

# STREET SHIT SHEET

#121

January 31, 1993

Sunday

Beware the Poverty Pimps! --Jawbreaker Jasmine

10¢

or  
donate!

\*\*\*\*\* HERE IN SANTA BARBARA ARMORY IMPROVEMENT negotiations are reportedly rolling forward with Candelight Kim Fickling & Sleepsong Susan Dunn huddling each Friday with Governor-General Greg Irish, Supreme Commander of the winter shelter. On the question of sharing literature or petitioning, Greg said Friday: "Let's get one thing clear: you can flyer anytime." Whether anything's really happening or the folks are flapping their jaws while Scabies, Jail Mentality, and Cold Water rule--is an open question.

If you have any input, problems, or thoughts, contact Kim at her bus at the Rescue Mission's noon meal on weekdays, or sniff out Cobblestone Colin at Carl Jr.'s on Milpas Street around 9 AM daily. Draws the bearded Cobblestone: "I'm the only one fool enough to be reading the paper and smoking a cigarette outside in the cold. It's the only place you can smoke in this Nazi town."

Give him or Kim any poems, flashes, or death threats for the Street Shit Sheet! Also hear 'Nuff Said Nancy McCardie and Bathrobespierre talk homeless blues today at 4 PM on KCSB 91.5 FM. Join the gabblers at 893-2424.

Meanwhile Catgut Calhoun and Nightcap Nancy Davis were reportedly unable to get past Armory military personnel and County redtape with their wrenches and flashlights to check out the famous 'non-functioning' plumbing to estimate repair costs. No gays in the military? No homeless under military buildings? You figure it out. Info: call HPA at 564-1109.

Also happening today at 3 PM: a new homeless-rights group meets near the Superior Court Tower in the courtyard in the block bounded by Anapamu, Figueroa, Santa Barbara, and Anacapa Sts. Bring stories and stamina. Or call John at 684-7589 for more info.

\*\*\*\*\* DOWE L.A. WAY, TED HAYES IS RUNNING FOR MAYOR! The homeless dreading and Justiceville activist has thrown his backpack into the ring and invites wanderers with and without houses to join him February 7th noon in front of L.A. City Hall to get 1000 signatures by February 13th. Back in the 80s Hayes's Travelin' Tent City got under L.A.'s skin and now he wants skin, bones, and all. A homeless Mayor for L.A.? Might be fun to try!

Among Ted's other projects: an L.A. UN that provides a forum for the megacity's 120+ different languages, ethnic groups, etc. at Brentwood; a pilot project just about

ready to start that OKs full GR and work for wages for 6 months for 50 people; and the March 15th appearance of 19 geodesic domes in downtown L.A. with city support for houseless folks! These are the tales Ted's been telling us at the new homeless Network meeting last Thursday. Call him yourself (if you can sparechange a phone) at 213-934-2647.

Also happening down in the L.A. area--the rise of Food-Not-Bombs--a food giveaway group that's been handing out free munchables to cops and commoners alike in Hollywood (Thursdays, 2 PM at Hollywood Blvd. and Cherokee Ave.) and in Long Beach Sundays at Balboa Park. Call Rob and Camille if you want to help: 310-433-0937.

On the downside, Santa Monica, once officially friendly to the homeless people, has not only dumped the only City Attorney in the country that stood up for the homeless. Last Tuesday they passed a law restricting food giveaways in order to stop 'large gatherings.' Under their new law the Santa Barbara Hank Show would be illegal. Demonstrators get out your picnic baskets and picket signs!

\*\*\*\*\* WAY DOWN SOUTH IN SAN DIEGO, HABITAT'S TENT CITY folks are locked in a power struggle with St. Vincent de Paul, runners of the Armory winter shelter there. After an earlier Tent City trashing last year, 43 tents with 100 people were uprooted 3 weeks ago, Amblin' Ann tells us.

The City gave homeless people day storage for shopping carts and all and night room to sleep but shoved everybody out into the pouring rain come daybreak (sound familiar?). So that basketball players could play with their balls.

Activists there then won 24-hour access to the Armory, but last Wednesday St. Vincent's high management muckymucks, declared an 11 PM curfew. Smokers who went outside to light up were refused reentry. Of the 630 inside, 20 went outside in protest, and 27 new arrivals were turned away. Call Amblin' Ann Fathy at 619-298-6747 for breaking news. Or tell the Santa Barbara Newsless Press to start covering some real news!

HOMELESS HELLRAISERS IN SANTA BARBARA, SANTA MONICA, LOS ANGELS, LONG BEACH, AND SAN DIEGO ARE DISCUSSING A MARCH TO NOWHERE TO BEGIN WITHIN A MONTH! Once the Armories close, there will be little legal shelter for folks without roofs. It might be time to hitch up backpacks and start hiking around in search of New Frontiers, possibly with TV cameras behind us. The March would also publicize lawsuits in the courts that fight no-sleep laws. Interested? Tell us!

# STREET SHEET

#122

February 14, 1993

Sunday

25c or give what you think the Sheet's worth!

"Don't bother coming back." --Soup Kitchen to Hippies  
Been hassled there? Call KNRV 1-800-498-2825 3-4 PM M-F They listen.

GOT NEWS, POETRY, ARTICLES, OR CARTOONS FOR THE SHEET? CONTACT LOTTA LOVE LOTUS OF THE UNION OF THE HOMELESS AT 459-0910!

## RUTS IN THE ROADSIDE RUTS IN THE ROADSIDE RUTS IN THE ROADSIDE

\*\*\*\*\* BAG LADIES REVOLT BACK IN BUSINESS? Looks like the coven of crones that took over the Heiner House last summer, demanding affordable housing there has a new target. This time it's Povertypope Paul Lee, who wrote and published an activist-bashing book, *The Quality of Mercy*, last year. Calamity Jane Imler, Lighthouse Linda Lemaster, & other angry female fireeaters plan to confront Lee for what they call his 'Quagmire of Misinformation' at the Literary Guillotine Bookstore, 204 Locust in Santa Cruz when he appears to lecture 7 pm each Wednesday night.

They're also gunning for him at the Capitola Book Cafe at the 41st Ave. Mall Thursday 7 pm where he'll be signing the damning evidence personally. Bring tomatoes or sparechange enough for coffee. This show may be worth watching.

\*\*\*\*\* STILL HOT ON MAYOR COONERTY'S TRAIL is Blowtorch Billy Quealy, environmental activist and social critic. His 5-year-old lawsuit charges the town's top politico with assault for physically evicting Quealy from the Bookstore Santa Cruz in the late 80s. "\$2000 and I leave him alone," is Quealy's latest word. Otherwise, Quealy notes, he may have to yield to the blandishments of Rush Limbaugh (or Gush Dumbo, as we prefer to call him), who is seeking an exclusive on the Santa Cruz mayor's checkered past.

\*\*\*\*\* SQUATTERS CONTINUE TO BE TARGETED in 'Slumber Tonight, Court Tomorrow' Santa Cruz, whose 'liberal' bosses still support a 11-8:30 AM Sleeping Ban to flush away the poor. Raucous Rocky Stone informs us that police continue to harass and ticket low-profile downtown squats, which keep dozens of people warm and dry. Bubbleman Tim's home next to the Cafe Chameleon was actually torn down this week, Linda the Lark tells us. Thanks, Mayor.

\*\*\*\*\* GOOD AND BAD NEWS FROM THE RIVER ST CAMPGROUND: Word is that Day Center Duchess Karen Gillette of the Free Meal has gotten the lease on the backyard property. Rules have been posted (no tents during the day). Good news is that this property, rightfully belonging to the homeless since 1987, may finally be the first legalized campground. After years of stalling and police collusion, will Lee-Gray Citizen's Committee for the Homeless, finally bite the bullet and do the right thing? Bad news: Shuteye Shane reports cops are still harassing & ticketing as of last week. Old-timers complain of a 'cliqueish' atmosphere out back with folks shoving their weight around in a way that

discourages use by independents. In fact, the word has it that Karen's crony Junglebrains Jeff will be monitoring campground activities--perhaps payment for his loyalty in Gillette's Spring '92 'oust the activists' campaign when he became famous tearing up petitions and threatening Linda the Lark.

\*\*\*\*\* TOOK SOME ACTION FROM HOMELESS CAMPERS to get this far. We hear from the only homeless director on the Citizens Committee for the Homeless [CCH] Board that it took street organizing in January to counter plans from CampersBeGone! Bob Campbell of the River St. mini-Shelter for a chain-link fence, full-time security guards, and on-going police trespass arrests. But when will CCH stand up and support its campers? Same time next year? Go to the next CCH board meeting yourself and sound off: call Redtop Robert at 427-1125 for time and place.

\*\*\*\*\* RUMORS THAT THE DAY CENTER ITSELF will be opening in March doesn't give some much cause for celebration. "Another program where folks will be locked down, lined up, and surveilled," grumbles one well-known Free Meal foodserver. "A ghetto/containment camp to keep the homeless off the mall," growls Linda the Lark Edwards, "and perhaps a processing center to route folks to mental health or Clinton's military bases."

How many homeless people are on the Day Center advisory committee? And how much power do they have? Talk to Bubbah Brian Koepke & Chuckwagon Charles for details--they aren't talking to us.

\*\*\*\*\* SHANTYTOWN SHAMAN, REDTOP ROBERT FLORY is at it again. Last Monday, Drumhead Art Danner and his down-and-dirty D.A.s beat a hasty retreat and dropped charges against the courtwise camper arising out of a Thanksgiving squat in the Beach Flats. Two days later, cops presented the long-haired loiterer with a new trespassing ticket for allegedly occupying a house off of Mission St. on the west side. Squatting abandoned housing isn't trespassing, say some of Robert's chums, it's community service! Redtop's arraignment is in early March: call 459-0910 for info.

\*\*\*\*\* ALSO BANNING STREET CITIZENS WITHOUT APOLOGY-- is the popular slurp-and-smooze salon--the downtown Coffee Roasting Company. Former employee Rumblin' Rigel tells us she sued the management for sexual harassment in a case due to hit court on February 26th. Was it guilty conscience or nasty disposition that made them order Rigel to leave the public sidewalk in the midst of a conversation with Lighthouse Linda at mid-week with both of them were sipping coffee at one of the Company tables.

Say, didn't the Progressive Peanut Gallery at City Council promise us that there'd be more not less public seating areas on the mall with the new planter-less Pacific Ave.? Only if you're the right kind of public, it seems.

Coffee Roasting's owner Colleen, Crosby has also reportedly barred long-time homeless streetbicyclist Gentletalk Jeanie, perhaps because of misidentification. Do street caffeine-quaffers have to start brewing their own by the curbs? How about limiting such stay-away orders and reconsidering after a month?

\*\*\*\*\* STILL BLACKLISTING 'WON TON' DAVE JACOBS is another of Santa Cruz's yuppie-puppy playgrounds--the Cafe Jahvahouse at 120 Union St. We learned that from grafitti on the wall of the bi-sexual bathroom, until it was clumsily scribbled over. But, lo and behold, new graffiti appeared asking why the management had added censorship to the sin of discrimination?

'Won Ton' is a brash bearded old-timer whose 4 1/2 month peace-and-justice vigil at the Town Clock in 1991 against the slaughter of Iraq and police abuse here in Santa Cruz won him no friends among the politically correct. Seems Won Ton's crime in part was to smoke a joint half a block away a year ago, and in part his own roughhewn way of speaking and living.

'Our permits were in jeopardy,' confided one manager last year. This otherwise amiable worthy was concerned that one of the local bureaucrats had observed Dave puffing the forbidden weed on the street. The stuffed shirt had complained (inappropriately) to a then-paranoid Jahvahouse management, which then showed Won-Ton the door.

Ah, but permits did come down, and the garden of the Javhahouse did open up, so why is Won Ton still being given the boot? Could it be blind yuppie callousness? Have the bosses been overdosing on their own java? Call Kevin at 459-9876 and ask him to add mercy and fairness to the bill of fare there.

\*\*\*\*\* WON TON HIMSELF IS STILL RECOVERING from a Municipal Court gangbang--where he was convicted of 2 misdemeanors and 13+ infractions stemming from First Amendment activity at the Town Clock and SCPD/Parks & Rec determination to stamp it out.

Harassed & convicted on what some regarded as perjured testimony from Sgt. Hobohunter Hennig in two 'resisting arrest' charges, 'Won Ton' is appealing the cases--where witnesses agree it was he who was brutalized & divested of picket sign, legal papers. and bedding without proper warning, charge, or receipt.

No doubt the playschool police review panel that our City Council is sacrificially offering up to placate the police department--a board without independence, funding, or power--will set all these matters aright! Tooth-fairy groupies, take note.

\*\*\*\*\* SPEAKING OF POLICE REVIEW, supporters are wondering if the constable-coddling clique at Council will truly allow open debate on their watered-down plan, scheduled to reappear Tuesday night February 23 sometime after 7 PM and again in March for Public Hearing. During the Pogonip 'discussion' at the Civic last month, you literally had to win the lottery for a chance to speak on the issue--and even then debatetime was cut back 20 minutes by impromptu Council vote.

After 70 minutes of preshrunk speech, Councilmember 'Motormouth' Mike Rotkin's pre-typed resolution was dutifully passed by the 'don't bother us with public input' politicians. Mike explained helpfully at the next Council meeting that this practice was a 'tradeoff.' Hmm, perhaps the kind of trading that got the Indians the fine real estate they live on today. Thanks. but no thanks, Mike. Bring back good old-fashioned free speech.



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SAINT GEORGE OR KING GEORGE?  
Gravy for the Landlords, Gutters for the Tenants  
by Lighthouse Linda Lemaster

Saint George, a salvaged relief picture on the wall of the small, well-appointed second-story lobby, watched as property managers began their 'rent-out' operation by rejecting people with too-low incomes. Under \$1000 was too low. "George" must have lost his halo.

Barry Swenson and his agent, Bruce More, had a heyday interpreting the many and overlapping deals which got them millions of subsidy dollars.

Swenson's relatively quick rebuilding of the noble downtown Hotel is proving to be a Trojan Horse. Beneficiaries include FEMA, Red Cross and too-numerous others. But the beneficiaries were SUPPOSED to include low-income people without adequate housing and earthquake-displaced residents. That's what the public had been told.

Hope sprouted when Legal Aid's anti-poverty lawyer Gary McNeil, and the City Council's Jane Yokayama both attempted to defend the rights and expectations of the city's MANY interested potential applicants. At City Hall, I joined McNeil to express outrage about the hotel owner's standards: over a thousand dollar per month income and/or a cosigner for all but 21 of the 144 rooms. The Council as a whole asked for more information and a way to include people for whom the white palace was rebuilt.

Two weeks later, electeds postured as if they were entering into a compromise, while Swenson's man blustered on without changing his front desk policies for illegal and inhumane co-option of downtown affordable housing. Council shriveled in the face of landlord power.

Now other places, like the Palomar, have threatened to raise THEIR rents and deposit requirements, complaining bitterly that regulations they were forced to obey have been legalistically sidestepped by a millionaire builder from San Jose. And people on fixed incomes are, at best, still in our illegal and unsafe streets. The offer to "try to work with" individual applicants who had already been turned away seems like a threat among housing-seekers I know. Swenson's people, and a councilmember, too, suggested that the potential landlord be given access to tenant's bank accounts. They don't get it yet.

The lie here - that a person who is poor is a person who cannot manage their own affairs - covers a thicket of bigotry about what kind of faces, lifestyles, and pocketbooks will be allowed on the new Pacific "Garden" Mall. (The good news: people viewing the model room for the most part love the kitchenettes in each room.) Barry Swenson, make note: there are other lawyers besides Legal Aid, and other ways to communicate besides the courthouse and city hall chambers. Rejected tenant? Call 459-7652, Linda; or 457-1125, Kim; to share your experiences and get moral support.

\*\*\*\*\* IS STAFF OF LIFE CLUBBING THE HOMELESS? That's what we hear from StreetEars, who files a report from Triangle Park up where Water St. meets Soquel Ave. up by the Morrissey Safeway. Seems the health-conscious but hate-contaminated grocery-deli is getting tight-fisted about accepting food stamps, making daily calls to the private First Alarm security company to deal with park undesirables, writing tickets against panhandlers, & dealing punitively with street people because of 'increasing numbers.'

Winos & sparechangers can be annoying, but fascist-minded merchants can be downright depressing. Vote with your dollars, and/or put in a call to owners Gary Bosco and Richard Josephson at 423-8632 to make sure they aren't making things too unhealthy for the homeless.

\*\*\*\*\* SCANNING THE MALL FOR SINISTER SITTERS -- the ever-vigilant Officer Kern, still flush from her successful flyer-filching expeditions last year. Kern and her Robocop companion twice intimidated Foods Not Bombs workers into giving them flyers exposing sexual abuse by Officer 'Butchie' Baker and then tearing up those flyers. On Sunday Kern was spotted targeting hippies, punks, and youth on the mall who were sitting near the Union Grove Music parking lot and telling them to 'move on.'

Perhaps she should take her own advice, or better still, abandon the discredited practice of 'cattleherding' groups she doesn't like. Meantime, phone SPAN (Stop Police Abuse Now!) at 475-2012 to report such incidents--give time, witnesses names, place, etc. Better still, call Copwatch at 475-1087 to volunteer to keep tabs on Kern and her armed associates.

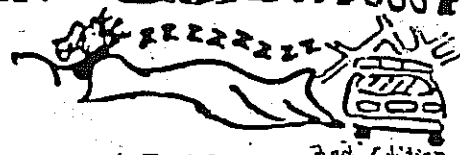
\*\*\*\*\* ALSO TAKING COMPLAINTS OF POLICE ABUSE and feeding lots of folks on Sunday [1 PM] at River & Josephine Sts. across from Stapleton's--is Food Not Bombs, which has also been seen in the Beach Flats feeding regularly and supporting anti-INS demonstrations locally. They meet Thursdays 7:30 PM at La Familia Center 118 EastCliffe Dr. at Pearl St. They also feed at Liebrandt St. Park in the Flats at 11 AM on Saturdays starting Feb. 27. Volunteer if you want more meals call 425--3345!

\*\*\*\*\* STILL PLAYING FAST AND LOOSE WITH LEGAL RIGHTS, the liberty-lynching leprechaun of Courtroom E, Meatgrinder John Mulligan is continuing to squeeze out fines from the unwary. Homeless activists have been suggesting everyone disqualify Mulligan (just give a note to the clerks at the window). One who didn't in Late January got fined \$80+ for a bogus Failure to Appear, wasn't told of his jury trial rights in this misdemeanor case, and wasn't appointed a public defender. Complain to the Commission on Judicial Performance through SPAN to stop this.

COMING UP NEXT TIME:

BLOWTORCH BILLY QUEALY BLOWS THE WHISTLE ON POGONIP POLITICS; THE SOUTHERN CALIFORNIA MARCH TO NOWHERE; MARIN COUNTY HOMELESS TAKE OVER THE SUPERVISOR'S CHAMBERS AGAIN !; SACRAMENTO BUREAUCRATS TARGETED IN APRIL TENT CITY; MOONRISE MIKE ON HOMELESS GARDEN GANGRENE: LIGHTHOUSE LINDA ON PHONEY POLICE REVIEW; BATHROBESPIERRE ROBERT VS. SANTA BARBARA POVERTYCRATS & MORE !





#123

February 19, 1993

Friday

2nd Edition

donate big or give us a dime

"We are the black people of our generation and the cops are the Klan, paid for by the community to do the dirty work."  
--Sleepsong Susan Dunn on being told her bus was illegal

## COURT CLERKS PLAY PINBALL WITH JOHN DOE'S DIGNITY DEAF SPANISH-SPEAKING POLICE ABUSEE FACES CAMPING CITE

Free-spirit and man-about-the-streets John Doe is a homeless deaf man who signs in Spanish and has been a police target for harassment, arrest, and beatings, the last few years. In response, Doe--who also suffers from amnesia--has donned thick constructionn worker's gloves, a heavy coat, boots, knee pads, goggles, and a construction hardhat at all times to protect himself from abuse. Beaten and jailed for four months by Santa Maria authorities some years back, Doe secured an out of court settlement, but now faces new abuse.

He recently got caught in the County Campercrusher and received a ticket to the Courthouse Carnival. The law-abiding Doe made his way to legal catacombs last week to secure a court date to contest the ticket. Incompetent or malicious--observers were unsure which--the clerk's office sent him away no less than four times on four separate days, giving Doe notes such as "What does John Doe want?", "Does he want to pay his fine?", etc. Even when presented with repeated written explanations from 'Wild Will' Hastings, attorney-to-the-damned, the befuddled bureaucrats continued to deny Doe a court date.

Doe's friends are wondering whether the court is aghast at the prospect of having to provide a signing Spanish-speaking interpreter, is playing nasty tricks with a man they don't like, or simply prefers to watch Doe miss a court date, get a warrant, and go to jail. Want to help or get more info: call Bathrobespierre Robert at 966-2244.

\*\*\*\*\* MORE COLD WATER FOR CAMPFIRE KIMBERLY Fickling from the wet blankets down at Santa Barbara Sleepbuster Central. After her high-profile activism to spotlight bureaucratic abuses at the National Guard Armory homeless shelter last month, the homeless activist and mom has become the target of increased police scrutiny and abuse. On January 31st, after being bullied away from Ortega Park where Kim frequently parks her large blue bus, she got a nighttime get-out order from city cops over at Oak Park.

Awakened at 3 AM by the pounding of fists and the glare of a flashlight, Kim chose to answer the door to avoid further disturbance to her two children, 3-year old Brandon and 7-year old Bradley. "She's up," noted one cop. "Now she's putting on her pants," he continued, shining his light on her. In response to her demand for darkness, Office "Keen-eyes" Kennedy did shut off his peeper beam.

"Write me a ticket," she demanded, standing fast in defense of her bus Imagine, her dog Hadasa, and her family. The two officers did just that, alleging a violation of city

code 15.16.080 (sleeping in a housebus)O, for which Kim faces arraignment March 1st at 8 AM in Municipal Court. Kim plans to take this case to trial. Support her through the Legal Defense Center at 966-2244. Report any harassment of your own too.

\*\*\*\*\* STANDING STRONG BY KIM'S SIDE is Sleepsong Susan Dunn, another vandwelling mom, whose family has also been targeted for local 'ethnic cleansing' by blue-bellied bullyboys. Sleepsong recently got warned that she had the wrong kind of glass in her windows and that her bus--her home--might be towed away if it did not 'disappear.'

No strangers to the city's search-and-scare scams, Sleepsong and Campfire successfully beat back an anti-homeless pogrom last year in court. Sleepsong and 'Nuff Said Nancy McCradie are current plaintiffs in a 6-city LDC suit to bury without benefit of clergy the city and county camping laws. Impatient of inch-by-inch legal tactics, the tuflove twosome are readying some surprises for City Council, the Supervisors, and the Courts around the issue of harassment of homeless children. Stay tuned and call LDC to offer aid.

\*\*\*\*\* "NO KIDS ALLOWED" WAS THE CURIOUS VERDICT of the bosses of the Youth Task Force, when 'Nuff Said Nancy tried to bring homeless youth to the bureaucratic barnyard to tell their story and express their needs directly. The Task Farce, a year-old city-appointed conclave of long-tongued worthies, specifically barred Nancy from bringing the people they supposedly serve to their meeting.

Paid promoters from the social services, the police, and other well-funded corners met and mouthed the usual platitudes. Shovelful Sheila Lodge--nominal Santa Barbara mayor and Sleeping Ban promoter--fell asleep during the proceedings, but was not arrested by the city-funded gunmen present. "Just a bunch of rhetoric," concluded Nancy. "Nobody wants to go out and build something. The cops have become the babysitters and the disciplinarians."

Ignored was the highly controversial Serious Habitual Offender (SHO) program, now passed by the S.B. School and High School District which targets what will probably be mostly Latino youth for railroading without due process. Victims will be identified as SHOs based on the number and types of arrests and then 'tracked' by the cops, Probation, the D.A., and now the schools. Their reward: 'no prisoner' treatment by cops and courts.

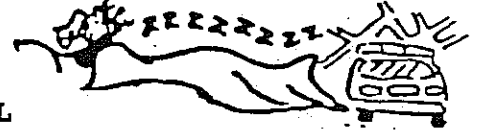
\*\*\*\*\* HOT AIR BUT NO HOT WATER AT THE ARMORY--that's the sad news from Campfire Kimberly, who's missed the last two 'mediation' meetings with Governor-General Greg Irish. "We're being placated. He isn't sincere" is Kim's verdict.

WANT TO TALK HOMELESS ISSUES? Call Newsnose Nick Tonkin each Sunday 4 PM at 962-8731 on KTMS radio. WANT YOUR STORY IN PRINT? Call the Street Shit Sheet at 966-2244!

# STREET SHIT

# SHEET

# SANTA BARBARA



EL STREET SHIT SHEET EN ESPAÑOL

#123 19 de febrero de 1993

"Somos los negros de nuestra generación y los policías son el Klan, pagados por la comunidad para ejercer el trabajo que nadie quiere hacer." Susan Dunn después de que se le dio una multa por su casa-camión.

LAS CORTES JUEGAN CON LA DIGNIDAD DE JOHN DOE, UN HOMBRE SIN HOGAR, QUE NO OYE NI HABLA.

