

## Victory Over Santa Cruz Sleeping Ban

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It was certainly put into plain English that nobody working in shelters around here would let Mr. Canada jeopardize their federal funds, even if there were an appropriate shelter with an empty bed.

I hope the testimony also helped show that homeless people are living and individual human beings. They should not have to pound their heads on the walls of the courthouse to "prove" they do not wish to get camping tickets, and would like to sleep at night.

They should not be made to scurry around like mice to avoid the police every night, with statistics from the recent Applied Survey Research study (for HUD, required every other year) helping illustrate some of the health hazards stemming from that behavior.

They should not be made to feel so unwelcome everywhere that they have to sleep under those same courthouse steps, at 701 Ocean Street in Santa Cruz, until they get up the courage to hang themselves out in the hills, as a friend did several years ago.

The City of Santa Cruz makes a mistake in clinging so fiercely to its mean-spirited double-bind law which "takes no prisoners" and nonetheless does *not* accomplish the intended job of sweeping downtown streets clean of non-customers.

We need our best public citizens paying attention when MC 6.36.010 finally goes up against the remains of our Constitution. We need a lot of regular, housed citizens to help out, as they did when the original River Street Shelter was secured by fundraising by rich and poor people working together. We need people to ban together again and deliver the same



AMNESTY FOR SLEEP CRIMES IN SANTA CRUZ!

Graphic by Kevin Fuggit

kind of public outcry that erupted when hundreds of students poured down from UCSC to oppose the City Council's "no sitting" ordinance.

We've done these difficult things before, once we realized humanity is being sacrificed for no good reason.

If we have become "bored" about homelessness, it's time to resume treating each other as though we are all alive and each of us is of great value. We can get past the quick fixes and reactionary laws and act from a deeper concern for our fellows, if we see it matters.

We cannot continue to just sit back and pretend we believe there's a "safety net" for folks, when, in reality, people are relegated to an emergency shelter "system" which can only assist fewer than 15 percent of those known to be homeless; while many other survival-driven folks are forced into volatile, crowded, unsafe human encampments, hiding from our collective hatred under San Lorenzo River's downtown bridges.

Canada is that "one in a million" guy

who risked his freedom to bring a true story to the court. I imagine the necessity defense which got the judge to buckle down and restudy it could, for those few who can "prove" it, be similarly applied to people who have been chronically homeless, whether or not they "medicate" and regardless of the nature of their pain.

Judge Guy concluded her decision with the assurance that Canada's success in court will *not* make his life any easier in the long run; her ruling in his favor means only that those particular four "illegal camping" tickets are dismissed. Her last comment was an emphatic assertion that this outcome isn't intended to help anyone else, nor even void any other tickets Canada himself may receive from the police.

Criminal sleepers, she said, will have to carry each ticket to court (or risk being issued warrants that carry jail time and a debt load).

What if, every time we find ourselves blaming the victims of homelessness for being homeless, we instead made a gesture of hope? We could get involved, whether

via meetings and research to find out where the flaws in social policy are; or through our places of worship to help one family or one disabled person who is out there; or with our own hands, to provide a meal or a shower to tired and tattered folks we meet or a few dollars toward the plumbing bills of the closest shelter system.

We also need to confront absurd laws which create deadly double binds. We owe it to ourselves, not to mention the victims abused by our laws, to set aside our prejudice and get to know who's really downtown, besides the gold-card set. And we must get to know who is really without a place to sleep in our community.

I am a friend of homeless people, I've been homeless with my children, and I am a supporter of the local grassroots lawsuit aimed at quashing the Santa Cruz anti-sleeping ordinance. We hope to show in court that these anti-sleeping laws and anti-blanket bans are unconstitutional. I have witnessed the casual discrimination in enforcement of those laws numerous times. I've had a few sleeping tickets myself.

I hope to help somehow with organizing a legal defense committee for the cause of stopping this law. The leadership of the Human Rights Organization (HRO), working with Homeless United for Friendship and Freedom (HUFF) and civil rights attorneys, have already lined up over 25 qualified plaintiffs for the lawsuit being organized to quash MC 6.36.010 at this time. With the help of lead attorney David Beauvais of Berkeley, they are preparing to seek relief in court.

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For more information about the lawsuit and to get involved, contact HUFF's Becky Johnson at (831) 479-7271 or contact the Human Rights Organization's website at [humanrightsortg.org](http://humanrightsortg.org).