

Police Report 51 Assaults on Homeless People in Santa Cruz

February 2000

After four months of obfuscation and indifference, Police Chief Steve Belcher released a report on violence against the homeless. The numbers were staggering.

by Becky Johnson

When I first saw Mark Born, his head was covered with dried blood. He had two black eyes, blood on his already soiled, green Army jacket, and his thumb was bent at an odd angle. My house was the impromptu headquarters for distribution of *Street Spirit* in Santa Cruz, and someone had told him he could get newspapers from me. I talked him into going to the hospital emergency room instead.

He was diagnosed with a concussion, lacerations to the scalp, and a thumb broken in two places. When he told the intake nurse that his injuries were the result of a beating, she informed him she was required by law to call the sheriff.

Mark gulped, muttered, "I wish you didn't," and sat down to wait.

Between the nurse cleaning his wounds, finding clean clothes for him, his consultations with the doctors and staff, and the X-rays, Mark and I were at the hospital for five hours. But the sheriff never came to take a report. That was in March of 1999. I haven't seen Mark Born since last summer.



Art by Christa Occhiogrosso

Picture 51 homeless people standing in a long line. That's how many were assaulted in the small city of Santa Cruz in 1999, according to a police report.

We, at Homeless United for Friendship & Freedom (HUFF), had noticed an upswing in the reports of homeless beatings starting around January of last year. At that time, then-Mayor Katherine Beiers was conducting her endless meetings (which ultimately went nowhere) as part of the Task Force to Examine the Camping Ordinance. The fact that the community might be even thinking of softening the law which outlaws sleeping and covering up with blankets may have been the impetus for a new round of terrorism against homeless people.

Recent reports described groups that attacked folks like Mark Born as Nazi skinheads. These young men in their late teens or early twenties prowled the bushes looking for sleeping homeless people.

One man heard another homeless man running through the woods screaming in terror. He had just been setting up his sleeping bag so he stuffed some clothes inside it to look as though someone was sleeping in it. Then he climbed the tree behind him and waited. Before too long a young man came through the woods lugging a baseball bat. Seeing what seemed to be someone sleeping on the ground, the man ran over and started pounding the sleeping bag.

In June, 1999, a man reported that while he camped in the Pogonip near Highway 9, a car drove by and sprayed

the area with gunfire. Three different groups of homeless campers were sleeping in that area. He said that his friend went back to the place to sleep a night or two later, and was badly beaten. These claims were made confidentially without naming the complainant. When HUFF workers simply suggested to police that they keep their ears open, SCPD Sgt. Loren Baker used the complaint to cast discredit on homeless concerns of violence, complaining that he spent hundreds of hours investigating only to conclude the shooting incident never occurred.

Also in June, Wray Stitt burst into a meeting at the Homeless Services Center one afternoon, bleeding. He had been assaulted in Harvey West Park while sitting under a tree. Executive Director Ken Cole urged Wray to file a report with the police. Wray was found dead on November 7, 1999, drowned in the San Lorenzo River in two feet of water in an area he was not known to

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frequent. The coroner ruled it an accidental drowning. His friends said he had been beaten again one week before his death.

A homeless Latino man had his arm broken by a group of young men. Due to his lack of proper immigration papers he would not report the crime, despite a major injury. A man sleeping on the sidewalk late at night along Pacific Avenue was kicked by a group of young men. More than 35 such reports came to HUFF in 1999, but only four of those reports had been filed with the Santa Cruz Police Department.

POLICE INEFFECTIVE AND INDIFFERENT

The only known conviction for assaults on homeless people in 1999 in Santa Cruz was that of Aaron Bertsch of Scotts Valley, CA. Bertsch was convicted of breaking into an abandoned building where three homeless people slept. One man, Ron, was able to get away without injury. But Joe Barker, as he lay on the floor, was brutally beaten with a chain, a bottle, and a planter box. He suffered broken ribs and was hospitalized. The police told reporters they didn't consider the assault to be a hate crime. Judge Art Danner sentenced Bertsch to only four months in jail for that vicious assault.

In November, Joe Barker was assaulted again while he sat beneath the wharf at the Santa Cruz beach. This time his chin was cut and required stitches. Barker, who takes pride in being a man of peace, says he has already forgiven his assailant.

Homeless Issues Task Force member Lucy Kemnitzer attempted to get a report from the Santa Cruz Police Department on the number of reported assaults against homeless people. After four months of obfuscation and indifference, and after complaining to the mayor, Police Chief Steve Belcher released a one-page report. The numbers were staggering: 51 assaults in 1999 in which the victim was identified as homeless, transient, or having the address of 115 Coral St. (a homeless shelter) out of a total of 452 assaults for the entire city. Santa Cruz has a homeless population estimated as being between 500 and 1500.

Paul Brindel, HITF member and social service provider, crunched the numbers compared to the population (52,000) of the City of Santa Cruz. "If you live in a house, your chance of being assaulted is 1 in 1000. If you're homeless, you have a 4-8 percent chance of becoming an assault victim. It's dangerous out there."

