

Repression in Santa Cruz

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instead to destroy the VSPGs with a new compulsory law proposed by Councilman Ed Porter, a high school teacher. Porter had earlier declared his fondness for a "Hall Monitor" mentality downtown.

His proposal, pushed by Councilmember Cynthia Mathews, a hard-core merchant backer, transformed what were previously the freely-arrived-at VSPGs into manacles of law. "Just in case," explained some local Ashcroft admirers, "there's a problem with a musician who won't 'move along' when his time is up."

To forestall this menace, the City Council passed the first "move-along" law in California (perhaps in the United States). It requires anyone with a display device to move after one hour at least 100 feet and not return for 24 hours on pain of a \$162 fine (and up to \$1000 and six months in jail for the second offense).

These new laws were simply PR gestures to police, merchants and conservative residents, eager to blame the business downturn on poor, young, and homeless people. They simply gave police more

power. To show their "liberalism," the council then included in the laws provisions that essentially exempted musicians at the discretion of the police department. "Corrective" amendments made special exceptions for street musicians to seek donations while performing.

On the right, old-time, recycled, hard-line Councilmembers Tim Fitzmaurice, Mike Rotkin, and Cynthia Mathews were reelected. On the left, musician opposition to the laws continued, but didn't take the shape of legal or street protest. Police had new tools to drive away homeless people and just had to take care to ignore musicians, political activists, and other more powerfully connected groups.

Some political activists began to plan resistance to the ordinances. Homeless people made themselves scarce or began to defiantly acquire collections of tickets. Some insisted on the right to remain in public spaces, and steadfastly stayed seated on the sidewalk in front of a cafe or holding a sign while seated. One couple began to receive old-time \$162 "camping" tickets as well, even though "sleeping" and "covering up with blankets" had been reduced to a \$54 infraction fine.

Olivia Brownrabbit, an activist trying to

give away clothing and books as well as monitor police misconduct, found her stash of donations confiscated four times in the course of three hours in mid-February. "I'll keep coming back," she promised.

An article in the final issue of the local *Alarm* newspaper called for panhandlers to pick up a kazoo and declare themselves "musicians," therefore exempt from the sparechanging ban if they played for donations. Some suggested political activists, barred from soliciting money if seated, or in a group of two, or after dark, should sing out their anti-war messages and so gain exemptions. Longtime panhandlers "Visions of a Hamburger" Craig took to drums and "Stand-Up" Steve Elliott began using an electronic instrument; both were quickly silenced with threats of tickets by police-turned-music-critics.

All last year, the City Council ignored majority opinion, cut back speaking time at its meetings, and bathed its actions in self-congratulation and professed respect for civil liberties. The word "homeless" was never used, though they were the main target of the expanded forbidden zones.

In effect, the City Council simply gave the police department a blank check to selectively ticket whoever they chose. As

Councilmember Rotkin put it, "What idiot wouldn't move along when told to do so [by a police officer]?" Councilmember Scott Kennedy predicted that things would shortly "die down."

Playing along, police focused their harassment and citations on individual homeless people, tie-dyed travelers, and local youth — those least likely to have organized support in the community. Musicians and political activists were initially left alone, even when blatantly violating the law by standing next to a building, sitting on a public bench, or giving out political literature at a table for more than an hour — all strictly forbidden.

There had never really been a "sitting" problem or a pressing "sparechanging" problem. The City Council's real problem had been political — how to reassure merchants and the right-wing monopoly newspaper, the *Santa Cruz Sentinel*, that police could remove the raggedy-looking and the poor from the sidewalks without pesky concerns from constitutional critics.

"How can the City Council honestly oppose a war in Iraq when it supports the police department's war against our own poor here in Santa Cruz?" asked one Food Not Bombs activist.