John Doe, un hombre que se comunica con el lenguaje de los sordos (a señas) en español, recibió una multa por dormir en un lugar no permitido por la ley. Cuando se presentó en cuatro diferentes ocasiones a la corte para pedir una fecha y apelar su caso ante el juez, los dependientes le dieron notas preguntándole qué era lo que quería. Es bien sabido que John Doe, quien también tiene amnesia, no habla ni se comunica con mucha gente. A veces sólo ha logrado comunicarse con Will Hastings, director del Legal Defense Center, sin embargo, el juzgado no ha querido proveerle un intérprete bilingüe experto en el lenguaje de los sordomudos.

En el pasado John Doe ha sido juzgado por lo mismo en las cortes de Santa María. Allá sufrió del abuso policiaco y estuvo en la carcel cuatro meses. Pero una vez que se le defendió legalmente pudo salir libre pero siempre con temor. Ahora usa un tipo de armadura que lo protege de la policía: guantes, casco, botas y ropa gruesa que hace menos fuertes los golpes que pudiera recibir de los agentes.

Los amigos de John Doe pensamos que tal vez la corte está tramando que Doe pierda su cita y no tenga oportunidad de defender su caso. Creemos que por maldad o porque no quieren hacer gastos extraordinarios, los dirigentes de la corte se niegan a contratar a alguien quien pueda comunicarse con él. Si Ud. quiere ayudarnos con este caso o si quiere más información, favor de llamar al 966-2244.

\*\*\*MÁS AGUA FRÍA PARA KIMBERLY Flickling de parte del los agentes de la policía. El 31 de enero a las 3 de la mañana en el Oak Park, Kim y sus hijos fueron multados por dormir en su casa-camión. Creemos que Kim está siendo castigada por la policía por haber protestado en contra de los abusos contra los "homeless" en el cuartel o "armory" de la Guardia Nacional el mes anterior.

Creemos que a causa de su activismo a favor de las personas sin hogar Kim está siendo acosada por la policía a todas horas del día. El 31 de enero, todos dormían -sus hijos, su perro- cuando los policías la despertaron tocando la puerta de su camión de una manera alarmante, y mientras se vestía, apuntaban la luz directamente en ella. Kim les pidió que la apagaran y finalmente accedieron. Le dieron una multa por violar el código de la ciudad número 15.16.080 (por dormir en un camión-casa). Kim tiene su cita para presentarse ante el juez el primero de marzo de 1993 a las 8 de la mañana. Kim piensa apelar los cargos. Hay que apoyarla

reportando cualquier abuso policiaco llamando al 966-2244.

\*\*\*\*Fuerte a lado de Kimberly Flick está Susan Dunn, otra activista a favor de los homeless o personas sin hogar. La familia de Susan también ha sido blanco del acoso policiaco. Hace poco Susan recibió un aviso de la policía que indicaba que el vidrio de las ventanas de su casa-camión no es el indicado por la ley y que si no lo cambiaba su casa sería confiscada por el departamento de policía.

Pero Susan no le tiene miedo a las tácticas intimidantes de los oficiales. El año pasado Susan logró eliminar un programa en contra de los homeless fijado por la corte. Además, hace poco, Susan y Nancy McCradie, se han unido en un pleito legal en contra de la ciudad para eliminar la ley injusta en contra de las personas que duermen afuera en las noches. Las dos también están planeando una sorpresa en contra del concilio de la ciudad, los supervisores, y las cortes por el acoso de los niños sin hogar. Esté pendiente y llame al Centro de Defensa Legal si puede ayudar, 966-2244.

\*\*\*\* "NO SE PERMITEN NIÑOS" fue lo que el Grupo a favor de la juventud (Youth Task Force) le dijo a Nancy McCradie cuando ésta intentó traer a algunos niños de los "homeless" a la junta que se efectuaba para que ellos relataran sus experiencias como niños sin hogar. Se le negó por completo a Nancy llevar a los niños, a los que supuestamente se debe ayudar por tal grupo, en el futuro.

El grupo que se formó hace un año y que se conoce como Youth Task Force ha llegado a ser casi una farza porque se ha incluido a gente que siempre dice lo mismo. Se identifican los problemas pero nunca se hace nada. En la junta la Sra. Lodge --Presidente Municipal-- se quedó dormida pero nadie la arresto por el delito. Nancy concluyó que todo lo que se hace en esas juntas es hablar, hablar, hablar, y que nadie quiere hacer nada. "Los policías son los niños y guardias de la disciplina," dijo Nancy después de asistir a la junta.

Lo que sí se ignoró en la junta fue una discusión seria del programa recientemente implementado por el distrito escolar (S.B. School and High School District) que trata como criminales a los jóvenes que violan las reglas escolares y las leyes de la ciudad repetidas veces. A este programa se le dio el título en inglés de Serious Habitual Offender Program. Se teme que este programa en vez de ayudar, será un medio que descrime, más que nada, a la juventud Latina ya que se le identificará según el número de arrestos y la policía los vigilará acosándolos constantemente.

\*\*\*\*PURAS PALABRAS Y NADA DE AGUA CALIENTE EN EL CUARTEL o el "armory," dice Kimberly Fickling, quien na ha asistido a las dos últimas juntas con el encargado del cuartel, el Sr. Greg Irish. Según ella, "nos están tratando de aplacar. No son sinceros. No nos quieren ayudar a obtener agua caliente."

¿QUIERE DELATAR ALGÚN ABUSO CONTRA LAS PERSONAS SIN HOGAR? Llame al 966-2244.

-traducido por Diligente Dina

# STREET

# SHEET

#124

March 14, 1993

Sunday

50¢ or  
some green  
or  
barrow and  
pass it on!

under a bush covered by sticks and leaves the wind blows through  
the woods as it was a desert.... but it's raining cold and wet--

not a dry spot to be found

—Man-o-words Michael Phelps 3/93  
Santa Cruz's purseless poet



## SHANTYTOWN SQUATTERS SHUT OUT OF COUNCIL CONCLAVE HOMES-NOT-JAILS HOUSEHUNTERS FILE D.A. COMPLAINTS, TALK LAWSUIT

20-30 people showed up in front of City Hall Tuesday night (March 9), sipped some India Joze soup in the dusk, and munched on vegetables provided by Jailtime Judith Beinert and Grubstake Greg. Homes Not Jails, newly-formed the Thursday before, was staging its first public demonstration—complete with cardboard Bag Ladies Bungalows, a starsniffing sign-toter on stilts (Shankshoes "Shorty"), more than half a dozen Food Not Bombs stalwarts, and a dozen homeless people.

Rising out of the night with smiling support were legendary homeless figures not seen in years including Backyard Brian Staley, the shocktroop hungerstriker of the SWAP (Soup Without a Permit) struggles of 1989 and the first person to be convicted by jury trial of serving food to homeless people during slapstick soup seizures of that Spring. Also on hand: Migrating Mike White, long-time companion to Town Clock Peace Vigilers who held the bluecoats at bay for 3 1/2 months in 1991.<sup>1</sup>

The rally began with a march through town led by Candlelight Kim Argula, Redtop Robert Flory, and others with Shankshoes Shorty stooping to pass out "Human Rights Not Property Rights" flyers in English and Spanish. Some of the strollers wore their own makeshift boxhouse, others sported cardboard jails. Assembling across from the main library in front of City Hall were a new crop of homeless people impatient with Council inaction in the face of the housing emergency and outraged by the unceasing enforcement of the City's unforgiving 11 PM-8:30 AM Sleeping Ban.

Jot-of-Joy Jacob reported he had been to the traffic court clerks in the County basement and taken the first step in the long process recommended by local homeless activists to fight Sleeping tickets: disqualifying Meatgrinder Mulligan, the homeless nemesis of Courtroom F.<sup>2</sup> With the mid-month closing of the Armory on March 15th, the Interfaith Satellite Shelter Program would be throwing a least another two dozen shelterseekers out into slumberphobic Santa Cruz. Wasn't it time for City Council to stop playing possum and admit that sleep itself could not be counted a crime?

The Homes-not-Jails jamboree ambled up the block to the still-boarded-up Heiner House, occupied repeatedly by shelter activists last summer. Vacant for 3 1/3 years, this slightly-damaged Victorian house—previously City Parks & Rec HQ—continues to gather dust while locals blocks away are rousted by the police nearby-for trying to catch a few winks in the bushes. Candlelight Kim Argula and Bathrobespierre Robert Norse were joined by Townwise Tonee Mello urging listeners to prepare to occupy and renovate unused housing. Pandabear Paul Brindel put down his camcorder to brief demonstrators on the history of the housing emergency (declared in 1990) in Santa Cruz.

1 Won Ton Dave continues to battle the legal bureaucrats in the aftermath of that struggle. On Friday April 2nd 8:30 AM Courtroom C, he faces another of the endless Public Nuisance charge hearings—which the D.A. has not been able to successfully use in any homeless protest cases. Later that day, at 10 AM in Courtroom G., Dave faces contempt-of-court charges for refusing to do community service or pay fines on harassment infraction charges used to harry him at the Town Clock Peace Vigil in 1991.

2 His arraignment date: 8:30 AM Courtroom G March 23rd. All are welcome. Courtroom G is the shit-brown modular building in front of the County Courthouse facing Ocean St. It is colloquially known as the 'garbage court.'

After a number of longing looks at the Heiner House, the shantytown shipmates paraded back to City --- Hall where they entered City Council chambers. There political panjandrums were still sitting as the Redevelopment Agency in the conclusion of a delayed-from-the-afternoon hearing. Sometime thereafter in the repeated chant of "Homes Not Jails." In response Mayor "Close Em Down" Coonerty immediately moved to recess the meeting and clear the chambers, declaring his intention to exclude those bringing the unwelcome news to Council's well-padded ears.

When the session resumed, homeless activists and other visitors found the Council doors locked and guarded by uniformed police. Without consulting any list, the Mayor's Guard was letting in some, refusing entrance to others. Without any kind of hearing, police who hadn't even been inside during 'the disruption' were apparently choosing to arbitrarily exclude those who 'looked homeless' from the Chambers, although Chuckwagon Charles did wind his way in. "What's the criterion for entrance?" shouted Madhouse Exit rep John Stuart; "do you have a list from someone who witnessed the 'disruption'?" Cops shrugged their shoulders, smiled, and said the doors were locked, what could they do?

Linda the Lark Edwards knocked on the door asking to be admitted, as did Candlelight Kim, but officers shoved them away. Though video tapes record police promising demonstrators they would be allowed to send in a representative, Councilmember 'Birdseed' Beiers proposal to that effect was slapped aside. Council ideologue Mike 'Robocop' Rotkin first demanded a ban on the First Amendment for the evening [i.e. no HNJ speakers], then called for the arrest of those outside when their resulting cries of protest were heard within.

In excluding a whole class of people and then turning down the Beiers 'representative speaker' plan, the 'homeless go home' Council may have been blandly defying the law according an analysis several days later by Brown ("open meetings") Act expert, Sacramento attorney and Executive Director of the California First Amendment Coalition, Terry Franke. "Arresting disruptors, not excluding masses of people is their proper remedy," commented blacktop barrister, Bathrobespierre Robert. Moonrise Mike, "Councilcrasher" Christa & Meadowflight Mark were part of the crowd of witnesses that saw cops admit a stream of well-dressed and/or politically-correct liberals. Many who had not chanted at the earlier meeting, and some who had but who were interested only in making brief decorous comments were left rattling the cages of the Council. Sure enough, not a word about the need for survival housing was heard at Oral Communications, though dozens had come to address that issue. Instead Coonerty, Kennedy, and their coterie of Councilclones made nervous jokes as angry refugees banged on the doors and windows, demanding to be allowed in.

Won Ton Dave Jacobs, unconnected with the HNJ demonstration, arrived to find his way barred by Officer Lunnen. Police at this time were falsely informing demonstrators that "no one is allowed in," and also refusing to mediate between those locked out and the jailers within. "Since you are refusing me access to a scheduled public meeting and violating the Brown Act, I am placing you under citizen's arrest," announced the never-bashful Won-Ton. The city gunman then whipped out his baton, assumed a battle stance, and shouted at Dave, "You touched me! Touch me again and you go to jail!" Shortly thereafter Sgts. Sealy & Crane hauled off the protester to the indignant cries of those watching without announcing any charges. This action informed the crowd of the stiff penalty for seeking access to public assembly in Santa Cruz. Won Ton was released an hour later, charged with battery and resisting arrest for the 'crime' of brashly insisting police officers obey state law.<sup>4</sup>

Also on the scene: Masonite Mike, a pudgy pal of Councilmember Kennedy's, who apparently appointed himself watchpoodle for the Council. Inside the chambers, Mike demanded Tonee and others leave, assuming an authoritarian tone and threatening stance. Outside, he appeared through a side entrance and rushed up to Tonee, repeating threats he'd made against him several months ago at a Union of the Homeless meeting. After a physical assault captured on videotape, apparently in response to Tonee's militant "No Justice, No Peace" stance, the City Council Hero was hauled away by police but charged only with battery. Three days later, the D.A. had given no indication he would file charges.

3 The Brown Act forbids cutting off access to the public forum either on the basis of content or group affiliation.

4 Some wild-eyed radicals seeking Civilian Police Review have gone so far as to suggest that Santa Cruz police officers have acted in violation of the law. We can see through these events that such drug-crazed alarmism can be dismissed with a yawn and a sneer.

Also watching were Nutcracker Nick from SPAN (Stop Police Abuse Now) and Chariotmaster Charles, an advocate of rights for van-dwellers. "They don't seem interested in hearing us tonight," drawled Nutcracker Nick dryly. "Perhaps I'll present another plan for overnight parking spaces for women in vehicles," concluded Charles.<sup>5</sup>

By Friday afternoon, twelve of those who'd been locked out of Council had filed formal Brown Act complaints with the D.A.--news which Santa Cruz Urinal<sup>6</sup> reporter Martha Mendozing refused to print. Rumors were also rife that legal worker Grinning Ray Grueneich, attorney Catnip Kate Wells, and other anonymous legal interlopers were laying the groundwork for a legal suit to annul all Council business enacted at the 7 PM session in the absence of the general public and to enjoin the Silencer Seven from repeating their lock-out lawlessness.

## NOTES FROM THE NORTH

»»»»»»»»»» **STILL SWIMMING IN A HEAD OF STEAM** from their last public housing takeover March 3rd, Katenjammer Keith McHenry, frolicsome stepfather of *Food Not Bombs* in San Francisco, tells us 40 people took to the Tenderloin streets in a crowd that grew to 100, picking up supporters along the way. Their target: the Hugo Hotel at 6th and Howard, a building abandoned since 1987 by slumlord Patel. Because the building lacked electricity or plumbing, S.F. *Homes Not Jails* chose Patel's palace to publicly squat, knowing they'd shortly be evicted. Cops barely beat the mass of demonstrators to the site, but *HNJ* earlybirds were already inside. The action ended with 9 arrests with everyone released that evening and all trespass charges expected to be thrown out at arraignment April 6th.

Two months before on Inauguration Day January 20th, *HNJ* housesteaders took over "the Red Balloon" at 1211 12th St., a federally owned piece of booty seized from a Mafia figure for back taxes on his child porno ring. A storefront topped by two stories of residential apartments, the Red Balloon was quietly held for some time, then turned into a public squat as the heat got thicker. McHenry & other *HNJ* anarchists are currently dickering with Rep. Pelosi's office to gain title to the unused structure under the federal Stuart-McKinney Act.

*SFHNJ* is supporting quieter clandestine live-ins in at least two other locations that are quasi-permanent: the Laguna St. site--where the owner actually gave them the keys to the property and they've joined the Neighborhood Association & the Hayes St. site--whose Daly City landlord failed to show up to 15 hearings.

»»»»»»»»»» **GATHERING FORCE AGAIN OUTSIDE CITY HALL** in San Francisco's Civic Center Plaza--the return of the unkillable homeless encampment with 35-45 people living under lean-to's made up of blue tarp near where *Food Not Bombs* feeds lunch daily. Previous Tent Cities there have been hundreds strong. Back in the winter of 1988-9, again during the summer of 1989, and in the summer of 1990, homeless settlers founded what became Tenement Square.<sup>7</sup> That last attempt at do-it-yourself urban renewal fell under the onslaughts of armed and city-funded vandals in blue gaberdine (cops), who arrested dozens under the ancient anti-black no-lodging law (6471).

»»»»»»»»»» **NEXT TARGET OF TROOPER TERRORISM?** The Transbay Terminal--where a hundred or more warmthseeking nomads bed down for the night. Back in January, McHenry laughs, state police stalked in at 11 PM to roust the tramps. One stood up on a bench and shouted he wasn't leaving. Suddenly 75 others joined in. The disgruntled detectives slunk out without victims & Transbay's nighttime guests went back to sleep.

In mid-February police regrouped and announced that as of March 1st, the Transbay would be locked around midnight and opened at 5 AM. As of Saturday, homeless benchwarmers were still holding their ground with the date of the 'ethnic cleansing' moved up to mid-March. *Homes Not Jails* debating the issue noted that two shelters of at least 100 each had been recently closed down, and the roofless community couldn't afford to have another pointless eviction.

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5 In one of his last independent acts on City Council back in 1991 before he complete bought into the local political lottery, 'Stalemate' Scott Kennedy asked city staff to find city parking lots for safe vehicular sleeping. Days after proposing the plan, he apparently abandoned it.

6 Santa Cruz's prized newslesspaper, known to the senlle as the *Santa Cruz Sentinel*.

7 Right-wingers at the *Examiner* dubbed the settlement "Camp Agnos" in mockery of the psuedo-liberal mayor whose office was across the street. McHenry notes the *Examiner* successfully sabotaged Mayor Agnos's 'hands-off' policy by quoting from hand-picked homeless shills to fuel a feud that eventually provoked a crackdown there.

## UPDATES

»»»»»»»»»» **BOOK CAFE BOMBARDMENT FOR POVERTYPOPE PAUL** Lee in mid-February when he and Fastfeet Fred Gray faced off against Candelight Kim Argula, Calamity Jane Imler, and Linda the Lark Edwards--as the three denounced Lee's activist-trashing opus in a book-signing session in Capitola. Lee reportedly apologized for writing he wished Imler had died, & Calamity Jane accepted his apology, but not his book.

Candelight Kim caught a kick in the aisle from one of Lee's devotees, but stood her ground as the store manager demanded she leave the Book Cafe. The tireless troika invaded Lee's pomp-and-ceremony celebration to denounce his book's inaccuracies, omissions, and falsehoods. "A quagmire of misinformation," suggested Calamity Jane in a flyer she distributed, "in simple terms, a book of bunk." "The book buries a major piece of herstory about homeless struggles," was Candelight's comment. "Disgusting lies to discredit the people Lee hates," concluded Linda the Lark.

In his 1992 self-published paperback, *The Quality of Mercy*, Lee ignores or badmouths most of the homeless protest movement and gives himself and his chowline chums top-billing. Calamity Jane is reportedly working on a detailed response to the book, having abandoned hope that the Santa Cruz Urinal will correct the record.

»»»»»»»»»» **BACK AT THE BOTTOM OF THE HILL IS BELLRINGER** Billy Quealy, environmental activist [whose Pogonip analysis appears on p. 5]. Billy's 5-year-old lawsuit against Mayor Neal "Clampdown" Coonerty was reportedly dismissed because of problems securing legal assistance. Meanwhile Coonerty is reliving and reenacting on a grander scale the good ole days when he locked hippies out of his Bookstore bathroom in last Tuesday's bigtime barricade when he illegally declared the Council Chamber a forbidden zone to dozens of people and played out the Council's figurative isolation in the most literal sense.

»»»»»»»»»» **RIVERSTREET CAMPGROUND IN THE CLAWS OF CCH** --the *Citizen's Committee for [Fundraising For] the Homeless*--with Pretend-it's-Proper Paul Pfothenauer meeting last Tuesday afternoon to lay down 'no drinking, no drugs' rules for the now-it's-legal, now-it's-not, campground behind the Free Meal. Good news: another hour for tents until 8 AM. Bad news: CCH, the titled owners of the campground still expressed no interest in protecting their homeless namesakes against police busts. Recent stalking expeditions by the city's beloved blueshirts resulted in a ticket last Sunday morning and a 5 AM wakeup for the 2 dozen people there. When are Pfothenauer, Lee, and his passle of patriarchal pals actually going to go to bat for homeless people being hassled on their property? Did they ever rescind the letter they gave the SCPD back in 1991 authorizing arrests for trespass on their property?

Rumors are still circulating they're planning to put in a fence and a security guard. Cruz's first concentration camp for campers? The land has already been stripped nearly naked of all natural brush, trees, and greenery, possibly to make it 'more easily surveillable' to stop 'drug and alcohol use.'

Rough-and-Ready Ray, Interfaith Satellite Shelter Monitor, feels good days are on the way with the planned April opening of Karen Gillette's Day Center Duchy--more storage lockers, a usable phone, a job board, daytime access, and a pot of coffee. On the downside, most of that was available in the mid-70s for 1/15th the cost with the Pacific St. Santa Cruz Switchboard when 'homeless people' were called street people, hippies, or gypsies by those who liked them & "UTES" (Undesireable Transient Elements) by those who didn't.

Those were the days when there were actually sittable spots on the mall that didn't charge money, when there was actual green growth there. Those were the days before the invasion of bodysnatching trees--those weird skeletal surplus Xmas leftovers designed to drive punks, hippies, and homeless panhandlers to Fresno screaming for relief.

Redtop Robert Flory, CCH's sole homeless director on the CCH board, reminds us that Lee, Pfothenauer, and the usual gang of suspects meets every second Thursday of the month at 3 PM at 1st Presbyterian Church on Mission St. As a non-profit organization, Redtop adds, CCH meetings are regulated by the Brown Act and open to the public. Please, no one tell Neal Coonerty.

»»»»»»»»»» **SOUP KITCHEN GATEKEEPER LOCKOUT LEE** Loba continues to cover her staff's heavyhanded censorship activities with farfetched and maudlin laments. Last Wednesday, Trafficdodger Troy was filling out a complaint form unrelated to the Soup Kitchen over lunch when he was suddenly approached by



a staff member at the Soup Kitchen accusing him of 'circulating a petition' and demanding he leave. When Troy vigorously protested, the Kitchen called the cops, in an incident partially witnessed by Bathrobespierre Robert. Bathrobespierre had been commending Lee for letting in a trio of hungry deadheads when Lee told him of a 'violent' and 'disturbed' individual inside [Troy] whose disturbed mental condition had perhaps been prompted by Bathrobespierre's own incendiary literature.

Police came, but Troy had gone, 86ed for the crime of objecting to misconduct from a staff member [who had mistaken Troy's personal form for a petition]. Had Troy been signature-gathering, of course, the required racking and starvation penalty would have, of course, properly been imposed. Refusing to feed people of the wrong life-style was Bathrobespierre's basic beef against Lee, plus exclusion without a hearing for first amendment activities (such as Troy's). The *Street Shit Sheet* has received other complaints, which it has been told not to publicize lest the complainant lose mail or food privileges. It's tow the line or taste the lockout.

Lee pointed out that she never kicked anyone out for life, that she was even fond of some reprobates (such as blacklisted baddie Jacklight John Hamilton), and that she was a hard-working homeless helper. Lee has been invited to publish her own views in the *Sheet* but has thusfar declined. Perhaps an amnesty, a posted set of rules, and a mediation through the Free Meal, Food Not Bombs, the (dormant but not dead) Union of the Homeless, and/or the new Homes Not Jails groups for a start?

»»»»»»»»»» **WASN'T HAMHANDED H.A.N. HORRIBLE?** HAN. (Homeless Action Network)--a mutual admiration society of city and county cudchewers at the homeless trough-- was four months overdue to turn their bovine gaze on issues of discrimination at the St Francis Soup Kitchen (and at the Free Meal). Last we heard, the admirable Pandabear Paul Brindel was pressing the city to declare safe sleep zones and was even seen camcording the first Homes Not Jails demo perilously close to watching police. But Pandybear blew it bigtime at the February HAN meeting and dumped the whole Soup Kitchen Inquiry into the slopbucket. HAN. had been hearing and then burying complaints about Soup Kitchen discrimination and Free Meal harassment of activists, but Brindel's final burial of the lingering proposal killed any residual stink that may have given away the show to innocent onlookers. HAN meets at noon in the Vet's Hall the 3rd Wednesday of every month. They can't close this meeting...can they?

## BROADSIDES FROM THE BADLANDS

»»»»»»»»»» **ANOTHER VICTIM OF JAVHAHOUSE JAUNDICE--** writer and street critic Enojado Esteban, also the editor of the sometime street publication, *The Guillotine*. Javhahouse Judge, Jury, and Executioner Cast-Em-Off Kevin came to *Street Shit Sheet* notice several times in the last year for his unforgiving treatment of homeless and peace activist Won Ton Dave Jacobs. Jacobs was given the royal boot after he'd allegedly smoked a joint half a block away. Graffiti asking for his return reguarly find their way onto the Coffee Connosieur's Craphouse Walls (and are just as regularly painted over by an embarrassed management).

