

Bold Sleep-Out at City Hall Protests the Sleeping Ban

Not a single person representing the City of Santa Cruz was willing to meet with protesters during the entire week they were gathered outside City Hall.

by Linda Ellen Lemaster

Homies for the Homeless launched a protest on Sunday, August 12, at Santa Cruz City Hall, both to train homeless people how to respond to and document police bullying under the unconstitutional Santa Cruz Sleeping Ban, and to sign up interested sleepers as plaintiffs in the forthcoming lawsuit masterminded by local civil rights attorney Kate Wells.

This protest ultimately proved to be an unexpected victory. Originally it was intended as a rally and speak-out that would culminate with a one-night sleep-over; plus, some folks wanted a meeting with the mayor and vice-mayor of Santa Cruz. Once participants realized the growing interest and commitment among City Hall sleepers, "Homies for the Homeless" buckled down and began working alongside everyone who came to arrange for safe space, welcoming both protesters and non-protesting homeless people to sleep there together at night.

This arrangement lasted for six days, from August 12 to 18, on the lush lawn of Santa Cruz City Hall's garden campus, wrapped around with a low stone wall, until police came on August 18 at 3 a.m. and roused sleepers, ticketing some.

Before they got those marching orders, police officers visiting City Hall campers had been mostly friendly and were providing helpful information. Suddenly, the winds of polity changed, and police were ordered to disband the growing self-made community. The presence of the sleepers, and their anti-sleeping-ban persistence, must have hit a nerve, even though City Hall was mostly closed for vacation throughout August.

In the face of the bust, people decided to keep their connections alive and to continue their alliances, setting plans to meet in the next two days, even as some were given citations by the police and all were scrambling to protect their belongings. There was a grace about the small tent city that allowed the voices of homeless people to grow and carry into mainstream society for that short week.

Ultimately, strong new supporters and allies joined the original organizers in their quest to move the long struggle against the anti-sleeping ordinance (MC 6.36.010) into court. The local law bans and punishes sleeping anywhere in public at night. Rally organizers maintain that the law is unconstitutional, and mean.

Meanwhile, for six dynamic days, a small group of homeless people did not have to continue hiding and living in fear; they took charge of the quality of their lives, blossoming together in the freed space.

This end-of-summer gathering was not the first such group to pitch tents on City Hall grasses and boldly confront the bureaucracy with the reality of their shared lives. This summer's diverse group follows a long tradition of demonstrations held to alert fellow citizens about the absurdity of enforcing the sleeping ban.

Since 1978, groups in Santa Cruz have often picked those same City Hall gardens to connect with each other and to reach the public. The folks who assembled this August seemed very dynamic. The participants were caring and open with each other, and thus were able to create a coop-



In a challenge to the Santa Cruz sleeping ban, homeless people held a sleep-out at City Hall on August 12, 2007. Bradley photo

erative democracy together. It may have been the creation of a real community, a "living body" as it were, that led the City to reverse its tolerance and clear everyone out in the wee hours. I believe the emergence of such a community frightens the need for control of many citizens and their elected managers.

Hostile and untrue anti-homeless smears surfaced in the public, and were published in the daily newspaper and over the Internet just before those early-morning busts. This was hardly a new response from the general public; but it perhaps brought these feelings more out into the open, and revealed an ever-worsening malice towards homeless people.

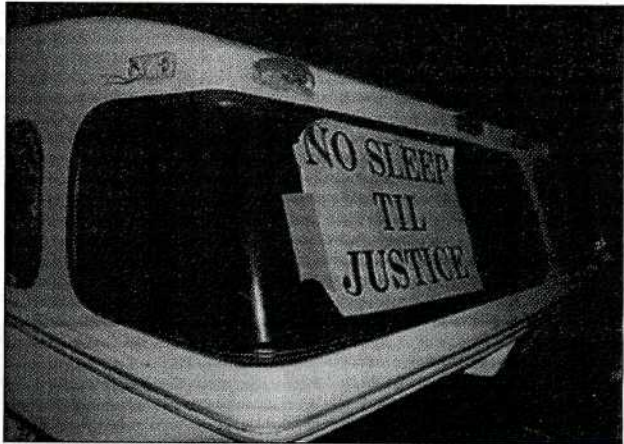
"Homies for the Homeless began this list of Seven Victories shortly after the police raided their peaceful demonstration August 18 at 3 a.m.," Robert Norse, a longtime civil rights organizer, told me.

