

The Forbidden Zone — Santa Cruz Bans the Beggars

by Becky Johnson

A casually dressed tourist leans against a building downtown on Pacific Avenue in Santa Cruz, idly sipping his iced mocha cappuccino as he soaks in the pageantry of the street traffic. Soon, this leisure activity will likely be a criminal act. On September 10, the "progressive" Santa Cruz City Council will reconvene to fine-tune the new anti-homeless ordinances, hustled through in a record four meetings in 15 days. [See "Fast Track Repression Stalks Santa Cruz," *Street Spirit*, August 2002.]

Although the City Council pushed through dramatic changes to the anti-sitting ordinance, the anti-soliciting ordinance, and laws regulating display of merchandise, storage of property, and conduct on public property, few of the problems merchants had complained about will be addressed. Instead of addressing the perceived problems of vandalism, shoplifting, shootings, stabbings, drug sales, sexual harassment, and lack of bathrooms, the new laws target sitting, sparechanging, and resting an "unattended" backpack on the sidewalk, with additional restrictions on street performers and political activists.

Gentrification seemed to be the real agenda of the merchants, for these ordinances target the menace of blowing bubbles, juggling, playing hacky-sack, Frisbee, football, jacks, street musicians, tarot card readers, political tables, and beggars. Already illegal on Pacific Ave. are dogs, skateboards, putting a foot on the 8-inch-high concrete lip of a tree-well, asking for spare change after dark, sitting on a bench the wrong way, asking for spare change from a seated position or in groups of two or more, riding a bicycle on the sidewalk, lying down, sitting 10 feet

from a building, dropping a cigarette butt on the sidewalk, "displaying" your artwork, performing music for sale (or even for a donation), and, if you believe the police, chalking on the sidewalk.

14-FOOT FORBIDDEN ZONE

Especially impacted by the ordinances are the street musicians who accept donations, street entertainers such as Mr. Twister and Wild Willie, two clowns who twist balloons into animal shapes to the delight of children. They accept tips for their work, so they will be forced outside the "forbidden zone," along with any political table that includes a donation can (which is pretty much all of them). It will be illegal to perform or table in many areas of downtown Santa Cruz after the forbidden zone is expanded to 14 feet from a building, intersection, mid-block crosswalk, drinking fountain, telephone, the railing of an outdoor cafe, or a bench.

"The benches were missing from the diagrams," reported Kathy Bisbee, Downtown Commission Chair, commenting on the drawings that staff brought to City Council as it rushed through the laws. The diagrams, prepared by Julie Hendee of the Santa Cruz Redevelopment Agency (RDA) repeatedly erred in showing "green opportunity zones" where none existed in reality. For the RDA, the "green opportunity" for homeless panhandlers will be almost non-existent.

Three downtown commission meetings later, on August 13, the RDA maps still failed to indicate all benches, some crosswalks, and at least one large planter area, exaggerating the area of the "opportunity zones," as Vice-Mayor Emily Reilly cheerfully renamed the small areas not forbidden by her law.

Her upbeat bigotry is not new. Last October, Reilly led the council to ban homeless parking in the Harvey West industrial area of Santa Cruz from 5 a.m.

to 7 a.m., allegedly for daily "street cleaning." About 400-500 homeless people living in their vehicles risk losing those vehicles if they cannot pay the expensive tickets that can accumulate quickly. Reilly described this homeless-removal program as "a compromise."

Reilly said that this year's steamroller downtown ordinances are "putting things in balance." Last year, activists hoisted a banner saying "EMILY REILLY'S VOTES HURT THE POOR" in front of her Mission Street Emily's "Good Things to Eat" Bakery. [See "Santa Cruz Ratchets Up Anti-Homeless Campaign," *Street Spirit*, October 2001].

Councilmember Tim Fitzmaurice, the only incumbent seeking re-election this November, seems determined to bring his City Council rules of decorum to the public sidewalks of Pacific Ave. He has banned hacky-sack players from Pacific Ave. And he did so by passionately relating an incident he had witnessed of a young man playing Frisbee and crashing into an elderly woman walking by with her domestic partner and her daughter.

"He didn't apologize. And when they complained, he turned and looked at them and said 'You f—king dikes!'" Fitzmaurice's voice shook with anger. He moved to act to end this injustice. Did he speak to the young man in an attempt to sensitize him to the error of his ways? No. Did he recommend that the human rights task force expand diversity and tolerance outreach to high school boys? No. Did he make a citizen's arrest of the young man for recklessly endangering the woman? No. He banned Frisbees!

"How can banning hacky-sacks reduce drug dealing on Pacific Avenue?" asked Mayor Christopher Krohn. Councilmember Ed Porter answered that drug dealers get bored waiting for a drug deal to occur and like to entertain themselves by playing hacky-sack

Highlighting the council's public comment period on the downtown ordinances was the Mammary Manifesto. This ad hoc collective of three 20-year-olds wrote a colorful and well-researched critique [see www.frazadelic.com] of the perceived

crime wave on Pacific Ave., and read it during the public comment period. The first speaker, a young woman sporting a fabulous blue-and-black Mohawk head-dress, began her public comment period by pulling her top off. She then explained that there had been only two complaints of topless women on Pacific Ave. in the past six months, both of them for the same woman, a tourist who has since left town.

"The only time you ever tend to see women's breasts on Pacific Ave. is when you try to ban them!" she exclaimed. Standing in line, the remaining members of the Mammary Manifesto removed their shirts as well. A petition circulated by Candi Jackson of Jackson's Shoes had recommended banning women's bare breasts from Pacific Ave., but no such language appeared in any of the ordinances.

IT'S ALL ABOUT THE BEGGARS

Moments after passing the sweeping ordinance changes into law, the council planned to grant exemptions. "We won't ban professional bubble blowers," Porter confidently predicted. But no such language appeared in the text of the ordinance they had just passed.

The Downtown Commission was given the clean-up job. In early August, the generally pro-ordinance commissioners walked Pacific Ave. looking for "traditional" areas to exempt from the 14-foot forbidden zones for street musicians, political tables, or street entertainers. No one advocated for the beggars.

In fact, it's all about the beggars. Sexual harassment is already illegal under existing

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