California law (the Unruh Civil Rights Act) provides a fine of \$250 per incident of discrimination where individuals are arbitrarily denied access to a place of public accomodation (such as a restaurant or a hotel). Won Ton Dave, however, has set his sights higher than the saddlebags of the Santa Cruz coffeecashiers. Still that remedy is open to those whose currency is too dirty for fashion-conscious fatheads to receive and who have the time to take such 'not in our neighborhood' moneymongers to judge and jury. If we cannot defend civil liberties in our own neighborhood, all the police review boards imaginable won't turn back the tide.

Esteban's eviction troubles Jahvahouse patrons, who like to fancy the place an island of toleration and good vibes, in a sea of high-skimming scamsters and buck-seeking boutiques. But some of us who have to watch this kind of discrimination would like restaurant bosses with lots of power to exercise mercy, good sense, and good taste--perhaps limit their 86ing expeditions to a specific time period, after which the slate would be wiped clean. Excluding child-beaters, politicians, and uniformed sexual offenders, of course. Esteban's *Guillotine* can be reached at 121 Cedar St., S.C. 95006. He wants articles, poems, and contributions.

»»»»»»»»»» **POGONIP POLITICS KILL CAMPGROUND--**or that's how it looks to us. The politically-correct Homeless Garden Project may have a shot at some Pogonip use (and that may be okay), but what about the need to get 'Lebensraum' Jim Lang's Park and Rec Rangers out of the hair, campsites, and backpacks of folk

who sleep up there? That was proposed nearly a decade ago by homeless petitioners at the County Board of Supervisors led by Sidewalk Shannon Casamo, Calamity Jane Imler, and Lighthouse Linda Lemaster. Lots of room, a ways from the downtown, and definitely non-toxic. Of the hundreds of acres, how about setting aside one or two? How come Q.C. Karen Gillette, Campers Begone! Bob Campbell, and the whole troupe of coin-clutching povertyettes don't use some of their fabled political clout to push for that? Maybe doing so would mean less cream for their oatmeal, or maybe bed without supper if the downtown do-nothings get addled.

## GRUENEICH'S GRUMBLINGS

*Absent from these pages since the late 80s, legal landmine Grinning Ray Grueneich reappears with an lengthy letter. At presstime, the First Amendment fetishist was reportedly researching a Brown Act case against City Council for attorney Catnip Kate Wells for Council's lockout of over two dozen people last week.*

*Grueneich penned the letter that follows in a white heat after reading a line improperly attributed to him in a Bag Ladies Revolt flyer attacking Paul Lee's book, *The Quality of Mercy*. The Bag Ladies had intended the misquote humorously, but Grinning Ray was not amused. Here follows his complete response:*

Recently a leaflet was distributed by Bag Ladies Revolt castigating Paul Lee's new book, *The Quality of Mercy*. Several quotations appear on such leaflet in which various activists express acerbic disdain for such book and/or Mr. Lee.<sup>8</sup> One of those quotes was attributed to me: "Couldn't finish it...." I would assume the reader of this last quote would surmise that I found the book either too boring or too disgusting to read to the end, or alternatively, that I am the impatient sort that must discover truth in the first few pages or not at all.

The real story behind "my" quote indicates nothing about the book and much about the nature of polemics. In the morning of February 14, I received a call from Robert Norse inviting me to give a choice quote about Paul Lee's new book. I replied that I had not yet read the book and so I could not do so. Mr. Norse offered to read to me selected passages that would provide a basis for an informed opinion. I declined that opportunity, stating that I would first want to read the book to make sure that I was understanding the context of the highlighted passages. Mr. Norse commented that there was not enough time for me to read the book between the phone call and when he wanted a quote for public dissemination. I replied, "True." This conversation, which I believed I have fairly paraphrased, is the factual basis from which the quote "Couldn't finish it..." was derived.

The US Supreme Court ruled, that to place quotation marks around a statement which is known to be at best an interpretation of what was said, is to lie or at least to act in reckless disregard of the truth. I agree. But what happened here went beyond disguising a sloppy interpretation. Mr. Norse knew that I was unwilling to be quoted on the book until after I had read it, and could not have thought that I was really straining over Mr. Lee's writing. Thus, the lie disseminated in the Bag Ladies Revolt leaflet was not merely the imputation of different language, but imputation of a political position known to be contrary to what had been clearly expressed.

I am viewed by many as a public figure, at least in the context of homeless politics. Perhaps it is pompous of me, but to me it matters what people think I think about some topics. I commit enough mistakes and indiscretions on my own without having others falsely attributed to me.

Second, I am an ardent foe of the sound bite as a substitute for clear thought. That is why I refuse to own a television and why I am critical of those judges who think they understand a case without

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<sup>8</sup> The leaflet in question is *The Quality of Mercy or the Quagmire of Misinformation?* available from the Union of the Homeless at 459-0910.

bothering to read the brief or listen to arguments. Nevertheless, we who are political figures live in the world of instant images and sound bites, and I acknowledge that I have tried my hand at turning the cute phrase.

One escape from this stupor is the world of books. A book presents both the author and the reader an opportunity to get beyond the bland and the sensational--the flip sides of the same shallowly-imprinted false coin. In a book a slogan can be explained and put in context, so that it is no longer merely confusing or offensive. I do not know whether Mr. Lee's book lives up to or betrays these ideals, or whether it would inspire or dismay me.

I do not that it is not my way to abandon a book mid-page. When someone, anyone, chooses to write a book. I choose to consider the ideas offered in that book on the higher ground of superficial sloganeering. That is why, rather than any inhibition about criticizing Mr. Lee, that I refused to take a --- quick glance at his book and respond with a glib comment. Some may see this as silly or unduly deferent to those whose privileged station in life offers the opportunity to write a book. If so, they should directly criticize me, instead of lying to others about what I said.

As for the sound bite, the misleading quote, and the chicanery of image politics--I will do my best to bite back with free speech. Quite a bit more free speech than most, perhaps including my friend Robert Norse, may be willing to hear. It will be interesting to see how much of this letter gets printed by the press, including Mr. Norse's publication.

## **"Will Pogonip Survive Studies?"**

by Bellringer Billy Quealy

After receiving seven public mandates to preserve Pogonip, should the City spend \$150,000 to hire a private expert consultant to reconsider the issue? Putting Pogonip's fate ont he auction block in effect says our government doesn't believe the democratic process is effective.

Resorting to private business consultants as 'professionals', who therefore are more qualified than the public, on issues as inherently simple as 'to preserve' or 'not to preserve' shows local government's low opinion of the majority intelligence.

This is for many councilmembers, supervisors, and politicians, 'business as usual,' having both inherited the process form local government's organization, and often, being business people themselves.

This raises the question, is giving government to business giving it to the people?

In the case of Pogonip, the 'Coastal Act of 1971,' the '1979 Greenbelt Ordinance,' two public hearings, and one court hearing with the Cowel Foundation, the Parkland Acquisition Measure (which actually deeds the land as 'greenbelt'), and the '1993 Pogonip Committee petitions'--all call for 'human use compatible with openspace protection.'

If you have to change the landscape to provide for that human use, it is 'incompatible' with preservation or enhancement of the greenbelt. Such uses as arboretum, community gardens, and horse trails would enrich the soil and provide irrigation runoff for annual native species.

Turning the issue over to private business consultants to decide didn't work well with the San Lorenzo River Plan either. Give some of that money to projects nobody disputes aren't incompatible. Both the Herbal Arboretum and Community Gardens could succeed on \$150,000. Match that with a loan and the City has a successful horse & buggy ride business or concession.

It has been seventeen or eighteen years and counting since the City embroiled itself in resolving to preserve Pogonip and then became paralyzed by deciding upon complete General Plan or no plan at all. Meanwhile Pogonip has deteriorated from lack of attention.

Send Comments to S.C. Greenbelt Committee, 809 Center St., City Hall, S.C. 95060.

# HEALTH DEPARTMENT STALKS FOOD NOT BOMBS

Santa Cruz's *Food Not Bombs* has been feeding people weekly for eight months and twice-weekly for two months. They dish out tasty vegetarian soups, plates heaped high with fresh fruits, gourmet salads chopped up in the kitchens of people not so different from you, with festive breads donated by good-hearted bakeries eager to stem the flow of their own guilt at throwing good loaves away.

*FNB* meets every Thursday at 7:30 PM at La Familia Center 711 Eastcliffe to plan meals, arrange pickups, banter mercilessly, and overthrow the government. Meals are served noon at Beach Flats Park each Saturday, and 1 PM at River & Josephine Sts. across from Stapleton's each Sunday. Food Not bombs also catered the most recent Homes Not Jails brouhaha outside City Council last Tuesday [see page 1].

In San Francisco, the *FNB* faced four years of unremitting and politically motivated pressure from the Health Department, even though no cases of sickness were ever linked to the *FNB* meal there in over half a million meals since 1988. They now serve twice daily, five days a week, all without permits.

Here in Santa Cruz, Health Department heavies have been spotted surveilling the Sunday meal and recently demanded S.C. *FNB* apply for Health permits. In the past, such a demand has really meant the closing down of the food operation since a food facility permit requires use of a certified kitchen, which is costly and defeats the whole people-serving-people objective of *FNB*.

Calamity Jane Imler refused to accept service of the warning reprinted below, left on the Sunday *FNB* meal table last February 28th. Last week Lighthouse Linda Lemaster, ironically not a *FNB* member, received a demand from the Health Department for a permit application within five days. Lemaster refused and offered the following letter:

Diane L. Evans, REES  
Director of Environmental Health  
Health Services Agency  
701 Ocean Street, Box 312  
Santa Cruz, CA 95060

March 8, 1993

Dear Ms. Evans:

This letter is in response to a "Proof of service by mail" letter dated March 5, 1993, to Food Not Bombs in care of me. I received this letter and enclosed "Food Establishment Health Permit Application" because, as far as I can tell, of my affiliation with a different community-based organization which rents space at the address on your letter. Through this other agency, Welfare Parents Support Group, Inc., your letter was delivered to me today. This must be a mistake.

Please note the following information:

1. I am not affiliated with Food Not Bombs, the group your letter seems intended for, with the exception of having enjoyed several of their meals sometime past, with my children.
2. I do not know about the "written inspection report and notice" your letter cites.
3. I am not a part of any "approved facility," nor involved with any food-serving activities aimed at the public, at this time.
4. I am not interested in receiving a Health Permit from the County at this time.
5. I can remember the grossly biased application you and your department used against certain other food-servers several years ago, at the Santa Cruz Town Clock. People were blackballed indiscriminately by the District Attorney, and even jailed for weeks, for feeding hungry, poor people!

I was appalled then at the use of state safety regulations to deprive poor people of free food while generally using different standards with restaurants and businesses against whom the laws and regulations were intended.

I have read about changes in state law about surplus food since those horrible times. No personal offense intended here, but I certainly hope that your people have evolved some since 1989.

cc: County Board of Supervisors

*Linda Lemaster*

COMING NEXT TIME: Springtime Squatting in Sacramento--Storming the Capitol in April; Navarro Beach Campers Fight Back!, Santa Barbara: New Abusive Laws To Scatter Signboard Holders, Armory Shelter Ends--in San Jose and Santa Cruz--What's Next?, Part One of Calamity Jane Imler's Own History of Homeless Struggle in Santa Cruz, Reports from Everywhere Else...and your stuff too!

"BLEW IT BIGTIME! WHAT BULLSHIT!" BLASTED PANDABEAR PAUL on hearing the Street Shit Sheet's version of his HAN action. "HAN's letterwriter (Bill Watt) didn't write the letter HAN told him to. I wanted the Soup Kitchen to stop using a 'dress code' (tye-dies) to discriminate against Deadheads and others because of their lifestyle. The 'homeless activists' who first raised this issue weren't coming to HAN meetings to follow up.

"Besides, stacked with county employees and a consensus procedure, HAN isn't the right place for controversial activism. If no one wants to do the right thing, get it off the damn agenda. We can bring it back when there's some real pressure. When nothing's happening, nothing's happening. Don't waste my time. So, I didn't 'bury' the issue. I didn't 'dump' it. I didn't toss it 'into the stopbucket.' Get your shit straight, Street Shit Sheet!"

Update 3/19/93



# STREET

# SHEET

#125

March 21, 1993  
25c or a good excuse

Sunday

**"Do I have any proof of vandalism? Your presence here is vandalism!"**

—Jahva House Co-Owner Kick-'Em-Out Kevin to Bathrobespierre Robert as the former 88ed the letter for allegedly having written "Stop Locking Out Won Ton Dave!" on the restroom wall 3/19

GOT ANY CARTOONS, STORIES, LETTERS, LAMENTS, PHOTOS, GOSSIP, OR COMPLAINTS FOR THE *STREET SHIT SHEET*? DROP THEM OFF AT THE *FoodNotBombs* MEALS (Saturday noon at Beach Flats Park, Sunday 1 PM at River & Josephine Sts) OR LEAVE THEM AT 509 BROADWAY OR CALL 459-7652.

## SCRIBBLINGS IN THE SKY

\*\*\*\*\* **"WHERE DO YOU GET YOUR NUMBERS? THE SENTINEL?"** was the skeptical response of Lighthouse Linda Lemaster on reading the estimates of 20-30 people for the first *Homes Not Jails* rally at City Hall March 9th in *Street Shit Sheet* #124. "At least 35-40 people is what I heard," continued the one-time Heiner House hostage—who promises to have photos of the legendary march of stiltwalker Shorty and the Bag Ladies Bungalows through downtown Santa Cruz ready if and when she can find the bucks to develop and print. Lighthouse herself was arrested twice last year in a Bag Ladies Revolt occupation of the then, now, and who-knows-for-how-long? abandoned Heiner House at Chestnut & Union St.

Other witnesses confirmed Lighthouse's larger estimate of those demonstrating against the City's 11 PM to 8:30 AM Sleeping Ban. Still uncertain at press time: the specifics of legal action against police, mayor, and council for having locked the doors for three hours on dozens of people—some of them bewildered newcomers. *Homes Not Jails* along with the *Santa Cruz Union of the Homeless* meets today at River & Josephine Sts ("First Amendment Park") across from Stapleton's today around 2 PM (right after the FNB free meal). Bring homesteading tools in your backpacks & come ready to seek out squats!

\*\*\*\*\* **BACK TO BALLBUSTING AS USUAL** at the River St. Campground! That's the gloomy word from Flapjack Frank and Togetotin' Tony, who both got Sleeping tickets Friday morning along with 15 or so others in the private backyard of the 'we saw nothing' *Citizens Committee for* [fundraising off of] *the Homeless*. Are CCH papa-teer Paul Pfothenauer and Day Center Duchess Karen Gillettee ready to go to bat for the homeless campers who are getting three-figure tickets from their liberal pals on the police force? If you got a ticket, fill out a subpoena for them to testify that the sleeping was on private property behind a fenced-in backyard—a legal exception to the infamous Municipal Code 8.38. They're getting paid for "helping the homeless"—maybe they should actually dirty their hands by taking a few risks.

\*\*\*\*\* **ANOTHER DELAY—SURPRISE!—FOR DAY CENTER** sanctuary seekers, we hear from Pandabear Paul Brindel. We first got the word that the end-of-the-rainbow get-the-homeless-off-the-mall 'service center' was not due to begin brewing coffee until June. Now Paul, fresh from Karen G.'s report to *H.A.N. (Homeless Action Network)* tells us that its opening date has been postponed indefinitely. Ah, but isn't the director being paid anyway? Well, first things first!

\*\*\*\*\* **CLAWS FROM THE PAWS OF PANDABEAR PAUL**—that's what the *Street Shit Sheet* felt when Paul got wind of last issue's criticism. We raked the housing expert over the coals for moving to take Soup Kitchen discrimination off the *HAN* agenda back in February. He bit back with his own version of events, which we scotch-taped into issue #124—still available from your friendly *Union of Homeless* earthmother LottaLove Lotus at 459-0910. You too can snap back at the *Sheet*. Did we get it wrong? Set us straight. You write it. We print it. Try it and see.

+++++ **ITS OFFICIAL ! HEALTH DEPT. HARDHATS** have aimed their scatterguns at the soupkettles of *Food Not Bombs* in earnest. Bad aim too, it seems. Their first hunting expedition bagged Linda the Lark Edwards and Lighthouse Linda Lemaster--neither of whom belong to the soup-slinging sidewinders.

True--back in 1989 both were served with an injunction for serving nightly meals at the Town Clock with the *SWAP (Soup Without a Permit)* team. But the city and county surrendered later in the year and set up what later became the Free Meal under Calamity Jane Imler as a result of the bread-and-butter battle.

Both Lindas received letters *advising* them to appear at a 'courtesy' hearing next *Wednesday* at 2 PM at the County Bldg, Room 312. Lighthouse's caustic response in *Street Sheet #124* prompted Dungeonmistress Diane Evans to call back with apologies for sending the to the wrong victim. Diane is the Health Dept. impresario whose testimony helped to put Slyshoes Sandra Lorranger behind bars for felonious feeding in the summer of '89. Looks like she's at it again, regulation book in hand, determined to damp down any unseemly outbreaks of politically-questioning cooking to fill homeless bellies.

Last time the Health Dept. did this at the behest of Mayor Whiphappy Iash Wormhauadt because the former was embarrassed at the sight of hungry homeless people lining up in plain view of visiting tourists. There has never been a complaint of bad food at the *Food Not Bombs* feedings (unlike at the uneven city and county-funded Free Meal).

In San Francisco, authorities there hounded the City's *FNB* for years, arresting hundreds of people (no trials or convictions) for 'not having the proper permits,' but then denying them permits and raising new bureaucratic barriers each time they applied. Details from Katenjammer Keith McHenry at 415-330-5030. Perhaps *SCFNB* will be cooking up some carrots for Diane and her do-nothing doughnut dunkers next *Wednesday* at the scheduled hearing. Plans are uncertain. For more info, call *SCFNB* at 425-3345. Then call the Health Dept. at 454-4066 & tell them to grow up before we all throw up--is it something in their diet?

+++++ **LATEST LOCKOUT LAMENT** from Bathrobespierre Robert Norse, who got denounced and dumped outside last Friday night by Cast Em Off Kevin, the Jahva House's puffo-yuppie bathroom policeman. Kevin said he took umbrage at graffiti on his bathroom wall asking that he readmit Won Ton Dave Jacobs, barred for many months for the 'crime' of allegedly smoking a joint half a block away. (And, Kevin would have us add, for 'other things. The same-old-shit New Ager says he's ousted other for add-on offenses like 'leering at women')

How did the sharp-eyed coffeekeeper decide it was Bathrobespierre who wrote the offending words? A videocamera strategically placed in the toilet? A handwriting expert? And have investigations been launched into the authorship of other latrine limericks there? These questions continue to dog Kevin as he maintains law and order in his peepee parlor.

Still, some malcontents are insisting (Bathrobespierre among them) that the broadsmiling bathroom policeman is himself guilty of slander and civil rights violations for unproven public accusations and discrimination in violation of the Unruh Civil Rights Act. Under that state law, it is illegal to refuse service to someone arbitrarily. Civil fines of \$250/incident/owner are available for those willing to make their way to Small Claims Court.

Have you been at the receiving end of Jahva House jive? Stand up, clean off the lingering odor of sanctimonious bigotry, and give a call to **Justice Not Jive at the Jahva House** at 459-0910. Spotted later Friday night--a forlorn figure on the sidewalk asking late-night customers to quaff their caffeine elsewhere was disgruntled Bathrobespierre Robert. Banished from the cream of the coffeecabarets, the bushleague bohemian is reportedly preparing his own flyer detailing Jahva House's history of making the surrounding street safe for the beautiful people (calling police on homeless leaning against the building, harassing homeless activists giving away flyers to people who want them, and, of course, evicting unfashionable homeless).

The well-padded protester has been fuming at his exclusion and is said to be eager to reenter the restaurant with witnesses to examine the offending graffiti and perhaps track down the true traitor who sullied Kevin's student sanctuary with screams from the street. Incidentally, why won't the Jahva House let the peaceful but prickly Won Ton buy a cup of coffee and drink it inside?



\*\*\*\*\* **VITAL, VEXING & VORACIOUS** in its appetite for justice is the month-old **VIVA!** (*Victims In Victory Advocacy*) spearheaded by Knock It Off Nanette, Courtcatcher Carol, Stand-and-Deliver Stanleigh, and Justicejunkie Jane. Actually around for the last half-year, the group is trying to force the justice system junkies to do the job for victims they're paid to do. Among the homeless, **VIVA!** is particularly interested in those ripped off by domestic violence and/or landlord lucrelust.

Stand-and-Deliber Stanleigh says they're particularly looking for reports from people who have been stiffed by the criminals in the justice system, er, that's the criminal justice system. Whether by police, courts, D.A., or probation officers, **VIVA** wants you to call in at their hotline **425-3244**, so they document each disaster. You can be anonymous if you want. You can also personally meet the mischiefmakers **Monday 2:30 PM at 509 Broadway** where they'll huddle to discuss strategy. Particularly targeted: the diversion program of the probation department. But bring your own blues. They'll be listening.

\*\*\*\*\* **MEANWHILE HAN IS STILL HUNTING FOR HOMELESS:** Are you homeless? Have you had a chance to complete and turn in a survey for **H.A.N.** [*Homeless Action Network*]? Young or old, warm or cold, **YOUR** views are important. The absolute deadline for this survey is late Tuesday, March 23. Contact Lotus Maynor (**459-0910**) or Linda Lemaster (**459-7652**), two of the founders of **Santa Cruz Union of the Homeless**. Or come to the **FNB** Sunday meal 1 PM at River & Josephine Sts.

## CRIES FROM THE COURTHOUSE

\*\*\*\*\* **POSTPONED ANOTHER TWO WEEKS** to Friday April 2nd, more appeal hoops and hurdles for Won Ton Dave Jacobs, still fighting the good fight in the name of free speech at the Town Clock for Peace Vigil actions that happened in the spring of 1991. Call **Union of the Homeless (459-0910)** for exact time. Upcoming court dates that we know about. On that full Friday, Won Ton will also be there at **8:30 AM in Courtroom C & 10 AM in Court room G** to fight Public Nuisance charges & contempt-of-court for refusing community slavery.

\*\*\*\*\* **JUMPED BY A JANGLEBRAINED JUDGE** was the frightening fate of Bathrobespierre Robert, who was slated for a court trial in Judge Barton's court last Friday for driving uninsured. When Bathrobespierre's latest battlewagon broke down 20 miles south of Big Sur on the Coast Hiway, he radioed Catnip Kate Wells, attorney-under-protest, for help. Snarling at Robert, she dragged herself into morning court and found visiting judge McKechnie not only unwilling to grant a continuance, but unwilling to proceed to trial. "Attorneys aren't aloud to represent infraction clients," chided the broccoli-brained blackrobe, "I'm issuing an arrest warrant."

Since McKechnie was new to Santa Cruz, D.A. "Jack 'Em Up" Jim Sibley might have been expected to advise the grizzley gavelgripper that what the law actually says it that the court need not appoint an attorney in an infraction case. Anyone of course can get her own lawyer, if she can find one, and Catnip was there, bar card in hand, for that purpose. But "Jack 'em Up", either through malice or cowardice, went along with the arrest warrant laughingly, even suggesting the bail amount (\$185). Bathrobespierre Robert, officially a fugitive from 'justice' when the computer calls his name, is reportedly overwhelmed by the stupidity of it all and plans to self-surrender himself Monday morning.

\*\*\*\*\* **BAGGED BY BADGE-WIELDING BANDITS** was Steamy Eyes Steve, **SCFNB** newcomer, who found himself surrounded by cops at the Farmer's Market recently as he and other lettucelovers were stuffing food into his car. Turns out Steve's newly acquired auto was reported stolen, and Steamy Eyes got the jailhouse rush. "Why," asked Linda the Lark afterwards, "would Steve steal a car, and then park it downtown to use with a highly-surveilled political group like **Food Not Bombs**?" Answer: he wouldn't, of course. Could this be another convenient excuse for the police to bust workers for a group they don't like? Is the Pope Catholic? Does the Mayor lock out homeless people who want to speak at City Council?

- 7 -

+++++ WANT TO BE RELEASED FROM JAIL? Don't tell 'em you're homeless. That's the latest scandal around the Halls of Justice. "No Airs" Eric spent a week in jail because he wanted to fight a bogus trespass charge leveled against him compliments of the In Cal Motel after he was late in leaving a room rented by Deadheads. His first Public Defender advised him to hang tough and plead not guilty, but didn't tell him that he'd have to rot in jail for a month because he admitted he was homeless. After a week of eating jail food off the floor (overcrowding, don't ya see?), he'd had enough, got another PD, and pled guilty just to get on with his life. But that means down the road he has a misdemeanor conviction on his record.

+++++ AS A FINAL KICK IN THE ASS, "No Airs" Eric was presented with a bill on leaving jail for \$91.65 in booking fees. It seems the jail now charges \$84+ for each booking. The up-side to this is that if you don't have the money, you presumably can't be forced to pay it and this could serve as a deterrent on cost-conscious cops. The down-side is that Jurassic-age judges may find a way to convert these costs to Community Slavery. If you have any details about your case, call the *Union* at 459-0910. They interested in tracking and supporting all kinds of homeless injustice, particularly Sleeping Ban tickets. They also give advice on how to fight them. Come to the 1 PM meal on Sundays at River & Josephine and talk with Redtop Robert Flory, the carefree candlebearer against court-mandated community service.

