

# Santa Cruz Liberals Back the Police Against the Homeless

by Robert Norse & Becky Johnson

In these Ashcroftian times, many look to the City of Santa Cruz as a beacon of sanity. The Santa Cruz City Council was the first in the nation to pass a resolution opposing the war in Iraq. It passed a resolution opposing the Patriot Act for all the civil rights violations contained therein. It sponsored a Town Hall meeting on the War in Iraq; and a week later passed more resolutions against the war (though no resolution declaring a "right to sanctuary" for war resisters).

But in the War Against the Poor, local bureaucrats, the City Council, and the SCPD are just as right-wing and reactionary as any other city.

Last July, the City Council passed a series of ordinances which banned the act of sitting down on the sidewalk in most business areas, if it occurred within 14 feet of a building, crosswalk, kiosk, telephone, drinking fountain, bench, or outdoor cafe. Most sidewalks in the business districts are less than 14 feet wide. So this law gives police the power to harass and ticket virtually anyone for simply sitting.

Wealthier patrons, however, can sip their \$3 cafe lattes on the sidewalk outside the Cafe Campesino. Poorer ones can crowd onto one of the disappearing benches, nearly half of which have been removed under merchant pressure since the early 1990s.

The repressive laws also banned peaceful sparechanging, political tabling, and street performing in the 14-foot "forbidden zones." Under merchant pressure to

disperse the youth and a hippie scene downtown, the council rushed through the "anti-fun" laws. These decreed no hacky-sack, no frisbees, no balls of any kind, no "liquids which may become airborne."

"I'm not sure whether to cry or vomit, but that might encourage some cop with a ticketbook," growled one cynic.

Also criminalized was bubble-blowing, with an exception made for "bubble street performers" in deference to internationally famous bubble artist Tom Noddy, who lives

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**Despite the "progressive" city's anti-war stance, in the War Against the Poor, local bureaucrats, the City Council, and the Santa Cruz Police Department are just as reactionary and right-wing as any other city.**

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half the year in Santa Cruz.

## NO SPARE CHANGE — OR MERCY

Some of the most restrictive anti-soliciting laws ever on the books in Santa Cruz were enacted last July. In addition to being illegal to ask for spare change at a bus stop, parking lot, or bank, it is now illegal to ask for "anything of value" after dark "with or without a sign" in groups of two or more, or from a seated position on public property. In addition, the 14-foot forbidden zone rule excludes sparechanging from 95 percent of all sidewalks near buildings throughout the city.

James, a long-time resident driven into homelessness by bad times, got a \$162 panhandling ticket for asking a friend for 29 cents. Candi Jackson, manager of

Jackson's Shoes, got police to make a citizen's arrest of Jason, an African-American spiritualist, for doing a card reading of a passerby and then asking for a donation ("panhandling within 3 feet").

John Telfair, 73, who gets money to visit his wife on the East Coast by sparechanging, was silently holding up a sign saying, "Anything helps, God Bless!" with downturned head. He stood there trembling and explained he had been warned that if he sat down, he would be

fined. Three years ago, HUFF (Homeless United for Friendship & Freedom) activists successfully raised a ruckus because Community Service Officer Malate repeatedly harassed Telfair with demands that he stand up to legally hold his sign; last year, the City Council made this kind of torture legal.

## MOVE ON, MUSICIANS!

Musicians and street performers fall within the laws regulating sparechanging, conduct on public property, and non-commercial display, but were given special status. Five months of hearings by the City Council's hand-picked Downtown Commission led it to make an unusual gesture of independence to reject the council's repressive "fix-up" proposals.

It wouldn't rubber-stamp the proposed "exemption zones," require a permit for performers, or make mandatory the traditional Voluntary Street Performers Guidelines (VSPGs). The VSPGs were a consensual code of conduct worked out in 1980 by street performers in response to an earlier move to ban street performing.

The VSPGs advised that if a merchant, resident, or another performer wanted a performer to move on to another spot, they ask the performer respectfully to consider doing so. It was understood the performer could take at least another hour, and then would feel some peer pressure to move along. Though not a law, this "friendly neighbors' understanding" usually worked well. When it didn't, there were always preexisting laws against excessive noise, disturbing the peace, and trespass, as well as simply getting the police to threaten the musician that a complaint was being considered with possible confiscation of the offending instrument.

In a bow to community feeling and the tradition of street music in Santa Cruz, the Downtown Commission asked for more time for street performers and political tablers to work out the alleged (but actually nonexistent) problems. Public records from the Downtown Hosts noted less than one percent of its downtown contacts had even involved street performers.

The City Council, nervous that merchants might interpret the Downtown Commission's liberalism towards performers as "backing down" or weakness, moved