Chief Belcher, a supporter of Santa Cruz's institutionalized hate crime, the Sleeping Ban, has repeatedly refused to

characterize these assaults as hate crimes. He also insisted there was "no increase" in the assaults, though at press time activists were still waiting to get hard stats from 1996-1998 for comparison. The City Council, for its part, wouldn't even hold a discussion on an emergency resolution from the Homeless Issues Task Force calling the council to suspend the Sleeping and Camping Bans pending establishment of Safe Sleeping Zones.

Violence against homeless people is not a new story in our city. During the early 1980s, several Santa Cruz police officers were involved in a practice known as "Code Blue." When an officer announced "Code Blue" and a location on the radio, it signaled that other officers should converge on that spot to beat up a homeless person. Four police officers were ultimately fired for that operation but none were ever convicted.

HOMELESS DEATH TOLL IN 1999

As part of the National Coalition on Homelessness's day of remembrance, the Homeless Services Center in Santa Cruz had a small ceremony on December 21, 1999. The HSC, HUFF, and the Santa Cruz Coroner's Office compiled a list of 19 known homeless deaths in 1999. Many of the deaths, especially of the young, were from overdoses. Alcoholism and heart disease claimed many. Suicide claimed at least one. All died well below the expected lifespan for someone living in California in 2000.

The list of deaths includes Wray Stitt, who had sought entry into an alcohol recovery program on the Monday before he died. With the typical waiting lists for slots in recovery programs available to homeless people, he could not get in. He died on Wednesday, the same day that dedicated staff members had finally found a spot for Wray. But by then, he was floating face down in the San Lorenzo River.

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Will Rush died on the floor of the National Guard armory two days before Christmas. When everyone got up to get ready for the bus to exit the shelter, Will was found dead, his body already cold.

Ralph Fritz, 52, was found dead in a field of "natural causes." Only one of the deaths was a woman: Beverly Meschi, who died last April. Scott Soady, Anthony Rowse, and Edward Hicks all died of heroin overdoses. Edward, who was only 25 at his death, had been homeless since he was a teenager. (On his 18th birthday, he went to jail to "take care of" past camping tickets he had received dating back to when he was 14.)

The first homeless death of 1999 occurred directly behind the Santa Cruz

County Courthouse. At 9:22 a.m. on January 7, 1999, a groundskeeper discovered the body of Robert Zesinger, age 32, hanging from a tree. The coroner ruled the death a suicide: asphyxiation due to hanging. But Sgt. Steve Clark of the SCPD told *Sentinel* reporter May Wong, "It was an autoerotic death." In Wong's January 8th article, she reported, "authorities say many people have strangled themselves in an effort to increase sexual pleasure."

Later in January, at a meeting of Katherine Beiers' Task Force to Examine the Camping Ban, Sgt. Loren Baker and Deputy Chief Jeff Locke volunteered that Zesinger's death was an autoerotic death. With the entire community focused on the law, which does not allow homeless people to sleep or to cover up with blankets, the police were able to divert any natural sympathy the public might have for a 32-year-old homeless man committing suicide in the dead of winter.

Instead of sympathy, Clark, Baker, and Locke were able to depict "the homeless" as sexual perverts to be feared. Several weeks later, and after dozens of community meetings, a follow-up article reported that the coroner had confirmed the death was not an autoerotic death.

Most local people do not recognize the name Robert Zesinger. Many, however, remember DBob or "Drifter" Bob. He had a small radio program on Free Radio Santa Cruz in the days when the studio was located in the basement of the Santa Cruz Cannabis Buyers Club. When Dan Hopkins and Sean Alemi started the City Hall Sleepers Protest in March of 1996, DBob was there as a reporter for Free Radio Santa Cruz (96.3FM) and as a participant. He was arrested for sleeping as an act of protest against a law which denies homeless people the right to sleep at night.

Sean Alemi, a homeless activist whose name did not appear on the list of homeless deaths in 1999, also recently died. Alemi, whose large frame, big spirit, and huge laugh are remembered by all who knew him, founded the organization Feed the People, which used donated food to feed hungry people where they live — on the streets. In early November, 1998, Sean was killed in an auto accident and his partner John Earth was injured. Both men were severely sleep-deprived at the time of the accident. The District Attorney charged John Earth with vehicular manslaughter in Fresno County, and Earth was forced to attend months of hearings, traveling back and forth to Fresno until the DA dropped all charges in January.

Ironically, Earth's accident happened near Fresno because he had been working hard chopping wood for two days previously, was unable to sleep the prior two

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nights because of an ear infection, and fell asleep at the wheel. Had the two been driving through Santa Cruz, it would have been illegal for them to pull over to sleep at night. A recent decision by Judge Art Danner extended this "no sleeping" prohibition to the entire county in a decision as short-sighted as it was bigoted.

For more information contact: HUFF, 309 Cedar PMB #14B, Santa Cruz, CA 95060; 831-423-4833; wmnofstl@cruzio.com