## LOWBEAMS BY *Lighthouse Linda*

**CALIFORNIA HOMELESS NETWORK** got its name on March 8, and plans its major action for April 18-20. Y'all are invited! Contact me or Lotus for more details about how you can help this growing statewide network, and about getting to the State Capitol in Sacramento for this Tent City and related demonstrations.

Join the growing 400+ homeless people and activists from around California, and help us see that Santa Cruz is strongly present. Main goals include protesting the widespread criminalization of homeless people throughout the state and demanding protection from various inhumane anti-lodging and anti-camping ordinances and laws. We also hope to press legislators in this state to support President Clinton's efforts to fund housing.

I'll be there: firstly, to support my homeless friends, of course; secondly, because this event is being set up around and partly sponsored by the yearly housing conference which I attend for intensive learning; and, finally, to promote the Alternative Budget—a local project of Campaign for Budget Fairness which challenges "the Governor Wilson's budget axe and legislators' business-as-usual" attitude.

Needs for this event include: 1. liability insurance if a permit is to be secured (we plan to demonstrate irregardless of this part!); 2. funds—if by check, make out to CHHC Empowerment Project; and 3. lots of blankets and sleeping bags. Locally, we will have to deal with transportation, and help with media publicity and campus outreach would be great, too.

If you read this BEFORE Monday, 3-22, please contact one of us if you might want to go. We will do everything possible to accommodate everyone up to the last minute, but it helps to have some idea of local interest right away. This is also a chance for local service providers and non-profits to work in support of their clients' empowerment, so let them know they, too, can help us make this series of events successful. Reach Lotus at 458-9070 or me at 459-7652, with details of how we can connect. More details by Tuesday, 3-23.

+++++ ALSO HUNGRY FOR ACTION IN MID-APRIL is *Hungry Women United* meeting, Hellfire Helen informs us, 2 PM Monday March 22nd at Loudon Nelson Park near the playground to plot Sacramento plans for mid-April. Join them if you dare.

COMING UP: *Povertypope Paul Lee vs. Calamity Jane Imler—the Final Conflict; Food-Filching Bureaucrats Strike in Santa Monica; A Legal Lift in Hollywood—the Courts OK Camping; Sizzling Santa Ana—the first target of the 6-City Lawsuit; Hot Times at the Homeless Garden in Santa Cruz. Fighting Police Abuse in San Jose, Beach Flats Backlash—the People Strike Back!, an update by Bathrobespierre on Santa Barbara Struggles & more! ...probably less.*

2nd Edition 3/22

# STREET

# SHEET

#126

March 25, 1993

Thursday

"This is a fine piece of work by the powers that be to harass. Pick one person out, give them immortal hell, have them capitulate, go through the rigors of their paperwork & end up with nothing—a lot of trouble and a lot of money." --Justicetime John Stuart of Madhouse Exit on The Health Dept. vs. Linda Edwards

10c

or

Take it & Talk it Up!

## DOCTOR "COOK NOT LEST YE BE COOKED" LUBELL LAYS LOW AT HEALTH DEPT. LINDA THE LARK & FELLOW FEEDING FANS FACE FREEZEOUT

Fresh from serving steamy soup in front of the County Courthouse, Linda the Lark Edwards and a mixed contingent of homeless clients, freedom-loving foodservers, and legal observers appeared at Room 312--the hit-and-run hideout of the Environmental Health Services, EHS or the County Health Dept., as it's colloquially known, is that black barnacle on the bottom of the bureaucracy which normally inspects only once a year or on specific complaint.

EHS Empress Diane Evans admitted afterwards that her department had received no specific complaint. Rather it was trying to frighten Linda the Lark and Lighthouse Linda Lemaster into giving them information about the newest regular foodprovider in the County--Santa Cruz's *Food Not Bombs*, which serves at least twice weekly across from Stapleton's (Sunday 1 PM) and at Beach Flats Park (Saturday noon). An iconoclastic menagerie of independents, FNB has declined to apply for permits, perhaps learning the lesson of its S.F. namesake, which sought for years to get proper papers from S.F. City agencies there.

After hundreds of arrests and half a decade of litigation, *FNB* in S.F. found that the Health Dept up there had actually conspired with political authorities and police to add ever-more onerous demands on the homeless feeding group, each time that group met the last set of requirements. In 1991, the City expressly passed an ordinance making permit acquisition impossible for *FNB*. Since then the group has been feeding without permit or persecution.

San Francisco's Katenjammer Keith McHenry, *SFFNB*'s unflappable First Chef, motored down in a creaky car to support Linda the Lark yesterday, repeating a gesture he had made 4 years ago, when Linda became the first person to be arrested for serving soup in Santa Cruz (December 13, 1988).<sup>1</sup> Bathrobespierre Robert Norse arrived late with the tasty vegetarian miso, donated by India Joze restaurant, & served the same to a line of hungry homeless including Stormin' Norman, Shake-up Jacob<sup>2</sup>, Moonrise Mike, Milky Way Mark, & Friendly Fu.

Organizations past and present were there officially and unofficially: Nutcracker Nick from *FISH (Feeding Intelligent Super Humans)* and Bathrobespierre from *SWAP III (Soup Without a Permit, the Third Generation)* boldly put their names on seditious flyers and press releases advertising the Linda the Lark support soup-in. Hovering on the periphery were Hellfire Helen of Santa Cruz's *Food Not Bombs*, Cry of Dawn<sup>3</sup> Christa of *Homes Not Jails*, Justicetime

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1 Shortly thereafter EHS and City Police set up the 'no eat' zone at the Town Clock. Under orders from city and county soupstoppers, SCPD troopers in uniform daily waylaid broth bootleggers trying to sneak in homemade stews and brews to feed the bewildered homeless. Determined stewsmugglers donned disguises, set up 'decoy runs' of empty boxes, hid out to avoid being served with legal papers, and continued a daily meal at the Clock.

Then-Mayor Whiphappy Wormhoudt [still unapologetic and reportedly seeking higher office] kicked off this grotesque grabthegrub production by the still- unapologetic Mayor Whiphappy Wormhoudt in a backlash at Bag Ladies Revolt & Calamity Jane Imier's Town Clock Soup Stakeout to Stop Violence Against the Homeless. The late 80s crackdown cost the city and county hundreds of thousands of dollars in scores of court cases and perhaps as much in bad publicity. Newspapers as far away as India had Loranger's conviction for 'feeding without a food facility permit' on the front page in ridicule and disbelief. The County got a permanent injunction against *SWAP* (Soup Without a Permit), San Francisco's *Food Not Bombs*, and dozens of individual soupserver--which has never actually used but is still periodically trotted out to shake in the faces of protesters serving coffee or soup.

2 Rebaptized by a benevolent editor, Jacob was known as Jot-of Joy Jacob in *Street Shit Sheet #124*.

3 Also known to big-eared readers as the chanthappy Councilcrasher Crista of *Street Shit Sheet #124*.

John Stuart of *Madhouse Exit*, and Join-Up Gene of *Refuse and Resist*. Carrying a lone sign, "Stop the Food Bullies," and several cups of potato-rich potion, they marched to the third floor of the Government Services Building to stand side-by-side with embattled Linda.

EHS Empress Diane Evans approached Linda and told her that only she and one or two others could come in 'because of the limited space.' "We can go to a larger room," proposed Linda. "These are people who are also concerned with the outcome here. I have no right to select a few people to come with me." "If it's an administrative hearing," pointed out Won-Ton Dave, "it should be open to the public. Perhaps you should reschedule this." When Evans rejected this idea and disappeared into the Health Dept. catacombs, Duskwalker Dex called the inquisition against Linda "a total fraud against justice with no harm even alleged on her part, a violation of due process—a public issue with the public excluded."

Katzenjammer Keith, who claimed to know the state health code by heart after 5 years of harassment, suggested that Linda make her statement publicly and avoid getting caught alone with the health department hasslers. Tape recorders and witnesses, Keith warned, were essential to challenge the paper trial that the department was trying to lay down as a basis for legal prosecution, he continued. Internal S.F. police memos showed that while appearing to offer one person a chance to get a permit, the real goal was to stop the serving of free food.

Duskwalker praised independent food service operations, referring to the meal behind the River St. Shelter as "a slum" and suggesting that "decentralizing the problem" would help. Subsequent cries of "The Health Dept's a joke!" brought stern warnings from secretarial workers that they would call the sheriffs.

The lock-out-and-ignore tactics of the EHS enraged some of Linda's supporters. Terrible Tom & Nutcracker Nick found that Supervisors in the building wouldn't meet with them & reign in the arbitrary 'harass-the-homeless-then-hide-in-the-executive-suite' tactics of Lubell and Evans. Secretary Linda "Bureaucrat's Best" Boles refused to sign a paper acknowledging that Edwards had waited half an hour for Lubell and Evans to start the 2 PM hearing, so the remaining witnesses with her testified in writing that Linda had been there as required by the summons.

#### UPDATE

KSCO-AM was the only news media that covered the story<sup>4</sup> but Nutcracker Nick himself called Empress Evans the next day for an update and reported the following:

*"Director of Environmental Health Diane Evans stated the Linda Edwards was originally selected as the conduit for the probe because they had a report that she had been observed serving food with Food Not Bombs. She was also known to have been part of a food-serving campaign in previous years. Evans emphasized that Edwards was not the target of the probe. Her office would much prefer to speak with 'some clear representative of FNB such as Tonee Mello.'*

*Evans gave the impression they will not relent against Linda because they have a written statement from her that she will assert her right to serve food at any time. To avoid legal proceedings Linda Edwards must state, preferably in writing, that she is not a member or associate of Food Not Bombs. She must recant her statement that she will serve food on impulse.*

*Having established this, Evans said she and her Department wish to avoid public confrontation. Pressed as to why Edwards was singled out, Director Evans stated, 'Edwards has presented no evidence that she has no connection' to the on-going feeding. She said Linda has the option of clarifying this in writing or coming to the hearing process with an attorney at a mutually agreed date. Evans refused to speak to a group of people."*

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4 To speak about homeless topics give a call to the Noon Balloon, the John Mooth talk show, which mixes tangy ignorance with folksy prejudice weekdays 12-1 PM at 1280 AM. Call 479-1080, but watch out, they only let you speak once a week, and Mooth himself talks up a storm.

Send stories to 509 Broadway, S.C.  
Phone: 459-0910

# STREET

# SHEET

#127

April 11, 1993

Sunday

FREE IF YOU'RE EMPTY-POCKETED.....DONATION IF YOU'VE GOT THE DOUGH!

2nd Edition

"...one of the most boneheaded political action strategies I have ever witnessed..."

*"-Mayor Neo Goonery<sup>1</sup> to the Union of the Homeless commenting on the Homes Not Jails demonstration at City Council March 9th. Goonery's April 5th letter rejected a demand from Linda the Lark Edwards and several dozen others that he 'cancel and correct' all actions taken at the evening Council meeting from which dozens of people were barred by repeating the Council business in a new open session.*

## HOMELESS PROTESTS HIT NORTHERN CALIFORNIA !

>>>>> **SANTA ROSA ACTIVISTS HIT THE STREETS** last week in Sonoma County to demand the City open real shelter for its rain-drenched homeless population in the wake of the Armory closing there. Santa Rosa sourpusses actually put up a chain-link fence to stop the erection of a proposed Tent City, for which local organizers were willing to go to jail.

>>>>> **MARIN COUNTY MALCONTENTS TOOK CONTROL** of the Board of Supervisors chambers there for the second time in a month earlier this year. With 30-40 homeless people backing their play, the new 'homeless supervisors' held their seats for several hours before being arrested and removed. The action shook loose some spare change from the deep pockets of the Board of the richest county in the state.

>>>>> **MILITANT RESISTANCE IN SAN FRANCISCO** to police threats against shelterless citizens using the Transbay Terminal at night as a sleepspot has held the bluecoats at bay. An announced 'sweep 'em out' raid last Thursday had to be canceled in the face of media attention and sleeper solidarity.

## FOOD-NOT-BOMBS UNDER ATTACK ON BOTH COASTS !

>>>>> **BATTERED BACK IN BOSTON**, in the state where **FNB** was born, the anti-hunger group has been hit with tickets and food confiscations by police—in an attempt to cow and perhaps ultimately crush the operation. Though not one complaint of sickness has been registered, Parks & Recreation bureaucrats have unleashed their robocops.

>>>>> **IN SOLIDARITY WITH BOSTON SOUPLINGERS**, **FNB** in San Francisco and other **FNB** groups lifted their ladles to protest this first-ever East Coast crackdown last Thursday. **FNB** in Eugene, Oregon, and Salt Lake City, Utah, and even tiny Santa Cruz, California sent letters of support.

>>>>> **IN SANTA CRUZ TODAY, THE TOWN CLOCK** will be the site of a solidarity rally and serving by local **FNB**ers, who have been feeding hungry folks weekly at Josephine & River Sts for many many months. Four years ago, city police descended on the Town Clock in riot gear with truncheons drawn to separate homeless people from food being distributed by **SWAP (Soup Without a Permit)**.

>>>>> **LINDA EDWARDS IS STILL A TARGET** of local Health Department harassment for declaring her intention to serve hungry people food anytime, anywhere, anyplace. Health Department Empress Diane Evans stated that the Health Department's real target was **FNB** mainstay, Tonee Mello. The Sunday **FNB** meal has been 'warned' but not yet officially cited for 'alleviating hunger without official permission.'

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<sup>1</sup> Mayor Neal Coonerty won his spurs in the *Street Shit Sheet* glossary under the name "Neo-Goonery" for his disinterest in the merchant 1990-91 'no benches for bums' campaign which removed sitting spots on Pacific Ave. around the Metro, his pro-Sleeping Ban stance, his apparent lack of interest in the Bassett-Baker abuses against homeless people, & his failure of 'Progressive' leadership on the civilian police review issue.

Neo Goonery, also known as 'Clampdown Coonerty,' has indeed initiated a whole new set of rules for protesters at City Council. Since arrests now cost the city upwards of \$80 per poor person, cost-conscious Neo, apparently prefers the cheaper course of clipping-and-snipping the Constitution and using the police force to lock out citizens of whom he disapproves. That way, he need never even hear homeless speakers much less prove anyone guilty of criminal behavior. Why bother to listen when you can lock them out?

## NEW HARASSMENT IN AND OUT OF COURT !

>>>> **SCPD CENSORSQUADS RIPPED DOWN** "People's Verdict--LAPD Guilty 1991-1993" under Sgt. Aluffi, illegally snatched dozens of leaflets, & cited *Refuse and Resist* members Catherine and Peter for signposting last week. Info: call *R&R* at 425-3133.

>>>> **SHELTER ACTIVISTS FACE TRIAL SOON:** Shake-Up Jacob faces a Court trial for sleeping under a bridge in the rain on *Friday April 16th at 10 AM*. Redtop Robert Flory faces jury trial for occupying an unused building *Monday April 19th at 9:30 AM*. *FNB* will be serving food outside the Courthouse at both events, one half-hour before trial. To volunteer or offer support, call *FNB* at 425-3345.

>>>> **CITED FOR TRYING TO COMPLAIN** was Bathrobespierre Robert Norse, given three misdemeanor tickets (attempted petty theft, disrupting court, and obstructing an officer) in Courtroom G last Friday by Baliff Thurber--arraignment *May 17th, 8:30 AM* in *Muni Court*. Norse's crime: trying to get Thurber's badge number and superior's name after Thurber refused to accept legal papers for the judge.

>>>> **BLOWN AWAY BY JUDGE 'BARRICUDA' BARTON** was the bitter bad news for unrelenting peace-and-justice activist Won Ton Dave Jacobs in a contempt-of-court hearing in early April on the right to refuse community service for infractions (such as the Sleeping Ban). Barton not only swept away the fledgling Flory defense, which Jacobs had used to defend his refusal to do 'community slavery' but seemed to overrule the historic *People v. Battle* decision, which has held that jail for infraction offenses was constitutionally forbidden.

Still grinning, Jacobs will be appealing Barricuda's latest bite out of the Bill of Rights by filing with Superior Court before month's end to stop a threatened 6 day jail sentence. For details on Jacobs' other appeals arising out of the 1991 Town Clock Peace Vigil, draw aside the grizzled veteran yourself and offer your support and your spare change.

## BROWN ACT BLACKED OUT BY MEDIA, D.A., AND MAYOR !

>>>> **BRIEF MENTION OF THE BROWN ACT BUGALOO**--the determined dance by Mayor Goonery and D.A. Art 'Drumhead' Danner to ignore the state's open meeting act--did make the *Santa Cruz Urinal* and the *Goody Times*--the Official Story, that is. However, both newslesspapers refused to interview any of the victims or cover the full picture fairly. Completely dismissed was the crucial question: Can innocent people unconnected with protesters be barred from a public meeting because they look homeless or associate with homeless protesters at the pleasure of the Mayor and a majority of the Council? The boys downtown say yes, and their pals at the papers won't let the public know the real issues involved.

>>>> **OVER A DOZEN COMPLAINTS TO THE D.A.** including one nearly four pages long by Won Ton Dave Jacobs, were dismissed with identical letters by D.A. Jr., John 'Hopalong' Hopkins, who declined to interview any of the complainants. Suggesting the Mayor had the power to exclude disruptors, Hopkins followed media and mayor in relegating to non-person status, those who had not been disruptive, but found themselves barred from Council. Complaints to the usually deaf, dumb, and blind Grand Jury may be the rocky road for those told they're not good enough to enter the Council's caverns.

>>>> **"NO VIOLATION OF THE BROWN ACT"** was the predictable reply of Mayor Goonery to a registered letter sent by Linda the Lark Edwards and 32 others, which demanded Goonery redo Council business at an open session or face court action. Whether Edwards and her fellow victims have the resources to sue the City in court is still an unanswered question, but the grapevine has it that sympathetic Berkeley barristers may beam down to help.

>>>> **STILL FACING A FRAME-UP FOR A CITIZEN'S ARREST,** Won Ton was arraigned & assigned a Public Defender for two misdemeanors--battery & obstructing an officer. The charges arose from his attempt to enter City Council on Black Tuesday (March 9th)--when Mayor Goonery shut out dozens of homeless people & sympathizers because of a two-minute protest. Won Ton's attempt to put Officer Lunnen under citizen's arrest resulted in vigilante-justice, SCPD-style. The non-violent oldtimer was himself grabbed, cuffed, & hauled away. Jacob's jury trial is scheduled to take place between *May 9* and *May 23rd*, with the only preview being a police report from Lunnen, which, according to Jacob, repeats "earlier lies."

# STREET

# SHEET

#128

May 9, 1993

Sunday

SHELL OUT SOME SHECKLES

BUT READ IT!

**"To bring people together and give neighborhood people food to eat. That includes the homeless people who live nearby. No rigamarole process to go through. If you've got a purpose for the food...if you need it, take it!"**  
—Moonrise Mike Carreiro on the purpose and practice of the new Community Garden

## **GARDENS-NOT-GARRISONS BREAKS GROUND AT JOSEPHINE STREET** **BUREAUCRAT-FREE COMMUNITY GARDEN SPROUTS AT SQUAT SITE**

Carrotcruncher Chris and Crosstown Craig, reportedly disillusioned after working at the Homeless Garden Project, inspired several dozen supporters to a Sunday ground-breaking for a new Community Garden at River & Josephine Sts. After three weeks of planning and discussion, the two activists—also active in Food Not Bombs and Homes Not Jails—will be shoveling manure and digging dirt with dozens of others in the birth of a Mother's Garden at First Amendment Park.<sup>1</sup>

Moonrise Mike, who said he helped found the Homeless Garden Project back in 1990 and was a worker there for a year and a half, noted he quit the HGP for numerous reasons. "They're out for money," he commented, "They're not worried about the homeless." Moonrise was also critical of the Homeless Garden's hiring practices, claiming they were cliquish, gave preference to college students who they didn't have to pay, and had a decision-making process dominated by \$30,000/year Director Lynn Bayshore.

At Friday's Community Garden Project planning meeting, some participants compared the project to People's Park in Berkeley, which was established as a free zone in 1969 in the face of National Guard terror, and is currently in the throes of resistance to yuppication by UCB and the City of Berkeley. Activist Candelight Kim called the Park an "autonomous zone." "We're not worried about making profits; we're not there to lay down rules. We want to give people a chance to participate and make decisions of their own," concluded Moonrise. "At the Homeless Garden, Director Lynn told us, 'I will have no homeless person who will tell us what to do.' The Community Garden will be different."

Shelter activist Redtop Robert Flory, one-time beekeeper and former Homeless Garden worker said, "They [Bayshore's Homeless Garden] are not about creating an alternative to the oppressive economic system that homeless people are victims of. Rather they are a for-profit enterprise which exploits homeless labor, allegedly to help people get back on their feet. They don't give any of their food to homeless people. They sell it."

Guerrilla gardeners at Josephine St. reportedly have been wetting down the land to prepare the soil for today's hoe-a-thon. Everyone—with or without green thumb—is invited.

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<sup>1</sup> So-named by Leatherlungs Jim Purcell, a Union of the Homeless activist who worked with dozens of others last summer to set up a protest Tent City that was dismantled by police and Caltrans officials after three days. First the Union and then Food Not Bombs has been feeding hungry houseless and housebound alike every Sunday at 1 PM since.

Food Not Bombs will be laying its usual price-is-right Sunday table to support the new Community Garden. The group previously provided food at the trials of shelter and constitutional activists Robert Flory and Won Ton Dave Jacobs as well as support for Linda the Lark Edwards, when she was hauled before Health Department in the first signs of an ominous inquisition against the free-spirited-free-food-group. Indeed, recurring rumors have alerted FNB foodservers to the possibility that they may be ticketed or enjoined today in yet another bureaucratic slap at attempts to support homeless people and homeless activism.

## **SMILES & STARES FROM THE SIDEWALK**

»»»»»»»» **BOOTED FROM THE BENCHES FOR BEING TOO YOUNG!** That's apparently the fate of those who fail to meet the dress, attitude, and income test of the downtown dick tracys that have resumed 'cattleherding,' targeting the young and the casual on the downtown mall benches. Back in 1990 Sergeant 'Hobohunter' Hennig had official get-together peptalks with merchants on how best to ethnically cleanse the mall of undesirables through such tactics as trespass citations, tickets for 'sitting on a planter' and out-and-out intimidation.

Mother and UCSC computer worker Zoe Sodja confirms that her two teenagers were given the bum's rush by Hobohunter Hennig just last month. In a phone interview Zoe's son confirmed Hennig's unmistakable bootprint, the telltale phrase: "Get out of my town!"

"To me, having homeless people on the mall--and punks--is what makes Santa Cruz different from San Jose or Carmel. That's what makes people come here," remarked Sodja, who has lived here since 1979 and views recent developments such as the new anti-street musician law as ominous. Her sons report, however that after her letter appeared in the April 29th Good Times, police harassment dropped somewhat. Keep those cards and letters coming in, Zoe!

And pass on your complaints to the **Coalition for A Civilian Police Review Commission at 426-3254 or 423-1626**. If they seem cool, try **SPAN (Stop Police Abuse Now!) at 475-2012 or FNB at 425-3345**.

*Got some of your own shit for the Street Shit Sheet?* We print almost anything. Leave your stuff at the FNB meal 1 PM Sunday at Josephine and River St. Or send it c/o Welfare Parents Support Group, 509 Broadway, Santa Cruz 95060.

**Coming Up Next Time: A Tale of Two Trials: Won-Ton Dave and Redtop Robert Meet the Just Us Machine; Sacramento Standoff: the New Union of the Homeless Fights Dog-Shooting Cops; Calamity Jane Pays Off PovertyPope Paul Lee--the Long-Awaited Response; Squeeze-Down in San Francisco: Food Not Bombs Again on the Grill; Merchants' Anti-Musician Bill--It's Not Just Singing They Want to Squelch! And More!**



# STREET SHEET

#129

Free

May 16, 1993

Sunday

"The Homeless Garden Project is designed to pick the pockets of the Progressives while they munch on their vegies, produced by homeless slave labor. At the new one, they can eat what they grow."—*Calamity Jane Imler*

## SECRET COUNCIL CONCLAVE VOTES TO SMASH SOUPSERVERS GANG OF SEVEN RESUMES 1989 WAR AGAINST HOMELESS

Both *Sentinel* and Council sources confirmed last week that the City Council Chowderchasers have sealed a putrid pact with County Health honchos to lower the boom on *Food Not Bombs*, the free meal providers that feed every Sunday 1 PM at River and Josephine Sts. A May 8th S.C. *Sentinel* story by Larry O'Hanlon about the new *Gardens not Garrisons* Community Garden included a quote from City Attorney Barisone confirming the rumor that his paid pack of pastrypocketers was preparing a court injunction to stop the soup from reaching the mouths of the hungry--perhaps as early as today.

Barisone politely confirmed the news in phone contact with Bathrobespierre Robert Norse. Word reached Candlelight Kim Argula last week that City Council met secretly in litigation session on April 27th and voted to 'let the hassles begin!' The County's new tack was to get the City Attorney to do their dirtywork this time. City shysters would take the heat in a new effort to jail good samaritans for giving away salad and soup.

