

POLICE STEP UP HARASSMENT

Police Chief Steve Belcher is in favor of removing the planter seating. The SCPD have been writing citations up and down Pacific Avenue. For example, John Maurer, a former *Street Spirit* master vendor, received citations for such things as "displaying merchandise," "not moving along every hour" (a unique recent anti-homeless Santa Cruz ordinance), and two

tickets for "soliciting with abusive or profane language."

In one case, he reports, he responded to a rude demand by Dell Williams jewelers that he move by using the word "fuck" in a humorous dialogue with himself. In the second, after a police officer moved to confiscate his bucket, backpack, and sign as "unattended" when he walked 15 feet away to open a door for a 93-year-old lady with a walker at the Palomar Hotel, he neatly lettered a small sign, "Fuck the Pigs (Police)," and put it on his straw hat. He was given a second "abusive soliciting" ticket.

Maurer, who is homeless, said, "I've received four citations in the past five days. When I was homeless the time before, I was on Pacific Ave. for over a year and didn't receive a single citation." All his tickets are infractions, so he has no option for a jury trial or public defender.

Twice in March, Jason Paschal was ticketed for "giving a tarot card reading without a permit." [See "Racial and Economic Cleansing by Santa Cruz Police," *Street Spirit*, May 2003.] Another homeless tarot card reader is too afraid to set up anymore, after having been frightened by the police.

The SCPD were successful in convincing New Hampshire to extradite Paschal on a 1996 marijuana charge. Since his extradition, Paschal has been held, at times in restraints, and his attorney, Justin Nadeau, reported that in spite of twice being denied access to Paschal in the New Hampshire prison, the parole board was going ahead and holding a hearing on May 27 regarding his case.

Longtime street musician Mu was cited for "playing a flute too near a building." The author of this article was convicted for chalking a hopscotch board on the sidewalk in September 2002.

The SCPD is busy "cleaning up" the homeless off Pacific Avenue. No doubt the number of citations issued at the planter can be used as "evidence" of the public nuisance the planter has become. It could just as well be evidence of police harassment of the young, countercultural, poor, Latino, black, and homeless people who do gather there from time to time.

Although peaceable assembly was a right guaranteed by the framers of the U.S. Constitution, if the wrong kind of people peaceably assemble in Santa Cruz, the City, even in a severe budget crisis, will pay \$12,000 to remove from public use the place where the "wrong" kind of people are sitting down.

MERCHANTS BLAME PANHANDLERS

With the dot-com crash, unemployment "over the hill" in Silicon Valley, and economic uncertainty, business is down 15 percent in the downtown area from last year. Merchants ignore the fact that Enron, the Arthur Andersen accounting scandal, 9/11, and the war in Iraq — when added to the sky-high rents they must pay for a business which fronts on Pacific Avenue — have a whole lot more to do with their loss of profits than the presence of homeless people asking for spare change near their businesses.

Yet facts don't matter. It's just another excuse for the City to make life a little harder for the Santa Cruz homeless, a little more isolated, a little more alienated, and a little less visible.

So, as the springtime sun shines down sifting through the leaves above the blooming foliage at the planter, Costa Brava workers take a cigarette break while sitting on the planter's concrete bench in the cool shade. The smoke wafts upwards into the windows of Rosie McCann's Irish Pub, where workers there complain about cigarette smoke coming from the area of the planter.

Robert Norse contributed to this article.