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 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, and lack of bathrooms, the new laws target sitting, sparechanging, and resting an “unattractive” 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. was 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 downtown areas of 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 “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? Did he recommend that the human rights task force expand diversity and tolerance outreach to high school boys? Did he make a citizen’s arrest of the young man for recklessly endangering the woman?

No. He banned Frisbees!

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 downtown areas of 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.

“Twister and Wild Willie, two clowns who entertained” backpack on the sidewalk, “displaying” your art-work, performing music for sale (or even for a donation), and, if you believe the police, chalk on the sidewalk.

14-FOOT FORBIDDEN ZONE

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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 any of the ordinances.

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...