Last time, in 1988, the City started it, but passed the buck to the County. City Mayor Mardi 'Whiplash' Wormhoudt was embarrassed by a Bag Ladies Revolt float and flyer in her 1988 Thanksgiving parade. So she sent out gun-toting goonsquads to smash the Town Clock Vigil Against Vigilante and Police Violence Against the Homeless, where Calamity Jane Imler doled out hot soup. For the next 8 months, in a quiet deal, the City got the County D.A. to level charges against dozens of activists for cooking criminal consume. When outraged tourists wrote poison pen letters denouncing city intolerance against the homeless, Whiplash would write back innocently, "it's the County!"

Why such a costly (over \$100,000) effort when there were no health problems and no reports of sickness? For months homeless people, led by Bathrobespierre Robert and Calamity Jane had been serving a Sippin' Supper before every City Council meeting to encourage homeless refugees to bring their case before then-Mayor John Laird (who responded by moving to gag and arrest the activists). The first food arrests took place December 13th--when Linda the Lark Edwards, "No Guns" Radici, and Calamity Jane were taken into custody in front of City Hall, "No Guns" dragged off in a choke hold by Sgt. "Don't Fuck With Me" St. Onge.

When authorities moved their blue army to stop the Town Clock Meal run by SWAP (Soup Without A Permit), they were trying to stop homeless protests at Council, remove an "eyesore" at the gate of the City, and do a little political power-tripping to puncture the popular pressure from those to their left. Merchants and their complacent Council cronies (again a "Progressive" majority including Wormhoudt, Reich, Lane, Yokoyama, and Laird) began a costly months-long campaign using police and courts to show just who was boss banana.

Hundreds of activists, inspired by front-liners who took the legal heat like Calamity Jane, Slyshoes Sandra Loranger, Bathrobespierre Robert, Linda the Lark, Backyard Brian Staley, and Nightshirt Ned Van Walkenburgh,

met the challenge by turning out the 4 PM meal daily even as police blockaded the broth and busted the bread distributors. Broccoli-brained Superior Court judges dutifully ratified the County's February 1989 Injunction. This court order, affectionately dubbed the Injunctabeast), was specially cooked up to intimidate the soupslingers since targeted servers could be jailed without jury trial for five days for each felonious feeding.

The Injunctabeast mauled many including San Francisco Food Not Bombs. SFFNB's carefree cook, Katenzjamer Keith McHenry motored down to stir the stew and stand on the chow line as riot police in full body armor with nightsticks drawn moved on the Town Clock stewslousers on January 3rd, 1989. But ultimately D.A. Art Danner's Deadeyes did not carry through against SWAP or SFFNB under the Injunction. Instead the mischevious mix of mealmakers were charged with violating Section 27551 of the Health Code (requiring retail food establishments to have a permit and a certified kitchen) and tried by juries.

Backyard Brian and Slyshoes Sandy were convicted and served time; Calamity Jane was acquitted and served soup. The rest continued to fight with lawbook and ladle until the D.A. tired of the foodfight and the City supported Calamity's Cupboard (September 1989), which ultimately became AFreeMeal (March 1990)--the meal that protest built & bureaucrats snatched

In its current 1993 secret deal, County Health, Candelight Kim reports, called in its Council cronies, saying it had 'helped' the City with Beach Flats condemnations. This time it wanted the City Attorney, not the County, to draw up a new Injunction and prosecute the carrot-loving crooks. Why, wondered some, hadn't the Council 'liberals' blown the whistle on this discredited strategy after it was given the go-ahead in late April? With copcoddlers bleating that there's no money to track down SCPD citizen-abusers with an independent investigator (\$90,000--less than 1% of the annual police budget), where's the city going to find the tens of thousands to closedown Food Not Bombs?

Baffled observers asked themselves, "Is Neal Coonerty Mardi Wormhoudt in drag?" Why repeat again the same costly unpopular process that failed four years ago? "People don't think you should cook in private kitchens," Stalemate Scott Kennedy reportedly confided. Neither Stalemate nor Katherine 'Birdseed' Beiers had any word on which of the 6 'Progressives' voted to rekindle the Soup Wars. Councilmember Laughin' Louis Rittenhouse told one FNB member that perhaps the Council was annoyed with Homes Not Jails' unseemly interruption of business-as-usual last March 9th when Mayor Neo Goonery locked out dozens of homeless protesters in a new demonstration of democracy and free speech, Santa Cruz-style.

## DEMAND CITY COUNCIL (429-3550) MAKE PUBLIC ITS SECRET DEBATE & VOTE APRIL 27TH!

COME TO THE NEW TUESDAY MORNING MEAL 9 AM MAY 18TH AT LOUDEN PARK  
(NEXT TO LOUDEN NELSEN CENTER)! FNB: 425-3345

STOP THE CRACKDOWN BEFORE IT STARTS: JOIN COPWATCH: 475-2012; NEXT  
MEETING, WEDNESDAY, 7 PM. *Shit* for the Street Shit Sheet? Call 459-0910!





# STREET SHEET

#131

50 cents

May 30, 1993

or

Sunday

serve food under fire

"The S.C. City Council is taking advantage of a politically-naive constituency. If they tried to do what they're doing in a city like NY or LA, I can guarantee that the response would be--that people would go into the City Council and shoot them. And then most likely burn down City Hall."

--Cracklin' Craig Stehr's disgusted response to the Council's silence on the Sleeping Ban and gagging of homeless activists trying to speak about it at the 5/25 meeting.

## MEETINGS

## HEARINGS

## PROTESTS

**JUNE 1st TUESDAY 9:30 AM SANTA CRUZ** At Loudon Park at Washington and Laurel Sts. **FNB** feeds anyone a hot tasty breakfast. Come & see what you'll be missing when the cops start stealing the soup. Probably no arrests.

**JUNE 1st TUESDAY 2:30 PM SANTA CRUZ** At 509 Broadway **VIVA! (Victims in Victory Advocacy)** meets! **VIVA!** wants anyone abused by the criminal justice system (police, judges, probation department) to contact them for support and to share information. Come in or call **425-3244**.

**JUNE 1st TUESDAY 7 PM SANTA CRUZ** At 509 Broadway, **FNB** has a Legal Meeting to discuss strategies to fight the injunction in court the next day. Anyone interested is welcome. More info, call **427-1125**.

**JUNE 2nd WEDNESDAY NOON SANTA CRUZ** Eat in front of the County Building and watch the City make feeding people a crime again under a new Injunction in Superior Court Info: SC **FNB** (408) **425-3455**.

**JUNE 2nd WEDNESDAY NOON SAN FRANCISCO** At City Hall on the Polk St. Steps: **SF FNB** and other anti-poverty groups protest the Health Care Budget Cuts (85-year old women are scheduled to be dumped on the streets, without wheelchairs). Info: **SF FNB** at **415-330-5030**.

**JUNE 3rd THURSDAY 7-9 PM WATSONVILLE** (H.A. Hyde School Multipurpose Room 125 Alta Vista near the DMV): Coalition of Community Groups has a **TOWN HALL MEETING** on State Budget Fairness & Reform with Politocrats Sam Farr, Gary Patton, Mike Graves, etc. etc. Bring gas masks and miniaturized expectations. Info: **Jennifer** at **429-9969**.

**JUNE 6th SUNDAY 1 PM SANTA CRUZ** Health Department may serve Injunctions at the afternoon **FNB** meal at River & Josephine Sts. Bring cameras. Come ready to be arrested if you wish to serve food. Those who watch or eat are not committing a crime. Call the media. Bring your friends and relatives. Solidarity essential! Save the soup!

**JUNE 10th THURSDAY 10:30 AM SANTA CRUZ** "Stand and Deliver" Stanleigh of **VIVA! (Victims in Victory Advocacy)** goes to Superior Court (Courtroom 3) and demands the Probation Department more closely monitor spouse abusers.

**JUNE 14th MONDAY NOON SAN FRANCISCO** At City Hall, S.F. Homes Not Jails will move to take over federal property under the Stuart-McKinney Act after months of futile legal efforts. Possible targets: the Presidio and unused IRS acquisitions. Phone: (SF HNJ at **415-330-5030**)

**JUNE 26th SATURDAY 8 PM SAN FRANCISCO** At 848 Divisadero St. **FNB** Benefit with the Broun Fellinis. \$5 or what you can afford.

**NEXT COPWATCH S.C. MEETING:** Contact "Don't Duck" Deke at **458-3781**.

**DAILY at 5 PM KSCO 1080-AM:** News blurbs about **FNB!**

**NOON WEEKDAYS KSCO 1080-AM:** Call-in talkshow (**479-1080**) !

**FNB** needs volunteers to cook, serve, transport, and find food. **FNB** needs legal support and media contact. **FNB** needs you. **FNB** workers face jail for serving food to hungry people! Please help! This does affect you.

**CITY'S NEW CRIMINAL INJUNCTION TO HIT COURT WEDNESDAY !**  
**FOOD-NOT-BOMBS DEFIES DEADLINE, FEEDS AS FOODSNATCHERS FUME !**

Downtown lawslinger John Barisone informed Linda the Lark Edwards<sup>1</sup> Thursday morning that Wednesday June 2nd at 1 PM was zero-hour for the homeless hungerfighters--Food-Not-Bombs. At that time Barisone, the City Attorney, would outlaw the politically-incorrect vegetarian soupslingers, who have been tossing out salads, giving away loaves of bread, and serving up scrumptuous chocolate cake for 9 months now.<sup>2</sup>

Barisone also informed Cracklin' Craig Stehr, outspoken FNB celeryslicer, that it was Linda the Lark who raised the County Health Department's ire. Several months back, Department pencilpushers sent the Lark & Lighthouse Linda Lemaster letters threatening legal action. As a warning shot aimed at FNB, the Health Czars ignored the fact that neither woman belonged to Food Not Bombs<sup>3</sup>.

FNB itself sent a letter inviting the Health Department to their meetings and meals to discuss any concerns--and received no reply. Health Dept. damage-control experts were telling concerned critics that it was willing to waive FNB's fees and let FNB serve without a certified kitchen if only FNB would 'cooperate'. But the City Attorney informed Bathrobespierre Robert Norse that depositions by three Health paperpushers--Dr. Ira "Let them Eat Lawsuits" Lubell, Empress Diane Evans, and "Dinnerdumper" Douglas Pearson were the only evidence to be presented. These three missives from on high would quickly strangle FNB solely for lack of an institutional [certified] kitchen--necessary to the obtaining of a Health Permit. No need to deal with messy issues like hunger in Santa Cruz County, the absence of a noon meal on Sunday (and of breakfasts every day).

"I will feed people whenever and wherever I choose" was the gist of Edward's angry response to the Health Department's new sandwich-snatching inquisition. (Linda the Lark's remark reminded some of the famous "I am beyond rehabilitation." Such was Slyshoes Sandy Loranger's wry reaction in the midst of a series of jury trials in the summer of 1989 that put her behind bars with a 45-day sentence for serving soup with SWAP (Soup Without a Permit)).

Santa Cruz FNB draws on the experience of SWAP--which lost the legal battle against a County Injunction in Feb 1989, even saw two of its members (Slyshoes & Backyard Brian Staley) jailed under another ordinance, but ultimately won the battle in the streets. A city-approved meal called Calamity's Cupboard (& later, A Free Meal) was created & funded to take the steam out of SWAP, but the Injunction was never used & no one has been prosecuted for serving free food since. Now it is the City that is preparing the Injunction after a secret vote by City Council in closed litigation session April 27th. At least half the 'Progressives' voted to send in the cops, but they refuse to say who voted how.

<sup>1</sup> Officially ushered in by Mayor Mardi "Whiplash" Wormhoudt in November 1988 against Bag Ladies Revolt. At that time speculation was rife that "Lord" John Laird, recently retired Mayor and still an elder powerhouse on the Council, did his share to support Wormhoudt in her decision to stop food distribution at the Town Clock. Those now considering electing him to higher office might put in a call to find out whether he still favors rousting the rutabaga-runners. Of course, Stand-Pat Gary Patton had no public comment then or now at the spectre of bread-busting behemoths shouldering aside crowds of hungry homeless people to haul away lawless ladlers into a waiting paddywagon.

<sup>2</sup>Specifically to be named in the injunction according to Brothbuster Barisone were Shane Runyon, Jane Imler, Linda Edwards, Robert Flory, Lotus Maynor, Tonee Mello, Kim Argula, Robert Norse, Food Not Bombs, and Soup Without A Permit.

<sup>3</sup> The Health Department confusion may have been grounded in Edwards' past involvement in SWAP (Soup Without a Permit) and her high-profile anti-war, anti-court abuse activism--where she occasionally served coffee and rolls--perfectly legally. Lighthouse Linda was never tied to SWAP's 8-month 1989 fight to feed the homeless, and in fact was one of those intermediaries who tried unsuccessfully to secure a Health Permit for Bag Ladies Revolt--the forerunner of SWAP.

Santa Cruz guerrilla grocers also take counsel from the larger and older **Food-Not-Bombs** in San Francisco, that now feeds twice-daily through most of the week, without permits or officially-approved kitchens. After years of hassles and nearly 400 arrests from the Mayor's Office because of **FNB's** high-profile organize-the-homeless stance<sup>4</sup>, Katenjammer Keith McHenry's advice to the younger sister group in Santa Cruz is to ignore the Health Department's political agenda. **FNB-SF** has amassed a documented record of the Health Department's shifting its requirements (as fast as **FNB** could meet them).

Secret inter-office correspondence revealed in a \$56 million lawsuit McHenry filed against S.F. for civil rights violations actually shows that the SF Health Department actually created new requirements specifically to disqualify **FNB** and were instructed to find still more. In spite of a standing 1989 Injunction, SF **FNB** continues to feed hundreds of people thirteen times a week across from the Mayor's office in the Civic Center Plaza. That Injunction, like Santa Cruz's, has never been used to successfully convict cooks, though hundreds have spent a night in jail as the price of sharing food.<sup>5</sup> (In Santa Cruz there were no arrests under its Injunction though police regularly seized food.)

In Santa Cruz, the Health Department under Lubell and Evans mounted a 1989 grab-the-grub campaign to gobble up **SWAP** in the dead of winter when **SWAP** served the only nightly meal for homeless people. Then as now, the psuedo-progressives on City Council gave the initial go-ahead. Then as now, Evans and Lubell had no specific health complaints and transparently no real concern about homeless health. "Go dumpster dive--and do it quietly!" seemed to be the hidden message. With the help of Tell-Us-How-Low-To-Bend-Over Superior Court judges (Marlo, Stevens, & Black), the Health czars secured an injunction simply on the strength of the fact that **SWAP** chefs prepared food out of their homes. Under an inapplicable health code intended for retail establishments (section 27551), Superior Court rubberstamped the "drive 'em out of downtown" game plan charted by city pols and health bureaucrats and outlawed organized charity.

Though there'd been no prosecutions in four years under the 1989 injunction, and half a year of SC **FNB** twice-weekly meals without incident, food activists knew the letters to Edwards and Lemaster meant trouble. City cops had already harassed & cited **FNB** workers for putting up Warning--Armed and Dangerous! posters after the City Council had dumped its sexual abuse investigation of 9-times-accused "Officer of the Year" Butchie "Sticky Fingers" Baker.

Gang of 7 (City Council) "liberals" said nothing to **FNB**, even after the closed April 27th Council vote instructing the City Attorney to do the Health Department's dirty work. On May 25, four days after the closing of the Interfaith Satellite Shelter Program and the complete criminalization of sleep for the homeless, some **FNB** sympathizers decided to resurrect the Sippin' Soup Suppers of 1988<sup>6</sup> that night at City Council. **FNB** stalwarts noticed a Health Department

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<sup>4</sup> Inspired by Katenjammer Keith who has taken more police blows than any of the other kitcheneers, the S.F. group maintained a 24-hour presence during the two "Tenement Square" in 1989 and 1990--when hundreds of homeless people publicly camped downtown until roused by the 'liberal' Art Agnos regime under the still-active state 647(i) anti-lodging law. S.F. **FNB** also held constant vigil during Bush's Iraqi bomber-and-bulldozer genocide back in 1991. Most recently **FNB** did a 13-day vigil protesting the city's Proposition J (Anti-Panhandling) and state Prop 165 (slicing and dicing AFDC). The vigil supported the fledgling **Homes Not Jails**--which began occupying unused buildings in November--and fed the first outdoor election HQ in state history.

<sup>5</sup> Kazenjamer and Velvetine Vincent were the last two who spent a night in the pokey under the SF Injunction, the first week of May 1991.

<sup>6</sup> In the summer and fall of 1988, the **Coalition Against the Camping Ban** fed people before each City Council meeting, fortifying them for the Council indifference and police harassment that was to come. The first arrests of soupserver was half an hour before the evening session of the December 13, 1988 Council meeting, at which the Council tightened the Camping Ban in an emergency measure designed to defeat an earlier challenge by Linda the Lark and her attorney Grinning Ray Grueneich in court. Ironically, Linda--charged with serving food without a permit--was the first of four arrested that night.

vehicle parked for an hour outside their house. Cracklin' Craig reported a cop shadowing him as he gave out "Come to Council" flyers near Beat City Records. Inside the store, he heard the cop questioning street people reading the flyers, "Did Food Not Bombs give you that?" and then demanding they move on.

Catnip Kate Wells, assisted by backstreet barrister Won Ton Dave Jacobs, learned that Barisone's office would be issuing papers Tuesday morning, with the hearing for a temporary restraining order to be held the next day. **FNB** at its Thursday night meeting decided to reconvene Tuesday night **June 1st 7 PM** at **509 Broadway** to discuss legal tactics and to feed people on the steps of the courthouse **Wednesday June 2** outside the Superior Court hearing.

Katzenjammer Keith and his San Francisco Food Not Bombsters announced their intention to visit Santa Cruz in support--either Wednesday or **Sunday June 6th at 1 PM**, the most likely first date for the official serving of the Injunction. At the May 30th Sunday meal, Officer #183 quietly confirmed that the rumor that "the Injunction is coming Wednesday."

## Correspondence from the Cafes

### **Coffecat Charles calls for Cafe Pergolesi Boycott !**

*(Coffecat Charles, previously known as Chatterbox Charlie, is a pavement poet, a sometime squatter, and a heavy tobacco smoker. In years past he has staffed the Homeless Table on the Pacific Avenue mall, serenaded former Mayor Mardi Wormhoudt in the 1988 homeless sleepwalk, & faced police and ranger rousts in the Town Clock Peace Vigil of 1991 with Won Ton Dave Jacobs and Red Top Robert Flory.)*

(May 15, 1993)...In the spring of 1991, I patronized the Cafe Pergolesi quite regularly. At this time I had no home, no job, and had dropped out of school. Priscilla, who managed and partially owned the place, often came out on to the decks to police her restaurant. She would tell me and my friends to order more drinks and food, or leave.

She had accused me many times of ordering nothing, although I had just cleared my table of the remains of a \$2-\$10 order! Once, I went barefoot in shorts to meet a friend for coffee before going to the beach. While waiting for her to arrive and order for both of us, I was accosted by Priscilla. Not for being shirtless or barefoot, at first, but for not ordering. When I tried to explain the situation to her, she cited "health regulations" on dress and told me to leave because she "didn't need my type" at her restaurant. So I did, and met my friend across the street.

When I returned the next day, Priscilla informed me that I was kicked out. I was rather upset, since I was a good customer and never rude or discourteous. She told me I could come back the next year. Her employees all told me to ignore her and come in for coffee anytime she wasn't working. Nevertheless I respected her wishes.

Eight months later, in January of 1992 I returned with a large group of friends to get coffee to go. She recognized me and told me I was not supposed to come back ever. When I reminded her that she said I could come back in '92, she claimed she had said she'd only 'consider' it. Then she told me that if I didn't leave, she would call the police. My entire group walked out, not to return again.

Now I have a job, a house, attend high school, and present a



fairly cleancut image. When I walk by the restaurant, or especially when I talk to someone sitting on the deck, I receive glares and threats of police if I don't leave immediately. I'm sorry to say this, but Prissilla does not seem to be a rational woman. I recommend to nearly everyone that they take their money elsewhere. Please share this letter. Thank you for listening.

*Editors Aside: More Coffeehouse discrimination on p. 5. Personality conflicts between staff and customers should not result in permanent exile. Meddlers and mediators are preparing a set of proposals for local cafes to consider wherein owners and managers would agree to limit expulsions to a month except in cases of theft, violence, or profiteering (in which case the owner would be banished to Carmel). Send us your thoughts on this matter. We encourage those who have suffered either discrimination or other difficulties at local cafes to contact the **Street Shit Sheet** with their stories.*

*Bathrobespierre is rumored to be planning an Exile's Outdoor Extravaganza outside the Javhahouse with free coffee to wean the management there away from its punitive and paranoid ways.*

### **BRIEF BLASTS FROM REDTOP ROBERT FLORY**

*(Redtop Robert recently his body redtagged for roosting in a ragamuffin residence [see p.10.] after weeks of successful surreptitious squatting and a series of prior nomadic occupations of Heiner House, an abandoned Beach Flats motel, and elsewhere. As a coldwater commandante of Food Not Bomb, he is high up on the police most-wanted "food felons" list, a probable candidate for smuggling stew to hungry locals once the Injunction makes fugitives of the foodservers. A rare glance into his criminal mind:*

Where to get food, where to wash, sleep, defecate, or even just be...outside the System? There is scarcely place outside the system, for the Machine, by its very nature, wants to control all, to expand endlessly, to have dominion over and incorporate into its working all the means of food production and idistribution, all property to be used only after payment extraction.

"Restrooms for Customer Use Only"... "You Can't Sleep On Private Land for Free", even though you have no ability to acquire a private place, go find someone generous so we can tax them! Cold, tired, hungry, demoralized, wanting someone to talk to, but they're all too busy. You're told to "move along" or "you're blocking the sidewalk," or "get a job".....[at this point the writer disappeared for cigarettes and coffee]

### **FROM DAYBREAK TO DUSK DOWNTOWN**

>>>>>>>> **ARRESTED FOR LEERING<sup>7</sup> AT INJUSTICE** at the Union St. Javha House in early May, Bathrobespierre Robert Norse faces a possible six months and \$1000 fine for misdemeanor 'trespass.'<sup>8</sup> Handwriting experts, hidden videocameras, and police psychics reportedly traced "Let Won Ton

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<sup>7</sup> The Javha House bosses have used the phrase "leering at women" to justify barring homeless activists Won Ton Dave Jacobs, Meandering Mike Girth, and Enrage Esteban Picos in the last two years.

<sup>8</sup> Described in two flyers **Justice Not Jive at the Jahva House!** (3/22) and **Arrested for Defending Fairness at the Jahva House!** (5/13), Bathrobespierre's fall from grace can be traced in these flyers and in earlier issues of the **Street Shit Sheet** criticizing the cafe's discriminatory policies and negative policies towards street people out front. Call the **Union of the Homeless** at 459-0910.

Dave Back In!" scribblings to the criminal pen of Bathrobespierre.<sup>9</sup> (Jacobs has been excluded from the Javha House for the last 1 1/2 years for smoking a joint half a block away outside the yuppie watering hole.)

"Kick 'Em Out" Kevin Foehr, co-owner of the upscale coffeehouse and manager Stiff-Tongued Stewart, authorized the use of armed and uniformed police to arrest the coffee-drinking activist in the company of a Sentinel reporter and Calamity Jane Imler, without a word of explanation to the victim.

Candlelight Kim Argula proposed community mediation rather than court proceedings to resolve Kevin's concerns. And Bathrobespierre readily agreed, saying his primary concern was not to file civil suit against the place for discrimination under the Unruh Civil Rights Act,<sup>10</sup> but to see folks talking problems out.

"Kick 'em Out", however, canceled the scheduled meeting "until my attorney gets back in town." Will Kevin's Bathroom Police Brigade retreat at Bathrobespierre's arraignment June 11 at 8:30 AM in Municipal Court? Save your money to buy coffee at cafes that use persuasion rather than armed force to settle differences.

And look to join Bathrobespierre at his Exiles, Emigres, and Eyesores Coffeeklatch, just outside the forbidden Jahva House on the public sidewalk. We bring the coffee; you bring the doughnuts. Want to express your views or hear Kevin's side of the coffee-go-round? Call him at 459-9876 but keep your pen in your pockets as you pee in poopmachine. Even the walls have eyes to catch lawless limerickwriters!

>>>>>>>> **ROUGHTIMES AT RIVER STREET** for Rucksack Rick Mayer, who got an unexpected court trial and conviction before Barricuda Barton May 21st for crossing pillows the City's 6.36 MC Sleeping Ban in one of two tickets he got at the supposedly "tolerated" campground behind the Free Meal. Rumor had it that Rucksack planned to subpoena Citizens Committee for the [Exploitation of the] Homeless campground owners Paul Lee & Co. to testify they did not object to the homeless sleeping on homeless property in the 'fenced in/backyard' exception to the Ban. Next up might have been other social service royalty such as "Campers Begone!" Bob Campbell, Day Center Duchess Karen Gillette<sup>11</sup>, & Pandabear Paul Brindel to prove legal sleeping

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<sup>9</sup> Faced with the absurdity and the slanderous nature of their unsubstantiated accusations of "grafitti-crime", the management shifted gears and said Norse was expelled for "soliciting."

