack Dedlitz reported he was interrupted in his reading of Chaucer and cited for sitting under Municipal Code 9.97.010. "I came specifically to protest the ability of businesses for the sake of profit to infringe on individual liberties," he said. The protesters weren't sitting in front of businesses or blocking traffic, Dedlitz reported, but still face potential \$72 fines nonetheless.

Attorney Mark Shatillo, who took Dedlitz's case, and also sat down in the Tuesday protest, commented: "Santa Barbara City Council has been engaged in a war against the homeless for a number

of years and this is the latest chapter in that process." The target? "People on the sidewalk playing their guitars and sitting with their dogs."

"It's ironic," concluded Shatillo, "because City Council adopted an ordinance permitting businesses to obtain a permit to construct fences and railings intruding into the sidewalk and placing tables for little outdoor cafes... Far less intrusive sitting [however, is now] ...an illegal act."

Attorney Robert Landheer, who sat down on Tuesday, immediately accepted two cases pro bono, noting the issues include the privatization of public spaces and the constitutionality of vagrancy laws. People now are forced "pay to sit at a cafe or keep tramping," he concluded.

Hansen said the law itself was passed under false pretenses: "The Chamber of Commerce and Old Town Merchant's Association came [to City Council] and lied, saying people were spitting, cursing, throwing things at people." The Council

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promised that sitting on planters and walls would remain legal, but police announced they would ticket-and-arrest anyway (with the apparent exception of attorneys). More serious problems like a shooting at the lower State Street bar scene a month ago were ignored by the council in favor of new restrictions against the favored scapegoat: the visible homeless community.

Coming a year after the passage of a law barring "aggressive panhandling", the Sit-Ban will soon face a brace of civil lib-

erties lawyers in court and almost certainly more protest on the streets. "Sidewalks are considered areas of free expression," said Shatillo.

Even if the Sitting Ban itself cannot be overturned immediately, Hansen sees the occasion as a golden opportunity to organize homeless people and their supporters for a long-needed Kitt Tremaine Justice-for-All Center, a sort of switchboard/laundromat run by the homeless. Tremaine, the late philanthropist who funded the successful campaign that overturned Santa Barbara's Sleeping Ban for three years during the late '80s, surely would have approved.

~~Santa Barbara Sit-Ban~~ ~~article law~~