"The campers and sleepers on the lawn at City Hall provided a protective area for other homeless people for six nights. They used the democratic process in a direct and inspirational way to gather pages of signatures for presentation to Mayor Reilly, who put off meeting with them until after the police had driven them away. They trained each other in how to deal with police wake-ups in the future by demanding of police a legal place to sleep or the right to be left alone, per the Jones decision."

Norse continued citing the list of accomplishments of the six-day vigil: "They prompted the first decent story in the city's only (daily) newspaper on the lethal mix of totally inadequate summer shelter and police enforcement of an abusive law. And they've encouraged homeless people to document SCPD, Park Ranger, Downtown Hosts, Boardwalk security thugs and merchant discrimination or abuse, 'rather than slink away into the night,' to quote a camper. They've strengthened ties and raised spirits among the (larger) homeless community for the next stage of protest — to be done both on the streets and in the courts.

"Lastly, they drew from the homeless community for their own leadership and organization. I saw this process of struggle where homeless people became independent of poverty pimps, liberal 'helpers' and radical writers, (including) myself," observed Norse, known for his in-your-face Free Radio program and his acerbic writing about local events. "And they fed and took care of each other for a week in the face of a hypocritical and hostile police response."

Norse and other on-site observers



"NO SLEEP TIL JUSTICE." A protest placard challenges City Hall. Bradley photo

Santa Cruz Mayor Emily Reilly missed out on a chance to move local homeless politics into the 21st century. But she did not offer emergency shelter for homeless people who sought refuge at the City Hall sleep-out; nor would she call off the police, who were told to issue sleeping ban tickets.

counted from 18 to 35 sleep-over campers during the week, with the numbers occasionally swelling, as homeless people still sleeping in secret came to visit at times.

The opening program on Sunday, August 12, was created by the grassroots community groups Homeless United for Friendship and Freedom (HUFF), Human Rights Organization (HRO) and Society for Artistic Freedom (SAFE). India Jose provided his famous soup for everyone. HUFF and its allies were able to offer movies, thanks to Guerilla Drive In's Rico Thunder, with a special showing on the walls of City Hall.

Whenever people began to seem bleary-eyed during the speak-out or after soup, Valerie Christy charged up the gathering with her dynamic guitar and folk songs, including homeless camping ballads. Her energy is SAFE's anchor. SAFE started its sing-alongs on Pacific Avenue in downtown Santa Cruz early in 2004 and now is singing three evenings a week, effectively creating temporary "safe spots" for people to congregate downtown. Christy's energy literally lit up the crowd at City Hall on August 12.

Special guests from the Los Angeles Community Action Network joined "Homies for the Homeless," with a video

of their recent struggles to uphold the civil rights of homeless people in Los Angeles. [For more information about the L.A. Community Action Network, see <http://www.cangress.org/>]

With support from the ACLU, L.A. homeless advocates won the Jones decision on April 14, 2006, a significant court victory aimed at ending the criminalization of people forced to sleep on the streets. In *Jones v. City of Los Angeles*, the Ninth Circuit Court of Appeals struck down enforcement of a city ordinance that allowed police to arrest people for sleeping on the streets when no shelter was available.

The Jones decision was a key reason for the outreach event. It makes the point that many people are forced to lie and sleep on city streets; and therefore, it is self-evident that they should not be treated as criminals simply because shelter is unavailable and housing is unaffordable. The Jones ruling will prove challenging for people and institutions who can't adapt to the reality that every day more people become homeless, generally through no fault of their own.

"The City is violating Jones every night," Norse asserted emphatically. "The