<sup>10</sup>Refused service at a restaurant? Go to Small Claims Court (only \$8)! This state law (California Civil Code §51 & §52) provides for civil penalties (at least \$250 per action per employee) against businesses for each act of arbitrary discrimination. Such discrimination (such as a refusal to serve you) includes but is not limited to gender, sex preference, race, and other broad categories. It is also illegal to refuse to serve someone because of long-hair and can be argued in a case of any unjustified refusal. More info from the **Union of the Homeless: 459-0910.**

<sup>11</sup>So-called because of the power she wields over homeless clients and the pull she has with politicians downtown. Echoes of her past hostility to homeless activists (particularly Bathrobespierre Robert) were heard again recently when Linda the Lark reported she was again misinforming **Free Meal** users that they could not distribute flyers there. In spite of her efforts, the First Amendment is still a part of the Constitution even in her Day Center Duchy. If you have had any free speech or other problems, contact the **Union of the Homeless.**

Even worse about choking off free speech is the **St Francis Soup Kitchen**, whose worker, Whisk 'em Out Wayne, tried to stop Bathrobespierre Robert Tuesday from giving out flyers in the **Soup Kitchen** courtyard to those who wanted them telling them of a City Council meeting that night. The **Soup Kitchen** gets private funding and so has more claim to censorship than the **Free**

places simply did not exist in Santa Cruz at the time of the ticket.

As it was, Rucksack found himself at trial without witnesses, received a sentence of 20 hours of Community Service, but then found Community Service wanted him to pay \$25 for the privilege of filing papers with them--the poor people's "alternative" to paying fines.

>>>>>>>> **SOME PHONE NUMBERS DON'T GET TORN DOWN SO FAST** from the Duchess's Free Meal Bulletin Board. Though the *Street Shit Sheet* has a short half life with Gillette's guards roaming the grounds, the City Council hotline (429-3550) has been posted there. The way they tell it that's the magic number to call to deal with SCPD Chief Jack "Bumbuster" Bassett's campercruncher wakeup crews who have been reportedly issuing dozens of tickets within the last month. The Chief himself insists, of course [*City on a Hill* 5/27, p.27], that they've only given 4 for the whole year. No more, Jack, please, you've got us rolling in the aisles!

Councilmember 'Birdseed'<sup>12</sup> Beiers has gotten a few tickets, but couldn't see her way clear to even mentioning the Sleeping Ban at the last Gang of 7<sup>13</sup> gettogether on Tuesday night. Faced with a dozen homeless people warmed from Sippin' Soup outside City Hall, she was thanked by advocates as the only vote to extend Oral Communications. If you phone her with your camping ticket, put in another call to Lotus at the *Union of the Homeless* for help fighting it in court (459-0910). You may need it!<sup>14</sup>

>>>>>>>> **THE NEW HOMELESS/COMMUNITY GARDEN OF MANY NAMES** (*Gardens not Jails, Gardens Not Garrisons, Gardens Not Guards*) may have found its secret identity. Moonrise Mike Carreiro tells us that the group of greenthumb grocerygrowers rooted around Carrotcruncher Chris Schine and Crosstown Craig Metz have given a new name to the guerrilla growing ground at River and Josephine Sts (also known as First Amendment Park<sup>15</sup>) across from

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*Meal/Day Center*, which receives government funding.

<sup>12</sup>So called because though well-intentioned, she has failed to take any real action to end the Sleeping Ban in her four years on the Council. Her Public Safety Subcommittee has not met in a six weeks. Her secret committee to frame police review hasn't met in a month.

Big-hearted and egalitarian, Birdseed could be effective and persuasive if she publicly denounced the Council's inaction, exposing the hypocrisy of the other five Progressives. Fearful of isolation, she remains a barely audible voice that remains isolated anyway. Like strong civilian review of police. Leaving matters like strong civilian review of police, a safe place for homeless women to park, and free speech at City Council to "Stalemate" Scott Kennedy and Robocop Mike Rotkin is the kiss of death. We need bread and end up with Birdseed.

<sup>13</sup>Also known to long-suffering citizens as the City Council. Their gloss-and-gag tactics combined with the latest "Handcuff the Hamburgers" city Injunction against **Food Not Bombs** have earned them the *Gang of 7* title previously reserved for the 1988 Laird and 1989 Wormhoudt Councils.

<sup>14</sup>See the recently re-released flyer **Fight Your Ticket 1991 Update** which advises you how to disqualify Meatgrinder Mulligan of Courtroom F. Other flyers such as **Fight Your Sleeping Ticket** describe a step-by-step process to take in fighting camping tickets. Also available are flyers on The Flory Defense (no jail for infractions) and **Courtwatch** suggestions (demurring at arraignment to demand specification of the charges, disqualifying referees and commissioners in favor of judges, etc.). Contact the *Union of the Homeless* at 458-9070 and ask for Lotus.

<sup>15</sup> As it was called by some last summer during the *S.C. Union of the Homeless*'s high-profile 3-day encampment there protesting inadequate housing and Sleeping Ban harassment. More recently Lighthouse Linda Lemaster has proposed renaming the area Mandy Gutierrez Memorial Park in honor of the warm-

Stapleton's. *OUR GARDEN* is the latest choice, which some wags insist is an acronym for *Organic Underground Rebels' Garden*.

Call it what you want, the 50' X 50' cultivated field is already stocked with tomatoes, zucchini, sunflowers, corn, garlic, and potatoes. Can Hemp for victory be far behind? Our underground informants report the first crop may be reaching hungry mouths within a month. You can hoe and grow whenever you want, but if you want to help fill up a watering schedule, show up at 10 AM Sundays. Bring seedlings, tools, fertilizer, and wear old clothes. Info by phone at 429-5673.

>>>>>>>> **SPROUTING UP SMARTLY** are successful negotiations between *OUR Garden* and CalTrans, the state overseers that arrested Union of the Homeless tent city squatters last July. CalTran officials met with Chris and Craig and had encouraging words for the prospect of a low-rent lease. Some thought they heard them asking for city and county documents and permission, but the general impression was positive. *FNB-SF* has provided the hundreds of thousands of dollars in insurance coverage required. *OUR Garden* has sent CalTrans a Memorandum of Understanding. The word from CalTrans is as long as no one complains, they'll ignore the garden.

Quite a change from three weeks ago on official groundbreaking day when a lone SCPD spoilsport showed up around 6 PM as gardeners were packing up to leave. "You'll have to leave; you're trespassing on private property!" the gun-toting official intoned. "On whose land?" asked Linda, "And who complained?" The cop would only say that an anonymous neighbor owned it and had called.

Land sakes alive! Wasn't it strange that a later survey by Potatohead Peter did turn up a neighbor who'd spoken to the cop. But that neighbor said the cop had approached him and asked if it was his property and would he want to complain about a bunch of hippie gardeners? No to both questions was the word from the friendly man across the fence.

>>>>>>>> **LOUD LOCAL ARAB ACTIVIST NAIM FARHAT** has shown the city and the world that talking back to terror works! A two-year campaign against the Kuwaiti regime that murdered his father and brother and shot and raped his sister Naim Farhat has resulted in such pressure on the government that the Kuwaiti government has filed charges against suspect Al-Ameeri. Art dealer and Cafe Benee regular Naim Farhat began the campaign in the summer of 1991 when badboy Bathrobespierre Robert introduced him to *Santa Cruz Sentinel*<sup>16</sup> reporters.

From there the story hit the major media, attracting the attention of human rights watchdog groups and free-lance activists like Jesse Jackson. With the help of these groups, he gained access to Congressmembers like Pinetta (though Boxer & Feinstein, he confided, were of no use). Congress pressured the State Department & from there, U.S. officials put pressure on Kuwait, which ultimately found itself under a magnifying glass--scrutiny that extended to its recent attacks on Palestinians, Filipinos, and others.

Looking at the local "don't sleep without a bank account" policies here in Santa Cruz, Naim says, "Human rights abuses can take many

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hearted homeless man and worker at the Homeless Garden Project, who was found dead last summer. Whether Gutierrez, who became a critic of the HGP towards the end, died accidentally or was helped along is still a matter of controversy in some activist circles.

<sup>16</sup>We normally call it the *Urinal* to reflect its worse-than-atrocious local coverage and hopeless inattention to the homeless crisis. But *Urinal* reporter John Robinson, otherwise notorious for his pro-police propaganda, has done a good job covering human rights violations half a world away and deserves credit for it. As does the *Urinal*.

forms. Sleep deprivation is a form of abuse I don't like to see anywhere in the world. This wouldn't happen in Kuwait." More Info on Naim's struggle for justice: Contact the Resource Center at 423-1626.

>>>>>>>> **DOMINICAN HOSPITAL DUMPS A FEW MORE!** Dominican Hospital is kicking out patients after midnight--especially poor ones. That's the disgraceful story from Dustybrow Dave, the hard-working night man at the 76 Union gas station across from the hospital out on Soquel Ave. Another employee confirms Dave's tale.

Just as bad but just as typically, Santa Cruz Urinal Reporter Mendoza has ignored the story, even though Dustybrow reports he only got really steamed up when it happened a third time. "Where can these people go?" he asked, "Why are they doing it?" When Dave brought the question to the caring staff of Dominican, they stared at him blankly and had little to say. Dave's not your typical bleeding-heart liberal either--he says he has no sympathy for "boozin' drug usin' bums", but he also has no sympathy for corporate callousness. But don't worry. Just make sure you don't get sick if you're born poor.

## CRACKLIN' CRAIG SPEAKS HIS PIECE:

*(Craig, an unflappable flyer-posterer and accomplished carrotchopper at FNB locally has served food with the Catholic Worker for a year in NY and two months in L.A. at their houses of hospitality. He attended his first and last City Council meeting May 25th when homeless people tried unsuccessfully to get the Council to address the Shelter emergency and the Sleeping Ban.)*

Can you imagine if the police in Brooklyn--say in the Bedford-Sty section, or in south central L.A., tried to give homeless people camping tickets? Someone would blow their god-damned brains out. Talk about suicidal tendencies. They'd run out of cemetery space for the dead police officers.

Surftown Santa Cruz is very unusual. It's got some very disturbing, sick qualities to it that I'd associate with a place with a lot less education. If we were out in Appalachia or Mississippi, these attitudes would make sense to me. But an area which has a high educational rate having to put up with these extreme reactionary policies? The fact is that Santa Cruz is a lot closer to San Francisco than to Orange County. And yet it seems like the cancer of the Reagan era has spread here and it hasn't been eradicated yet.

Considering what social realities are in 1993, serving soup is a lovely thing to do, but basically has no social change possibilities. People here are dreaming if they think any time soon they'll see social change evolving out of this. A surftown mentality does not lend itself to that type of dynamism.

I think homeless people that are here come here because they want to be in a lower key environment. This is very unfortunate, because that sets them up perfectly for a medium-sized city's fascist government.

The Camping Ban is proof of this. Anywhere else, a protest by citizens would have had the Camping Ban easily lifted due to unconstitutionality<sup>17</sup>. But Santa Cruz is historically so politically lame that the ban is still in existence, even though Santa Cruz is 77 short miles south of Berkeley, where it would be impossible to put anything this draconian into effect.

In this town, authorities take advantage of a liberal Gandhian non-violent attitude. Which is fine, except that it is completely ineffective against fascists. In Germany, people who took that particular approach, ended up in the ovens.

Basically the last speaker at the City Council meeting put it all on the table when he said that the Council is basically inviting a non-non-violent approach. His last question was, "How many panes of glass do you want to see broken in Santa Cruz?" I think personally that had the Council lifted the camping ban during the shelter crisis period, it would have been to their credit. But since they did not do that, it very clearly defines them as

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<sup>17</sup>Editor's note: Miami's anti-sleeping laws have been effectively suspended as a result of the Pottinger decision last fall. The ACLU there reports no arrests in the two de facto safe zones established by homeless people. There has also not been a "huge influx" of people rushing to Miami because it's legal to sleep.

fascist. There can be no mistake about this. Therefore, the proper response from peace-and-justice activists will have to change in light of this extremely negative definition that they have given to themselves. With the exception of Katherine Beiers, who is the only sane humanitarian person on the City Council.

The leftover sixties activists in Santa Cruz are something of a joke in 1993. They aren't really relevant anymore. The type of issues they deal with were more generalistic. Even today, these people demonstrate against things very far removed from the community--such as anti-nuclear issues. There's a preoccupation in this town with feelings that somehow promoting hemp products and general environmentalism, general peace issues, and other standard items on the leftist agenda is still current and effective politics.

The reality is that these have virtually no effect whatever and do not address themselves to contemporary problems here: homelessness, the economic recession, increasing prices in almost all areas of life (including the university), failing capitalism in general, and the general no-win situation which is the fact of life for the majority of American people today. In particular, they've failed to address the main issue of the Clinton-Gore campaign, which was creating jobs in a society where 10% of the people have more wealth than the other 90%--what Al Gore hammered away at on his way to electoral victory.

Therefore, in view of present social realities, earmarked by extremes of fascism and homelessness--a condition of the denouement of capitalism--newer, more direct action-oriented, anarchistic, and focused forms of refusal and resistance must and will come into being.

## CONSTERNATION IN THE COURTROOM

>>>>>>>> "NO SHELTER AND NO MERCY FOR WINTER SLEEPERS trying to make use of a house unused since the earthquake" was the jury verdict in Commissioner Salazar's court back in April. The three-day trial for housing activist Redtop Robert Flory under 602.5 PC (entering or remaining without owner's consent) drew several dozen supporters in one of the most heavily attended homeless trials in years. A *Homes Not Jails Feed-the-Felons* coffee line on the steps outside helped to fortify court victims and chilled spectators watching the county gobble down money in its latest squalid anti-squatter squabble.

The final outcome: a year's probation and many hours of Community Slavery<sup>18</sup> in lieu of 45 days in jail. The 'necessity defense' chosen by Public Defender Fox failed to persuade the middle-class jury that returned in what Calamity Jane Imler described as "a New York minute" (a short 20 minutes). Fox's successful dismissal of recent panhandling cases and his strong pro-homeless attitudes had led supporters to expect a stronger and more militant defense.

Instead of using the "implied consent" defense that Flory proposed (the house was open), Fox talked Flory into using "necessity" -- which meant admitting the 'crime' but claiming it was done to avert a greater evil to which there was no legal alternative. Since Flory was cited at 4 PM when it was legal to sleep and since the jury was instructed to consider the moment of arrest, not the longer period of time Redtop had been squatting there, the necessity defense predictably failed.

More unfortunate, noted Flory, was the PD's public denunciation of the many *Homes Not Jails* supporters in the courtroom as disreputable, in a bid for respectability and his "whining about wine"--playing into the prosecution's injection of the irrelevant "missing liquor" issue. Fox genuinely cared, concluded Flory, but didn't seem to understand it was a political trial.

"It comes from being in a sheltered environment," Flory

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<sup>18</sup>What the judges call Community Service. The "Community Options" organization charges either \$25 or puts you to work cleaning and recleaning the toilets or sweeping floors that are already clean as symbolic labor just to get signed up for the program--or such was Redtop's experience. Also on June 1st, according to Lighthouse Linda, parking tickets will no longer be resolvable through Community Slavery in yet another assault on the poor.

quipped, "Namely, the Public Defender's office, an isolated and culturally impoverished domain of Lo-Cal Justice, where they pat themselves on the back all day, drink beer, play baseball, and secretly compare the costs of each other's suits." Flory agreed that future defendants should invite politically-savvy supporters onto the defense team and demand PDs adopt legal strategies in consultation with them.

Flory's crystalline honesty in court sparkled brightly. Moonrise Mike testified the Satellite Shelter Program, Flory's only legal shelter alternative, was marred by favoritism, and gratuities. He also countered fanciful police testimony that "we rarely issue camping tickets." Pandabear Paul Brindel, expert witness on local shelter, testified at exhausting length that there was indeed a shelter emergency in Santa Cruz.

After their quick finding, the jury was hustled away under bailiff 'protection' as supporters chanted "Homes Not Jails!" Florywatchers wondered how long the shadowy shelter-shifter would be able keep his "obey all laws" court probation condition, given his active involvement with the officially-hounded Food Not Bombs group. The walkabout activist was last sighted heading for Portland--to return in mid-June to face SCPD soupstealing squads as the new city injunction hits.

>>>>>>>> **BATHROBESPIERRE BATTLES BAD BAILIFF** in the ridiculous but ongoing "make a complaint, go to jail" case. Last chapter, as we may remember from **Street Shit Sheet #127**, our bearded blasphemer faced bombardment by three misdemeanor citations as punishment for his filing a complaint about Bailiff Thurber in Courtroom G. Bedazzled by the bailiff's arrogance and the overtness of the harassment, attorney Catnip Kate Wells yowled but took the case. The case has bounced from court to court to court with charges falling by the wayside and D.A.s excusing themselves from the case as witnesses.

Finally thrown into Courtroom D, Bathrobespierre ran into more flak from Judge "Many Faces" McAdams on informing the court he would be tape recording the court shenanigans. Instead of acknowledging this right as other Municipal judges have, McAdams insisted on a full justification, giving the false impression that Robert's was a special case which McAdams might beneficently consider. Actually McAdams' subtle performance seemed designed to intimidate others in court and dissuade them from exercising their right to tape record then or at a future time.<sup>19</sup>

In a two-page single-spaced police report reeking with prejudice, Bailiff Thurber denounced Bathrobespierre and "his homeless friends." Catnip and her client still can't believe the D.A.'s office will take this stinker to court. Perhaps they want to cover Thurber against a subsequent civil suit. If it goes to trial on the final "disrupting court" charge, it will be the first homeless case in which a visiting judge was subpoenaed as a witness. **Pretrial: 10 AM June 4th.**

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<sup>19</sup>Under section 980c of the **California Rules of Court**, any member of the public may make an inconspicuous recording of a court proceeding unless specifically prohibited for cause by the judge. The person recording must simply agree not to use the recording for public broadcast or as an official record of the court. Thus, the request does not require judicial consent. It simply requires that the court be told what is happening.

That was, in fact, what Bathrobespierre was trying to do when Thurber stopped him back in April--filing a paper informing the court that he was tape recording. McAdams himself has thrown members of the public out of 'his' courtroom for exercising their 980c right to tape record. In the spring of 1992, Courtwatch worker Gemstone Jim Ostrowski and Linda the Lark observed this happening repeatedly.

For a copy of 980c and a semi-official form actually prepared by Judge "Kangaroo" Kelly, contact the **Union** at **459-0910**. If any court refuses you this right, contact the **Union** for a judicial complaint form to be forwarded to **San Francisco's Commission on Judicial Performance**.

>>>>>>> **THE CRUCIAL 'FLORY DEFENSE'** (no jail for infraction crimes) faces sinister scrutiny again as Won Ton Dave Jacobs goes to **Superior Court June 10th**. Won Ton is appealing three contempt cases out of 'Barricuda' Barton's court stemming from the same three Town Clock Peace Vigil convictions (police harassment using 'camping' and other city codes). At **10 A.M.** Won Ton has a hearing on his Writ of Review for the three contempt cases where the question will be "Does the court have the power to compel an indigent person to perform 'community service'?" Dave tells us the hearing will probably be taken up with preliminary issues such as assigning a public defender but he does face the prospect of 6 days in jail if the Court makes a summary ruling.

At **1 PM** the Superior Court's appellate division will consider the related issue of whether it is legal to send a person to jail for not paying infraction fines. Dave faces 13 or 14 days in the pokey if the ruling goes wrong.

In the past Redtop Robert Flory and Linda the Lark Edwards have successfully refused to pay fines or do community service for Sleeping Ban tickets. They have claimed the Flory defense: that the Court cannot jail a person for a non-vehicular infraction using its contempt powers. 'Barricuda' Barton, perhaps strong-armed by Judge "Mockery" Morse, has denied this defense--which Commissioner Salazar has acknowledged. If Jacobs wins, it means homeless people can, if they are willing to go to three or four court hearings, refuse to pay fines on harassment Sleeping Ban infractions.

In late April, Dave won 3 out of 4 when he beat back the D.A.'s "Connerty Coverup" prosecution--where Won Ton put Officer Lunnen under citizen's arrest after being refused entrance to City Council March 9th. He is appealing his "battery" conviction for "touching" the untouchable policeman. Recently Dave also won 5 appeals: 2 "resisting arrest" harassment charges were reversed and the 3 'Flory Defense' contempt cases went forward in spite of city opposition. On **June 7th at 8:30 AM**, Drumhead Art Danner's D.A.s will let us know whether they will spend thousands more prosecuting Dave for 3 public nuisance and the 2 resisting arrest charges--all part of Sgt. "Hobohunter" Hennig's "Stop the Clock Peace Vigil" campaign in the spring of 1991.

## **PEOPLE'S PARK PILGRIMAGE: BERKELEY BARNSTORMING FOR COMMUNITY RIGHTS**

*Cornerstone Carol Denney is one of the Fantastic Four (along with Michael Lee, Dave Nadel, and Bob Sparks) targeted by UCB in their SLAPP lawsuit to stop People's Park activism. The four go to trial this fall and have countersued. Recent UCB and City of Berkeley moves to demolish and concrete-over more of the 24-year old People's Park have been successfully sidetracked. Frequently exhausted but never extinguished, Cornerstone phones us these sunbeams from the North.*

In the ongoing SportsCourt Wars pitting UCB and City Brownnosers against People's Park and the Southside Community, the pay-for-play sand volleyball court suffered its most grievous injury yet in the Malibu massacre of May 1st. On that fateful Saturday morning, a '73 Chevy of unknown origin tore through the East railing of UCB's volleyballhalla and landed 5' short of the center pole.

Mysterious figures emerged from the rogue roadster, doused the car in gasoline, set it ablaze, and disappeared into the morning in a cloud of



smoke. Street rumor has it that two Oregonians are currently in custody charged with 'Waco-tacoing yuppie property without Reno's consent.' The damaged sidewall has been repaired and university skills are back playing show-volleyball as usual to the taunts of disgusted onlookers.

In other Berkeley news, the mid-May First Amendment Festival got off to a spry start as twenty-five cheery chalkers decorated the sidewalk from City Hall to the Police Station on Friday with poems from freedomlovers like William Douglas, Pablo Neruda, etc. Cops videotaped the sidewalk scribblers until Cornerstone complained. She intends to file a policy complaint since BPD guidelines say that videoing is only authorized if criminal activity is in progress or expected. When police arrested chalkers in 1991 for inscribing "Fuck UC" for all to admire, local court awarded the artists \$25,000 for false arrest a year later.

Cornerstone found the exercise in constitutional literacy good medicine and heartily recommends it to Santa Cruz: "You don't have to go very far to find a sidewalk. Call poets all over the city. Choose a day and let the poetry just appear!"

The next day at 10 AM 5 stalwarts met at City Hall and taped up the Bill of Rights all over Berkeley--this time without police interference or videotaping. This constitution-hawking was followed by a nude hug-in at 1 PM at Provo Park, where the sunworshippers were outnumbered by overdressed media hounds 10-1.

The next day, on Sunday, in a move to end-run a new permit ordinance and nurture underground radio, the first off-site concert was broadcast from a secret nearby location to be picked up by numerous boomboxes at People's Park. "Let a thousand radios roar!" was the watchword from noon to dusk. The festival reportedly will concluded with a ceremonial rosetoss into the sacred volleyball court, mocking a past arrest Carol suffered for throwing a rose [which police termed "a thorny stem" onto the sacrosanct sports field during a demonstration in 1991.

## **RIGHTEOUS ROARING FROM CROCODILE CHRIS**

*Chris Brozda is a passionate observer of the free-speech, free-food, and homeless struggles. He was often spotted playing chess at the Town Clock Peace Vigil in 1991. Here are his most recent thoughts on the thundering silence of the Gang of 7 (City Council) last Tuesday:*

Two homeless people besides myself spoke for three minutes each at Tuesday's City Council warning the City, or predicting that response to uncivil law, to wit, the law making it a crime to fall asleep at night, may not be civil or necessarily non-violent. It is the duty of citizen to disobey unjust laws. The strategy of group-coordinated non-cooperation and disobedience to unjust laws is called Civil Disobedience.

The energy to resist the sleeping ban comes from the moral courage to act with conviction: either poor people have the right to sleep at night, or they don't. Either the City Council is right to make sleep a crime, or they're not. Either you act to defend your rights, exercise them once in awhile, or you lose them.

The **Food Not Bombs** Sunday 1 PM lunch at River & Josephine Sts. is next. Although newly initiated, it already faces a Health and Sanitation Injunction criminalizing charity, arrived at in secret by the

City Council. And the homeless just lost a \$180,000 grant that kept churches open, allowing legal sleeping for seven years.<sup>20</sup>

It is imagined the City may temporarily suspend enforcing sleep crime in wake of the church closings. Not to enforce an unjust law is better than enforcing it, however one's eyes should remain on the prize: eliminate it. The situation is quite similar to the abuse of power masquerading as 'psychiatry': They may choose not to dope you with powerful tranquilizers obliterating your mind, but they can. They may decide not to give you a year in jail for 'inhaling' but they can. They may not lie and charge you with resisting arrest, but they can. They may not leave you in handcuffs that are painfully overtight, but they can.

