

## Car-Top Protest Challenges Camping Ban

*How does Judge Thomas Kelly sleep at night after outlawing sleep for homeless people in Santa Cruz?*

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mit to do that?" she scolded.

"I don't need a permit," replied the cheeky chalker.

Moments later two Downtown Hosts (another invention by Mayor Beiers to ease the homeless out of sight) arrived and spoke with the merchant. They left, less than a minute later, taking no action to interfere with the chalker. (Chalking public sidewalks has been ruled constitutionally protected speech. Protester Chris McKinney won \$25,000 in Berkeley when police arrested him for chalking in the 1992 People's Park protests).

As the demonstration progressed, HUFF activists took reports from local homeless people. Peaceful panhandlers and squeegee workers (who wash car windows for donations) reported abuses.

"Patches" noted that she was told she could not window-wash "without a permit." Later she was ousted by Taco Bell as she sat eating a taco she'd bought there for "violating the 15 minute sitting limit."

Another woman, who had been harassed for sitting at bus stops and had won administrative court action preventing that, reported that the Hosts were now directing her to not hold up a "Need Spare Change" sign downtown. A poshly dressed couple passed by. The woman vainly attempted to scuff out the letters, "Sleep is a Human Right!" with her feet.

A homeless couple stopped by, and while they shared soup, they reported that the woman was issued two tickets for panhandling on the steps of the post office.

"They told me it was illegal to have a political sign on federal property," she said. "They said if they caught me one more time, I would be taken to jail." The

sign they held hardly seemed political. It said: "Please Help. Homeless. God Bless."

No arrests were made at the protest. HUFF is planning larger demonstrations on Pacific Avenue for the Season of Compassion from Thanksgiving until Christmas. "You mean the season of naked greed!" remarked one homeless man as he gratefully supped the delicious bean-and-mushroom soup. As in most cities, the holiday season is the most profitable for the merchant community. The sight of ragged, desperate homeless people in one of the richest cities in the state is thought to deter shoppers.

"If we organize strongly enough in advance," said "Bathrobespierre" Robert Norse, as he served up free soup in his tattered bathrobe, "we'll use both street theatre and Martin Luther King-style civil disobedience to alert tourists and shoppers to those stores that won't allow homeless people basic human rights and those that want to keep the Sleeping Ban in force."

HUFF and other civil rights groups have tried a variety of protest tactics against the Sleeping Ban over the years: Sleep-Outs at the Town Clock (1985, 1988-91), Sleep-Ins at City Hall (1988, 1989), Mass slumber on Pacific Avenue (1994), Round-the-Clock Sleeping at the Post Office (1989-90), a 7-plus month vigil at City Hall (1996), Encampments at the River St. Shelter (1988, 1991, 1995), Sit-In in the City Manager's Office (1992), and a Lock-Down at City Council (1996).

HUFF learned that a street on the west-side recently lobbied to make parking illegal from 10 p.m. to 6 a.m. in order to rid itself of unwanted homeless campers. What is unusual is that a Santa Cruz police officer informed residents that there was nothing he could do to move the

campers along. The residents, unaware of the camping ban, felt they had no choice other than to have all parking at night banned on their street.

Another issue HUFF is concerned about is the 25-35 assaults on homeless people since January [see *Street Spirit*, October, 1999] that have been ignored by authorities — though activists have begged the City Council and its Parks and Rec Department to open a "gone to dawn" safe zone where homeless people can, for their own safety, sleep in a well-lit area and in numbers. There are many parking structures, vacant at night, which already have restroom facilities, but Mayor Beiers continues to insist "there is no place for them."

These grim realities make a 1999 Season of Protest all the more important, if it can be organized effectively.

Despite years of lobbying, many who stopped by to sip soup, read a flyer, or talk to the HUFFsters, even some who have lived in Santa Cruz for years, were still unaware that it is illegal to sleep for nine-and-a-half hours each and every night of the year including Christmas, subject to a \$54 fine for a single act of sleep. And with only 28 spaces each night in the shelter (the number rises to around 200 in the winter), most homeless people in Santa Cruz are forced to break the law each night in order to sleep.

"And you can't even sleep in the parks in the daytime," reports Dan Hopkins. "Parks and Rec wets down all the parks so the ground is too wet to lie down and sleep. Even last August, when a problem at the water treatment plant forced the city to radically reduce its water consumption, they still kept everything wetted down."

So much for the Kelly Solution.

To help HUFF with its Season of Compassion protests, call (831) 423-HUFF or e-mail [Wmnofstl@cruzio.com](mailto:Wmnofstl@cruzio.com) or visit the HUFF table on Pacific Avenue in Santa Cruz.