What can you do? Become a warrior. Prepare to fight. Coordinate mass actions. Basically prepare to repeat history. The garbage broadcast over television and the 'news' masquerading as free press have perpetrated ignorance long enough for us to have become stupidified wage slaves, unconsciously cooperative with social fascism. 'Social fascism', straight out of the history books, a commonly-used term understood by everybody in the '20s to '40s, totally unknown to the enlightened college graduates of today. Hence history repeats.

Those interested in talk, actions, and work may call Chris at 426-7807.

**Next time: Dentist with the videocamera--menace on the loose at the River St. Campground; Santa Barbara busts: the new sleepout at City Hall; Small claims court, the way to go in suing for police abuse?, Whatever Happened to Homes Not Jails?, Pothole Poetry from some pretty obscure homeless bards; and more if you send it in...**

Don't crumple up the *Street Shit Sheet* before you read it. Send your *Shit* to FNB, 509 Broadway, Santa Cruz. Or leave it with Lotus at 459-0910. We print what you send in!

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<sup>20</sup>Editor's note: Actually the Interfaith Satellite Shelter Program's loss of federal funding is more significant in removing the papermache backdrop of 'compassion' that the Gang of 7 holds up to wavering supporters and friendly critics. With ISSP defunded, the 6-1 Progressive majority is now indeed bare-ass naked when confronted with the question: why are your cops arresting sleepers when there's no legal place to sleep?

The summer program (with less than 30 floor spaces) was never a drop-in program and so was unavailable to the overwhelming majority of homeless campers, many of whom are now huddling at the River St. campground, where the Citizen's Committee for *[raising funds off the backs of]* the Homeless refuses to protect them from Chief Bassett's sleepersmasher patrols.

Though most of the people who ran the ISSP quietly opposed the city's Sleeping Ban, they did little to press for significant change. Councilmember 'Stalemate' Scott Kennedy has recently retreated to the Rotkin line--"we're doing all we can for our people," "why don't the activists go protest somewhere else?" "it's a national problem," etc. His conscience apparently swallowed whole by the City Council dark hole and the lure of power, Kennedy has declined to return any calls from the *Street Shit Sheet* editor, refused to extend Oral Communications, and has scheduled no meetings for nailing down the 8-months overdue civilian police review mandate voted last September by Council.

# STREET SHEET

#132

July 11, 1993

Sunday

DONATE WHAT YOU CAN READ THIS FREE

"The mere existence of the Sleep Deprivation Ordinance [Municipal Code 6.36, the "camping ordinance" or Sleeping Ban] creates an anxiety because harassment of homeless sleepers has been legalized. To deprive or threaten to deprive people of sleep--particularly vulnerable homeless people is criminal sadism. Temporary psychosis can be one of the results." - CROSSROADS CHRIS

## "BOMB THE BREADGIVERS" BARISONE WINS PRELIMINARY INJUNCTION ! FNB PATRON SEEKS COURT PROTECTION AGAINST CITY SOUPSNATCHERS

Sidewalk solicitor, peace activist, street curmudgeon, and consumer advocate "Won Ton" Dave Jacobs is on calender for a Motion to Intervene, July 14th in Superior Court. His target: the City's relentless drive against the four-times-weekly free food distribution by Santa Cruz Food Not Bombs, where volunteer time and food donated--in the wake of the new witchhunt--have reached new highs.

On June 29th, city attorney John Barisone got the go-ahead from Superior Court Judge "Tough Luck" Tom Black, who gave the "Ban the Bagels" barrister a Preliminary Injunction against FNB. Though Black limited the Injunction to the city (Barisone wanted it county-wide) and based his ruling on FNB's failure to secure a Health Permit rather than broader "Public Nuisance" grounds, the two attorneys cooked up a blank check to harass the high-profile homeless rights group--Mayor Neo Goonery's Silly Council and Chief Blackbadge Bassett's "no civilian review" police are rash enough to enforce it.

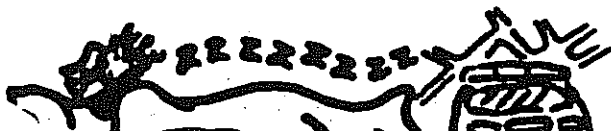
In Court were Linda the Lark Edwards of Refuse and Resist, Lotta Love Lotus of the Santa Cruz Union of the Homeless, and Grinning Ray Grueneich, ailing<sup>1</sup> but undaunted law\artist, whose prior attempts at mediating the issue were simply turned into more legal ammunition against him and FNB.

The Health Department of "Cook Not Lest Ye Be Cooked" Dr. Ira Lubell has shown itself more interested in issuing edicts, seeking to intimidate activists, and stagemanaging backdoor deals with the city than in providing or helping others to provide food to the Santa Cruz hungry. Refusing to attend any FNB meetings, provide assistance, or even give specific constructive criticisms, Lubell's Lunchsnatchers--with no health complaints--have been spending money hand-over-fist to fighten FNB into folding up.

On orders from the Gang of 7<sup>2</sup>--meeting in closed session last

<sup>1</sup> Grinning Ray, long-time homeless rights champion, has slipped off his legal briefs and put on his chef's hat, in which outfit he was served the Temporary Restraining Order last month. Currently fighting pneumonia, Ray has informed the Court in a statement supporting Won Ton, Lotus, and Linda that he will be lifting an illegal ladle owing to his illness.

<sup>2</sup> Known variously as Silly Clownsil, the City Council, the psuedo-Progressive sell-outs, the ninnies downtown, Goonery's gumshoes.



April--Barisone's brothbashers were methodically moving to strangle FNB--first with a TRO & then a Preliminary Injunction--which allowed arrests-without-jury-trial, & on July 14th a severing of Won Ton Dave from the case. Barisone's brief concedes that "while the judgment in this case may indirectly make it more difficult for Jacobs to identify food sources," it won't stop him from looking elsewhere (dumpsters? Fresno?). Watch Brothbasher Barisone and Blackout Black disgrace themselves next Wednesday. Call FNB (458-2144) for details.

## SMALL SIPS FROM THE SOUPKETTLE

\*\*\*\*\* BACK TO MUNI COURT AND FORWARD TO APPEALS COURT is the double direction of Won-Ton Dave, after a July 8th run-in with Blackout Black in the matter of the critical "no jail for infractions" Flory defense.<sup>3</sup> Blackout reportedly dismissed Won Ton's arguments, even though crucial papers had not been forward from Municipal Court, and Won Ton will be taking a further appeal to the 6th District Court of Appeals in San Jose. Meanwhile, he may be facing renewed contempt proceedings in Municipal Court.

\*\*\*\*\* BASHED BUT UNBOWED is the formidable Linda the Lark, choked, crushed, terrorized, and nearly fricassed by San Jose police for insisting on her First Amendment right to speak two minutes at a San Jose City Council meeting Tuesday before last. At issue was a constitution-shredding ordinance to fine all non-violent demonstrators \$10,000 if any CD law violations occurred--which failed to get the seven votes needed for emergency passage.

Linda was kept in a continued pain compliance hold, even as she screamed she was not resisting, threatened that she'd be thrown down a marble stairway, and then dumped in closed "hothouse" van. Charged with resisting arrest and disrupting a public meeting, she is reportedly searching for an attorney. Radical lawyers--out of the closets!

**Coming Up:** The Flory Defense Unabridged, Scribner Park--Here Yesterday and Gone Today, HNJ in San Francisco--A Success Story, The Santa Monica SleepOut: 5th Week!, Beating Back the Bumbusters in Berkeley: How to Kill an anti-Panhandling Ordinance, and more!

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<sup>3</sup> That defense, first used by Redtop Robert Flory in the spring of 1992, argued that in infraction convictions (such as for the City Sleeping Ban), the maximum term of imprisonment is provided for by Penal Code 19.6c which states "An infraction is not punishable by imprisonment...." This position is supported by the Attorney General's interpretation of Penal Code 1205 rendered in 63 Att. Gen. Op. 418. The State's remedy is not jail but levying noncriminal (i.e. civil) fines. Contact Flory at FNB for details or demand more info in forthcoming Street Shit Sheets.

# STREET SHEET

2<sup>nd</sup> Edition

#132

July 11, 1993

Sunday

FORK OVER A QUARTER

OR

READ AND SHARE

ARTICLES, POEMS, CARTOONS, SUBSCRIPTIONS: C/O CHRIS, FOOD-NOT-BOMBS, P.O. BOX 8091, SANTA CRUZ 95061

"The mere existence of the Sleep Deprivation Ordinance [Municipal Code 6.36, the "camping ordinance" or the Sleeping Ban] creates an anxiety because harassment of homeless sleepers has been legalized. To deprive people of sleep is criminal sadism. Temporary psychosis can be one of the results."  
--Crossroads Chris

## "BOMB THE BREADGIVERS" BARISONE WINS PRELIMINARY INJUNCTION ! FOOD-NOT-BOMBS GUEST INTERVENES AGAINST CITY SOUPSNATCHERS !

Sidewalk solicitor, peace activist, street curmudgeon, consumer advocate and sometime mango muncher, "Won Ton" Dave Jacobs is on calender for a Motion to Intervene, 8:30 AM July 14th in Superior Court. His target: the City's "shut down the chefs" drive against the four-times-weekly free food distribution by *Santa Cruz Food Not Bombs*, where volunteer time and food donations have reached new highs--in the wake of the new witchhunt--. His goal: to continue chowing down on tasty *FNB* morsels without having to watch cops drag cooks off to the caboose.

On June 29th, city attorney John Barisone got the go-ahead from Superior Court Judge Tom "Blackout" Black, and a Preliminary Injunction against *FNB*. Black limited it to the city (Barisone sought a county-wide ban) and based his ruling merely on *FNB*'s failure to secure a Health Permit rather than broader as a "Public Nuisance." The city made no claim in that hearing that *FNB* was a health hazard.

In court that day were Linda the Lark Edwards of *Refuse and Resist*, Lotta Love Lotus of the *Santa Cruz Union of the Homeless*, and Grinning Ray Grueneich, ailing but undaunted law\artist--all unrepresented by counsel in the lunch-lynching 'hearing.' Grinning Ray argued that if his sinister salad-serving, if illegal, he should be criminally prosecuted by the D.A.'s office before a 12-person jury, not enjoined on the whim of a city attorney by a lone judge. He further argued that the only grounds for an Injunction would be if there wer a public health hazard, for which no evidence was presented.

Grueneich also pointed out that neither he nor his fellow defendants represented *FNB* as an organization; it had not been properly served. Baloneymaster Barisone was silent in court on the issue, but some days later served up the new legal fiction that Linda the Lark was in fact a big cheese in *FNB* (when, in fact, she had stayed distant from the group, considering it insufficiently militant). Worse, city-sponsered Barisone, moving quickly to ban bagels and bust bananas, blatantly *lied* in claiming that Linda specifically appeared in court on behalf of *FNB*.

At the same June hearing, Won Ton Dave, homeless, hungry, and determined to defend his right to eat *FNB* cuisine--a directly affected party, was legally locked out ut of the proceedings by a prior ruling from Superior Court Judge "Steeplechase" Stevens requiring Won Ton to go through a formal Motion of Intervene Hearing on July 14th. At an earlier hearing, Won Ton had gathered dozens of signatures from hungry *FNB* guests testifying to *FNB*'s importance as a haven against hunger. Won Ton further argued that the law regulating food facilities clearly exempted co-operative associations--which the city was ignoring and misconstruing in its eagerness to roast *FNB*.

The Health Department of "Cook Not Lest Ye Be Cooked" Dr. Ira Lubell has shown itself more interested in issuing edicts, seeking to intimidate activists, and stagemanaging backdoor deals with the city than in providing or helping others to provide food to the Santa Cruz hungry. Refusing to attend any *FNB* meetings, provide assistance, or even give specific constructive criticisms, Lubell's Lunchsnatchers--with no health complaints--have been

spending public money to chill and coopt **FNB**.

On orders from the Gang of 7<sup>1</sup>--meeting in closed session last April--Barisone's brothbashers have moved relentlessly to strangle **FNB**--first with a Temporary Restraining Order, then a Preliminary Injunction (which allowed arrests without jury trial) and, activists predict, on July 14th, severing Won Ton Dave from the case.

Barisone's brief concedes that "while the judgment in this case may indirectly make it more difficult for Jacobs to identify food sources" [that's cityhallsese for 'find food to eat', folks], it won't stop Jacobs from looking elsewhere [dumpsters? Fresno?]. Hear more tortured rationalizations from Brothbasher Barisone and Blackout Black as the public disgrace goes on next Wednesday. Call **FNB** (458-2144) for details.

## SMALL SIPS FROM THE SOUPKETTLE

\*\*\*\*\* **BACK TO MUNI COURT AND FORWARD TO APPEALS COURT** is the double direction of Won-Ton Dave, after a July 8th run-in with Blackout Black in the matter of the critical "no jail for infractions" Flory defense.<sup>2</sup> Blackout reportedly dismissed Won Ton's arguments, even though crucial papers had not been forwarded from Municipal Court. Won Ton will be appealing further to the 6th District Court of Appeals in San Jose. Meanwhile, the gruff-and-ready lawslinger may face renewed contempt charges in Municipal Court, hopefully stayed until the Appeal Gods rule. On the sunny side, either budget problems, common sense, or Won Ton's watchdog warpaint finally wore down the "Prosecute Now, Think Later!" District Attorney's office: 2 "resisting arrest" and 3 "public nuisances" charges--concocted by Sgt. "Hobohunter" Hennig in 1991 at the Town Clock--already successfully appealed, will not be retried!

Also dumped were charges against Bathrobespierre Robert Norse for "disrupting court" in a case concocted by Baliff Thurber of Courtroom G to punish the long-time courtwatcher for filing a complaint. Bathrobespierre promises he'll be back with a lawsuit to beat back bullying-by-bailiffs in small claims court.

\*\*\*\*\* **BASHED BUT UNBOWED** is the formidable Linda the Lark, choked, crushed, terrorized, and nearly fricassed by San Jose police for insisting on her First Amendment right to speak two minutes at a San Jose City Council meeting Tuesday before last. At issue was a constitution-shredding ordinance to fine protesters \$10,000 for non-violent civil disobedience. The anti-demonstration law failed to get the seven votes needed for emergency passage.

Selectively arrested, Linda was kept in a continued pain compliance hold--even as she screamed in pain that she was not resisting, shoved in handcuffs down a dangerous marble stairway, and then dumped in an oven-temperature paddywagon. Charged with resisting arrest and disrupting a public meeting, she is reportedly searching for an attorney. Arraignment August 30th. Info: call

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<sup>1</sup>Known variously as Silly Clownsil, the City Council, the psuedo-Progressive sell-outs, the ninnies downtown, Goonery's Gumshoes.--these public officials are responsible for the Barisone-Black Follies. Mayor Neo Goonery's Gang of 7 & "enforcer" Chief Blackbadge Bassett's "no civilian review" police have continued long-time anti-homeless policies while mouthing liberal slogans.

<sup>2</sup>That defense, first used by Redtop Robert Flory in the spring of 1992, argued that in infraction convictions (such as for the City Sleeping Ban), the maximum term of imprisonment is provided for by Penal Code 19.6 which states "An infraction is not punishable by imprisonment...." [see also 63 Att. Gen. Op. 418]. The State may get a civil fine but not jail or "community slavery." Contact Flory at **FNB** for details. Or read p. 3 of this **Street Sheet!**

Lotus at the S.C. Union of the Homeless 458-9070.

## **Tickets Dismissed: 100+ Court Appearances; No Convictions, Won Ton Dave Faces Contempt Of Court For Sleeping**

(From the desk of Crossroads Chris Brozda, California Homeless Network contact. Previously dubbed "Crocodile", (easy manner, sharp intellect), Crossroads shares his critical overview and attention to detail to present a map both broad and deep for the journey ahead. **CEN** publishes weekly action alerts on state-wide homeless demos, trials etc. Call Chris at 408-426-7807 to give and receive info state-wide.)

On Thursday June 24th Won Ton Dave Jacobs had more to relish than the rice, cabbage, biscuits with gravy and salad at River Street shelter. All charges besides camping and 'conduct' tickets had been excused by the courts incurred during the Jan 15, through April 29th 91 Clocktower Peace Vigil during the Iraqi massacre: 2 148 PC: "resisting, obstructing or delaying an officer" and 3 'public nuisance' charges.

Except for a mass march from the UC campus to downtown Santa Cruz one day for which the advocates of non-violence and anti-war demonstrators risked nothing, practically the only visible exercise of free speech against the incommensurate use of superpower weaponry by the former Chief Persecutor of Communism (CIA Chief), and Commander and Chief (Bush) was a former homeless Marine and a small entourage also suffering the Sleep Deprivation Ordinance (Municipal Code 6.36.010). The exercise of the fundamental principal of democracy, The First Amendment right to Free Speech had become so obscure and unexercised in the waning days of the persecution of (ever more democratic) communism by the American social fascists, that the 'Peace' Officers charged with maintaining domestic tranquility during this adventure in foreign genocide almost failed to recognize it.

This concession to free expression took over two years and more than 100 court appearances by The Ton, who virtually put himself half way through law school under the tutelage of Ray Grueneich, now facing disbarment for advancing the legal defense of those without means.

Won Ton explained during lunch at Food Not Bombs 1:00 o'clock Sunday picnic at River and Josephine streets:

"It went from traffic court which accused me of contempt for refusing community service to Municipal Court which found me in contempt and is now being reviewed by Superior Court to determine if it is lawful to require an indigent defendant to perform community service hours in lieu of (instead of) the unpayable fine."

Quoting at length and verbatim for guidance and instruction for those fighting their own camping tickets from Won Ton's Feb 1 Brief On Enforcement of Infraction Fines Generally. Important to keep in mind that infractions, like traffic tickets, and Contempt of Court charges do not require a jury trial:

1 In these matters the underlying convictions are for violation of Municipal Code 6.36.010, an infraction. The maximum term of imprisonment for an infraction is provided for in Penal Code 19c, now Penal Code 19.6:

**Pen. C. 19.6: "An infraction is not punishable by imprisonment..."**

2 This position is supported by the Attorney General's interpretation of Penal Code 1205 rendered in 63 Att.Gen.Op. 418.

3 Further, defendant believes that infraction fines should be treated as noncriminal fines in that imprisonment, and/or mandatory community service i.e. involuntary servitude, for nonpayment of fines arising from an infraction proceeding would be an abridgment of Defendant's California Constitutional rights, and further would be an abridgment of Defendant's Sixth Amendment rights in that Defendant, an indigent person, was deprived of counsel at trial, as seen in the U.S. Supreme Court decision, *Argersinger v. Hamlin*:

We hold, therefore, that absent a knowing and intelligent waiver, no person may be imprisoned for any offense, whether classified as petty, misdemeanor, or felony, unless he was represented by counsel at his trial. ARGERSINGER v.

HAMLIN (1972) 32 L Ed 2d. 530.538.

4 Further in *People v. Battle. infra.*, the court found that the California Legislature intended infractions to be noncriminal offenses:

In summation, it is questionable whether the Legislature considers an infraction to be a "crime." The Legislature enacted section 19c of the Penal Code which deprives a person committing an infraction of the right to a jury trial and the right to counsel at public expense; however, both of these rights are guaranteed to one accused of a crime by sections 15 and 16 of article 1 of the California Constitution. We must, if we can, construe a statute in such a fashion as to preserve it from unconstitutionality. (In re Kay (1970) 1 Cal.3d 930 [83 Cal. Rptr. 686.464 P.2d 142] ).

5 Further, imprisonment, and/or mandatory community service i.e. involuntary servitude, would thus violate Defendant's Thirteenth Amendment rights which forbid involuntary servitude except as "punishment for crime" as ruled in *United States v. Morgan*:

Under the Sixth Amendment (as distinguished from the Fourteenth), a defendant's assistance by counsel in a criminal trial is an absolute right. Absent an intelligent waiver of that right, such assistance represents an indispensable basis for a conviction in a federal court. A conviction in a case where the defendant has not enjoyed that fundamental right is void. His imprisonment also violates the Thirteenth Amendment which forbids involuntary servitude, except as "punishment for crime." since no punishment for crime can be valid unless after a valid trial or a valid plea of guilty. (emphasis added) UNITED STATES v. MORGAN 222 F.2d 673.674.

**Author again: In order to bring these fundamental and Constitutional arguments before the Superior Court on July 8th, 8:30 a.m. Dept. 3, Won Ton had to go through two lower court levels, the traffic and then the appellate. The first level tried to nail him with contempt and Dave had to correctly remind the court it had no power to do so. Again verbatim, at length, is Dave's Response To Plaintiff's Post Trial Brief Regarding Sentencing of Feb 1, 93:**

1 (pg. 4, ln. 15) Here prosecution incorrectly seeks to invest this court, which is presided over by a referee pro. tem. sitting as a traffic referee, with the power to adjudicate a contempt proceeding.  
2 However, that said part of Civil Code of Procedure section 1211. does not invest this court, which is presided over by a referee pro. tem. sitting as a traffic referee, with the power to adjudicate a charge of contempt as can be seen by the following citation from *Marcus v. Workman's Comp.* Appeals Bd., (1973), 35 C.A. 3d 598.603:

Contempts against subordinate officers appointed by a court are usually regarded as contempts of the authority of the appointing court, and the appointing court has power to punish such contempts. This is generally true even where such subordinate officers are themselves vested with the power to punish (17 C.J.S., Contempt, section 52; 17 Am.Jur.2d, Contempt, section 116; *Gaylon v. Stutts*, 241 N.C. 120 [84 S.E.2d 822]). While court commissioners and referees have been authorized in some jurisdictions to punish disobedience of their orders as contempts, it has been held that in the absence of express authority, such officers have no such power (17 C.J.S., Contempt. section 53; 17 Am.Jur.2d. Contempt. section 117).

**Author: End of verbatim quotes. Sergeant Sealy of the SCPD informed the Food Not Bombs literature table at the June 22nd Farmer's Market of another assault of the City Council on the First Amendment by informing those present of a new Ordinance requiring a permit to table and that "this is so we know who is supposed to be here."**

COMING UP: THE FLORY DEFENSE UNABRIDGED, SCRIBNER PARK--HERE YESTERDAY AND GONE TODAY, HOMES NOT JAILS IN SAN FRANCISCO--A SUCCESS STORY, BACK TO COURT FOR SLEEPING IN SANTA CRUZ: RUNAROUND RICK RETURNS!; THE SANTA MONICA SLEEPOUT: 5TH WEEK!-- BEATING BACK THE BUMBUSTERS IN BERKELEY: HOW TO KILL AN ANTI-PANHANDLING ORDINANCE-- JAHVAHOUSE JUMPKICKS ANOTHER ACTIVIST WITH A 'TRESPASS' COMPLAINT-- HUNGRY WOMEN UNITED SAY "BURN THE BUDGET" --[HIGH NOON AUGUST 3, TOWN CLOCK], LIGHTHOUSE LINDA LEMASTER & LOTTALOVE LOTUS ON THE INJUNCTABEAST & MORE!



# STREET SHIT SHEET

#133

September 26, 1993

Sunday

free if you're poor, donate if you can!

## SANTA CRUZ SOUPSERVERS ARRESTED IN SAN FRANCISCO ! SFPD HAULS OFF 75+ IN 3 WEEKS FOR CRIMINAL BAGELSHARING !

A mobile team of Santa Cruz **Food-Not-Bombsters** joined dozens of fellow foodservers at San Francisco's Civic Center Park three weeks ago to resist Mayor "Juggernaut" Jordan's new "They Shall Not Eat!" war against **SF FNB's** 5-year-old daily "feed 'em if they're hungry" food giveaway. Denied a Health permit in spite of a completely clean record (not a single report of sickness over a million meals), **FNB** is being harassed under a two-year old Injunction and an inapplicable state health code (HSC 27551) in a political war to drive the homeless who eat at **FNB** meals out of sight and out of town.

Though hauled away and held overnight on September 3rd were "Cry of Dawn" Christa Reiff and Candlelight Kim Argula for their objections to the illegal police seizure of the **FNB** vehicle (the charges: resisting arrest, interfering with an officer, and (for Kim) assaulting an officer)

Busted with the broth on September 7th, Redtop Robert Flory was ably defended by Won Ton Dave Jacobs who loudly asked police and passersby where was the court order and where on it did Redtop's name appear? Such legal niceties had no effect on the blueshirted brocolibashers who cited the two criminal cooks with misdemeanor contempt of court (PC 166.4) and serving food without a food facility permit (HSC 27551)--charges that had evaporated the next morning when the jail released the two but kept their soupbuckets.

In a repeat performance the next day Bathrobespierre Robert and Candlelight Kim were nabbed for conspiracy to commit lunch and locked in the paddywagon with the steaming soup (PC 166.4 & HSC 27551), then released 18 hours later without charges or ladles.

A few days later Linda the Lark Edwards won a free ride to the patrolhouse for trying to save a bucket of soup from a lorry of lunchlooting lawmen. Released several hours later, Linda was charged with "interfering with an officer" in pursuit of soup.

Linda, Kim, and Christa are due back in court next month for arraignments on charges that will almost surely be dropped in this latest round of attacks on **SF FNB**.

Mayor "Juggernaut" Jordan's increasingly personal war on the poor downtown has been in high gear since early August with his Matrix "Quality of Life" program--including arrests for "sleeping", "covering up with a blanket during the daytime" and "carrying a backpack without a laptop." Radio station **KSBW** reports that a nun and a taxi driver, seeing an unattended bucket of soup, lifted a ladle and were arrested police gave them 5 minutes to stop serving or go to jail.

**SF FNB** has called for a "We're All in the Soup Together!" mega-protest **Wednesday, September 29 at San Francisco City Hall, Civic Center Plaza** and will continue to serve daily at 6 p.m. and weekdays at noon for those who wish to watch, photograph, cook, or share food.

\*\*\*\*\* **FRIENDS OF SANTA CRUZ FOOD NOT BOMBS** win one, lose one in the "let them find dumpsters" courtroom of Superior Court Judge Tom "Blackout" Black. "Grinning" Ray Grueneich, legal eagle and Sunday soupserver, lost a technical round, but intends--along with Linda the Lark Edwards--to appeal tomorrow. Grueneich argues the "Cityhis demurrer before Black September 9th. Grueneich argues the City not the County must sue for an injunction; the County must use a criminal trial process.

On the savory side--in papers addressed to Linda the Lark, Judge Black granted that **SC FNB** has not been legally served with the Injunction--requiring City Attorney "No Bread for Bums" Barisone to spend more taxpayer greenbacks on the latest witchhunt. Call City Council (429-3550) and ask how your favorite liberal (Mike Rotkin, Cynthia Matthews, Neal Coonerty) feels about new soup wars in Santa Cruz. Word has it they voted secretly to write the Injunction in the first place.

Write for the Street Shit Sheet ? Contact **SC FNB** at 458-2144, 509 Broadway, S.C.



# STREET SHEET

#133a

September 28, 1993

Tuesday

free if you're poor, donate if you can!

LIBERATION RADIO IS COMING! LIBERATION RADIO IS COMING! LIBERATION RADIO IS COMING!

## SANTA CRUZ SOUPSERVERS ARRESTED IN SAN FRANCISCO ! SFPD HAULS OFF 75+ IN 3 WEEKS FOR CRIMINAL BAGELSHARING !

A mobile team of Santa Cruz **Food-Not-Bombsters** joined dozens of fellow foodservers at San Francisco's Civic Center Park three weeks ago to resist Mayor "Juggernaut" Jordan's new "They Shall Not Eat!" war against **SF FNB's** 5-year-old daily "feed 'em if they're hungry" food giveaway. Denied a Health permit in spite of a completely clean record (not a single report of sickness over a million meals), **FNB** is being harassed under a two-year old Injunction and an inapplicable state health code (HSC 27551) in a political war to drive the homeless who eat at **FNB** meals out of sight and out of town. Though hauled away and held overnight on September 3rd were "Cry of Dawn" Christa Reiff and Candlelight Kim Argula for their objections to the illegal police seizure of the **FNB** vehicle (the charges: resisting arrest, interfering with an officer, and (for Kim) assaulting an officer)

Busted with the broth on September 7th, Redtop Robert Flory was ably defended by Won Ton Dave Jacobs who loudly asked police and passersby where was the court order and where on it did Redtop's name appear? Such legal niceties had no effect on the blueshirted brocolibashers who cited the two criminal cooks with misdemeanor contempt of court (PC 166.4) and serving food without a food facility permit (HSC 27551)--charges that had evaporated the next morning when the jail released the two but kept their soupbuckets. In a repeat performance the next day Bathrobespierre Robert and Candelight Kim were nabbed for conspiracy to commit lunch and locked in the paddywagon with the steaming soup (PC 166.4 & HSC 27551), then released 18 hours later without charges or ladles.

A few days later Linda the Lark Edwards won a free ride to the patrolhouse for trying to save a bucket of soup from a lorry of lunchlooting lawmen. Released several hours later, Linda was charged with "interfering with an officer" in pursuit of soup. Linda, Kim, and Christa are due back in court next month for arraignments on charges that will almost surely be dropped in this latest round of attacks on **SF FNB**.

Mayor "Juggernaut" Jordan's increasingly personal war on the poor downtown has been in high gear since early August with his Matrix "Quality of Life" program--including arrests for "sleeping", "covering up with a blanket during the daytime" and "carrying a backpack without a laptop." Radio station **KSBW** reports that a nun and a taxi driver, seeing an unattended bucket of soup, lifted a ladle and were arrested after police generously gave them 5 minutes to stop serving or go to jail.

**SF FNB** has called for a "We're All in the Soup Together!" mega-protest **Wednesday, September 29 at San Francisco City Hall, Civic Center Plaza** and will continue to serve daily at 6 p.m. and weekdays at noon for those who wish to watch, photograph, cook, or share food.

\*\*\*\*\* **FRIENDS OF SANTA CRUZ FOOD NOT BOMBS** lose one, win one in the "Let Them Dine in Dumpsters" Superior Court of Judge Tom "Blackout"<sup>1</sup> Black.

<sup>1</sup> Judge Black is known by the sobriquet "Blackout" Black because of his willingness to turn the lights out on common sense, basic decency, & homeless rights in the City's war against **Food Not Bombs**. In 1989 he loyally supported City Hall's fifty thousand dollar+ attack on **SWAP (Soup Without A Permit) & SF FNB**--dozens of arrests & raids, and hundreds of hours of court hearings & trials. Most recently he quickly dismissed Won Ton Dave Jacob's relevant & righteous plea with 60 other homeless and hungry consumers that **FNB** meals were a nutritious & necessary part of the homeless calorie intake. Without real health complaints or cases of sickness, Black rubberstamped the Soup Wars: another chapter in "starve 'em out, scare 'em off" campaign by nervous liberals.

"Grinning" Ray Grueneich, legal eagle and Sunday soupserver, is one of the Big Three chuckwagon chefs actually ordered not to serve food (the other two are Lottalove Lotus Maynard and Linda the Lark Edwards).

Grueneich, a seasoned lawslinger from way back, took the city to the mat with a demurrer. The City, argues Grueneich, can't legally get an Injunction on the sole grounds that **SC FNB** has no Health permit; it must allege an actual health hazard or public nuisance. The County, on the other hand, cannot use an Injunction because it already has a remedy--a misdemeanor jury trial for violation of HSC 27551 for those who bowl out broth to beggars.

Grinning Ray quickly lost in "Blackout" Black's "Injunctions R Us" chopshop. Undaunted, the saucy soupserver along with fellow suppermaster Linda the Lark, appealed Blackout's latest free legal lunch to City Hall Soupslayers.

On the savory side Black could not deny that **SC FNB** has not been legally served with the Injunction--making City Attorney "No Bread for Bums" Barisone spend more coins & greenbacks on the latest souphunt before arrests can begin. Call City Council (429-3550) and ask how your favorite liberal (Mike Rotkin, Cynthia Matthews, Neal Coonerty) feels about new soup wars in Santa Cruz. Didn't they vote secretly to write the Injunction in the first place in April?

### **Calender of Courtroom Catatonia**

**October 4 9 AM** Dept. 15 Hall of Just-Us 850 Bryant St. SAN FRANCISCO "Candlelight" Kim Argula (refusal to disperse, resisting arrest, and assault on a police officer) and "Cry of Dawn" Christa (refusal to disperse and resisting arrest): Arraignment. Both were arrested in early September for protesting the unlawful police seizure of a SF Food Not Bombs breadtruck (which was released three weeks later). Charges will probably be dropped.

**October 10** Municipal Court SANTA CRUZ Valorie Corall is charged with possession of hemp with intent to heal: Arraignment. Last spring "Drumhead" Art Danner's prosecutorial plans were defeated by Corall's successful demonstration of the 'necessity' defense--that she needed marijuana to treat her epilepsy. Several weeks after Danner had reaffirmed he would not prosecute, a band of Sheriff Al "No Knock" Noren junior G-men arrested her again and ripped out 5 of her plants. All things being equal, Danner says, he won't prosecute. The real question is, when will Danner prosecute Noren for armed harassment, repeated theft, and "Drug War" liberticide under color of law?

**October 12 1:30 p.m.** SAN JOSE Municipal Court Linda the Lark Edwards (disrupting a public assembly, & resisting arrest): Pre-Trial Settlement Conference. Linda was grabbed at SJ City Council because she insisted on using her full 2 minutes of public comment, opposing a proposed city law that would have provided severe penalties for planning non-violent protest. Charges not yet scheduled to be dropped--which means the Mayor herself may be there as a witness.

**October 14 9 AM** Hall of Just-Us 850 Bryant St. SAN FRANCISCO Linda the Lark (intefering with an officer): Arraignment. A probable snoozer and dismissal--Linda is accused of rescuing a bucket of soup from brave SFPD constables intent on protecting the waistlines of the homeless in mid-September at the SF Civic Center by removing temptation and jailing sinister soupservers. No jury's going to convict on this one.

**October 22 10 AM** Municipal Court G Ocean & Water St. SANTA CRUZ Redtop Robert Flory & Candlelight Kim Argula: Court Trial. Kim & Robert were nabbed cooking food in "Friendship Park" (Harvey West Industrial Park) around 10 p.m. in mid-August. In the City's "no parks for the poor" "upgrade", closing hours have been moved up from 11 PM to dusk at Harvey West. For updates on any of these charges, cross your fingers and call the Info Shop at 458-2144.

Write for the **Street Shit Sheet** ? Contact **SC FNB** at 458-2144, 509 Broadway, S.C.

**COMING UP NEXT TIME:** Recall Rotkin?, Campers vs. Citizens Commitee!, What Police Review? & More!

LIBERATION RADIO IS COMING ! LIBERATION RADIO IS COMING ! LIBERATION RADIO IS COMING !

# STREET SHEET

#134

25 centavos

November 15, 1993

Monday

or share

"Too burnt to get up and down  
Too jaded to tear love from its places  
Too lost for a night on the town  
Too tired for the filling of those special spaces...  
Too pimped to hunt my own heart  
Too worn to swim in your deep  
Too dirty for a fresh start  
Too tired for a chance to sleep."

-from "Tired Streets" by "Caffeine" Cunningham 9/93

## STORMCLOUDS OVER THE STREETLAMPS

\*\*\*\*\* UP FRANCISCO WAY, THE HEAT IS ON for brothboilers Keith McHenry and *SF Food Not Bombs* [SFFNB], the twice-daily homeless hunger mashers, whose example inspired the creation of Santa Cruz's own *Food Not Bombs* [SCFNB] in the fall of 1992. The six-year old SF group was targeted two months ago as phase 3 of Mayor "Juggernaut" Jordan's Matrix "Quality of Life" program to please tourists by "disappearing" the outdoors urban poor from downtown S.F. Early summer sweeps of Union Square were followed by massive August harassment of people covering up with blankets, benchesitters with backpacks, and hobos of all hues in Civic Center Plaza and along Polk St.

Attempts by Supervisors Hallinan and Alioto to legislate an amnesty and moratorium against citations for sleeping, "blocking the sidewalk" and other fashion felonies was crushed 3-8 on October 25. In the November 3rd election, Jordan's pet piranha Proposition V (forced fingerprinting and longer waiting times for G.A. applicants) slithered past the voters encouraging him to intensify his campaign against SFFNB.

Since early September more than 165 Food-Not-Bombers have been cuffed, their hot veggie soups heaved into the gutter, and their names lined up in court dockets with a dozen or more jury trials slated for early December. Though no soup case has ever gone to trial in the 5-year war to smash FNB (over 500 arrests), some insiders wonder whether Jordan's testosterone-tipsy salad snatchers won't push things to the limit.

On November 3, a week after an unusual 7-2 vote in the Board of Supervisors urging decriminalization of SFFNB food serving in Civic Center Plaza, Supervisor Hallinan slipped on a *Food Not Bombs* chef's apron over suit and tie and served barricade bouillabaisse and cheapskate cheesecake to the poor and nameless under the Mayor's balcony. But, faced with a personalized injunction, the lunchloving leftie refused to repeat his rogue soupwrangling a week later on the 10th. And Katzenjammer Keith McHenry, Minestrone Michael Linde, and Riffraff Richard Chamberlin were fireballed with a fistful of fictional felonies (over \$13,000 bail before the D.A. nixed the charges). Their crime: pointing out Officer Lindo's secret treasure trove of illegally-confiscated SFFNB property in his office in the Main Police station.

Cops continue to cuff the consume almost daily.

On Wednesday Jaguar Jason waded out into the middle of the Civic Center fountain to dodge city soupsnatchers and pass off the pumpernickel to hungry wade-ersby. Neatness-conscious cops refused to pursue Jaguar into the two foot deep water and instead threw him a citation and left.

Upcoming events: A Haight St. Monday Mush March ("Frank Jordan Out of the Haight!") up Haight St. NOVEMBER 15 STARTING AT 11:30 A.M. BUENA VISTA PARK to protest harassment of the weekly 12-2 p.m. food giveaway at Golden Gate Park.

Santa Cruz Sympathizers! Be on hand 9 A.M. NOV 19TH THURSDAY IN DEPT. 13 UP AT 850 BRYANT ST. to support Candlelight Kim Argula & Cry of Dawn Christa Reiff--charged variously with assault on idiocy [a police officer] and resisting injustice [arrest] in a September mango melee. [In December Bathrobespierre Robert Norse is slated to go to jury trial for unlawful ladling along with bunches of others. Keep posted!]

A HIGH NOON NOVEMBER 24TH SOUP-IN IN FRONT OF S.F. CITY HALL ("NO THANKS, FRANK!") to be co-ordinated state-wide with other actions.

A HOMES NOT JAILS HOUSING OCCUPATION NOVEMBER 25 (Thanksgiving) 4 P.M. ACROSS FROM CITY HALL AT CIVIC CENTER In SF call the SF Tenant's Union at 415-282-5525; state-wide call the California Homeless Network at 213-746-7690.

~~~~~ OFF PROBATION AND ON THE PROWL, mild-mannered mad houser Redtop Robert Flory is taking time off from his constant carrot-chopping for SCFNB to eye unused buildings that might actually serve to shelter people seeking dry spaces on wet nights. After six months of walking the narrow legal line (but serving "illegal" soup regularly), was it true that Redtop spent his first probation-free day liberating a new building? Old addictions die hard: Someone--stop him before he squats again!

Last year's Thanksgiving Day Housing Takeovers had Redtop facing a pistol-pointing Canfield cop at the abandoned Seaside Co.-owned motel at 159 3rd St. It went up in smoke last Wednesday as a fire department exercise--relieving owner Canfield of his "uninhabitable" low-income liability--but cold consolation for those who watched it sit vacant for the last year.

Last week a rain-stopping roof was ripped away from squatters at the old train station while the storm came down, even though officials responsible for the building had okayed folks staying there until the structure was torn down later this month. Sadists on patrol: get a life. Want to fight back with a public housing takeover November 25. Give a call to Candlelight Kim at SCFNB at 425-3345.

~~~~~ COPWATCHERS CLOSER TO HOME in the Santa Cruz River Flats exercised a little people power Friday night. Cry of Dawn Christa stumbled across five squad cars targeted one Latino man on Clay St. between Broadway and Barson around 10 p.m. Catching the drift of the darkness, Chrysta called for backup and out came Candlelight Kim and Redtop Robert Flory--on the run with

notebooks and sarcasm.

"Have you read this man his rights before interrogating him?" asked Redtop hopefully. "Maybe I should summon another car for crowd control," rejoined a female officer. Redtop: "You know what they say in Berkeley--two's a crowd, three's a riot." Told to move on for her own safety, Kim decided to even the odds a bit and stay for safety of the victim and the community. Shortly thereafter the somewhat overwhelmed suspect shook hands with each cop, each witness, and wandered away with Kim, Christa, and Robert as the squad cars disappeared into the night. Want to do a little Copwatching yourself? Take a friend, a notebook, and a deep breath and take a walk around your neighborhood. Or give a call to the dormant but undowned Copwatch Santa Cruz at 475-1087 or SPAN (Stop Police Abuse Now) at 475-2012. Also watching cops, the Coonertywatch table in front of Bookshop Santa Cruz, when you can find it!

~~~~~ **\$95 FINE SUSPENDED:NO EATING AFTER DARK** was the recent judgment against the troublesome twosome--Candlelight Kim and Redtop Robert for talking back to a Park Ranger at a September supper. Interrupted while cooking onion stew about 10 p.m. in Harvey West Park, the pair received the full flashlight-in-the-eyes grilling. Earlier "closing hours" (i.e. the city's curfew to oust homeless people and everyone else) was the reason for the roust: the two were told to take their stew and tickets, go sit on the curb outside the park, and meditate on their sins.

Though they had agreed to leave when asked, the two got tickets nonetheless because they refused to submit to the additional humiliation of an ID check. [ID checks are legitimate only when police are citing or arresting someone for a crime] Several weeks ago when the case reached Muni Court, Judge "Kangeroo" Kelly refused to rein in the rogue Ranger, but did soften the slash by setting aside the fine. If the two steered clear of tablecloths after twilight in the sacred parks of the city for the next six months, their fine would disappear--along with the rights of poor people in city parks after dark.

~~~~~ **JACKLIGHT JOHN HAMILTON HAS HOMELESS HOUSING** on his mind as well. Alarmed at what he describes as an upsurge in vigilante trollbusting, Jacklight has been flyering the Free Meal and on Friday revived the A.W.O.L. Homeless Table in front of Neal Coonerty's Bookshop Santa Cruz. Mayor Coonerty heads a 6-1 "Progressive" majority on the City Council which has steadfastly refused to consider any changes in "no rest for the wretched" Sleeping Ban (MC 6.36.010) & voted secretly to criminalize SCFNB back in April. Ask Coonerty why: at City Hall: 429-3550, at home: 427-1883, or at the Bookshop Santa Cruz: 423-0900.

Coonerty's Council (soon to be Kennedy's Kennel when "Stalemate" Scott Kennedy takes over the mayorship November 23) snores on. Meanwhile homeless people face a Shelter

Emergency made official three years ago and a "homeless not welcome" CCH Riverstreet Campground. They also are blessed with still unopened winter Armory shelter and boondoggle day center, hundreds of companions without shelter each night, hessians on horseback sleepbusting in the Pogonip, and the ever-popular "hunt down hippie vans" patrols.

Monkeywrench Michael Phelps, street poet and S.C. Union of the Homeless (SCUOH) stalwart, authored the brief "Alert to Homeless Campers" flyer appearing around town. Snitch on a trollbuster at 457-2498 and leave a report with Lottalove Lotus, Mamasan of the SCUOH. Or volunteer to work on the Homeless Table with Jacklight John, Eric the Evigilator<sup>1</sup>, Diamond Bird Dawn, Curbstone Keith, Doubletime Dovanna, and their sometime cohort Bathrobespierre Robert at 454-0201. Rumor has it the group is scheming some kind of daytime sleepout to Communicate with the Merchants during the holiday season. Why not?

~~~~~ STAYCOOL STANLEY SUFFERED A BROKEN JAW in a mid-day attack from 5 young thugs armed with baseball bats two Sundays ago near the mall. Police helped him get to the hospital to wire his jaw, but declined to pursue the assailants, according to Stanley. This incident is the main Trollbuster Alert that the Street Shit Sheet has confirmed, though we've heard several other less clearcut cases. (INS trollbusting of Latinos, of course, is a day-to-day occurrence.)

In these hard times, (& more wretched liberal phonies playing "save my program" & "I'm more Republican than you are!") immigrants, people of color, & folks out of doors are natural targets for frustrated sadists & muscle-bound morons. So keep watch & report any funnybusiness to Lotta Love Lotus, Bubbah Brian Koepke at the Free Meal, or any of the food servers at the Food Not Bombs chowdowns.

~~~~~ HOMELESS KNICKKNACKS FOR SHOPPERS? Shall we laugh or cry at the rumor that the Booktent Santa Cruz's wooden annex on Cedar St. is about to be turned into a trinkets-for-tourists shop with drippings to go the Homeless Garden Project? Here is a dry building in a wet time--completely unused and ideal for a cheap winter shelter being turned into a showcase exhibition when basic necessities are being ignored.

Bureaucratwatchers may remember the Citizen's Committee for the Homeless (CCH) wanted this building as the centerpiece of a building project out at their closed-to-the-homeless River St. Homeless Campground. With the shed hauled over, CCH could then claim it had "begun building" years-delayed Community House and perhaps eek out more leasetime and money from City Council and other bucks-for-the-bureaucrats, busts-for-the-bums authorities.

CCH used Community House as their excuse to evict

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<sup>1</sup> Evigilator One who watches attentively



campers from the campground back in 1991 & 1992. Their "arrest the trespassers" letter to Chief "Blackbadge" Bassett is still on file in spite of Crossroads Chris's diligent protests at CCH meetings.

~~~~~ "REALLY FUCKED--AND YOU CAN QUOTE ME" was the final verdict of Balmy Bob Campbell, former Supportive Outreach Services boss, on the current bureaucratic meltdown at the Pioneer House drop-in day facility he had headed for years. The soft-spoken mental health worker finally cashed in his chips last week after seeing use of the Pioneer House facility drop from 400 in May to 100 in September, a situation he blamed on bureaucrats above who instituted new case management requirements as of October 1, ending the more open policy and making clients strip their souls in order to get a shower and a roof for the day.

Campbell earned little favor in homeless quarters for badmouthing the Riverstreet Campground management policies of the Citizens Committee for the Homeless [CCH]. After he ran off campers near his Pioneer House, some homeless activists blamed him for putting pressure on authorities to close the nearby River St. Campground in 1991 and 1992. However it was CCH operatives Lee and Grey, who authored the secret 1991 letter to Police Chief Bassett telling the cops to go ahead and bust for trespass.

Campbell claimed his complaints to the police were attempts to make CCH provide more services, do more monitoring, and take more responsibility for conditions at the only tolerated campground in Santa Cruz. (As of mid-summer, CCH drove off all campers with trespass citations and threats, and police backed this up with camping tickets.)

Long-time observer Lighthouse Linda Lemaster speculates that Campbell had long anticipated bailing out when HRA funding was redistributed. Cutting edge activist, Linda the Lark Edwards, more than once commented bitterly on "non-crazy" homeless people being turned away from the Pioneer House showers, under the Campbell regime. Calamity Jane Imler got into a public fight with Campbell when he refused to let the Free Meal use his River St. Shelter's certified kitchen. But even Campbell was unwilling to tolerate the final bureaucratic bogfreeze. Reached at her winter quarters, Calamity Jane had this comment on the Campbell situation: "Among the bureaucratic overlords, Campbell had the best heart for helping the homeless in Santa Cruz. The fall of Pioneer House is a real tragedy."

~~~~~ NONVIOLENT BUT NARROWMINDED is one worker's description of the recent refusal of the Resource Center for Non-Violence to renew the lease of the Autonomous Info Shop. The anarchist anthill has done intermittent service as a gathering place, office, computer center, shower, telephone, and (yes, they admit it) occasional crash pad for folks, involved with Food Not Bombs, OUR Garden, Home Not Jails, Homeless United for Friendship & Freedom, and other homeless rights groups and groupescules.

Visionaries to some, layabouts to others-- Gentlevoice John, Mooncat the Mad Computerista, Midtown Mike, Runaround Rick, Pumpnickel Peter, Cry of Dawn Chrita, Al-Coholic, and Crossroads Chris kept a weathered hand on the pulse of Santa Cruz's poorer people. Crossroads and Lighthouse Linda Lemaster sent our reports state-wide to the California Homeless Network, alerting activists from Mendicino to San Diego of the

City Council's war on SCFNB and currently enjoined Grinning Ray Grueneich, Lotta Love, and Linda the Lark Edwards.

Lighthouse Linda concludes the City's Food War is at an end, the injunction simply a device to shed financial responsibility. Bathrobespierre wonders if hardliners are not waiting to see if SFFNB can be crushed. Whatever the case, the Autonomous Info Shop served as the nerve center of the court-and-sidewalk struggle this summer against the Injunction.

Other hard-working SCFNBers including Redtop and Candlelight denounced the office as a 10' X 10' dead zone, which sucked off energy and served as a fatal distraction to activists better-off serving on the streets, reclaiming abandoned housing, and staying outside to fight the good fight. SCFNB never formally acquired an office, but many members used it. Conflicts over rude language, grubby practices, overcrowding, streetwalk sexism, and homeless homophobia were a frequent flashpoint.

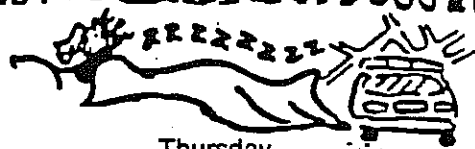
Info Shop regulars rejoined that their critics were judgmental, authoritarian, insufficiently inclusive, and ultimately the downfall of an office run on spontaneous energy and participant donations.

Internal struggles didn't affect the working relations the Info Shop had with adjoining offices in the same basement area. But landlords from the Resource Center for Non-Violence next door were unhappy with the tempestuous group. Never a strong supporter of homeless activism RCNV landlord, Deepfreeze Doug Rand, had few civil words and much icy impatience with the un-middle class goings-on at 509 Broadway, particularly regarding sleepovers, eatovers, & late night comings and goings.

When given the opportunity, Rand and his fellow RCNVers, moved quickly to oust the politically-incorrect passel of homeless hillbillies. The RCNV High Command refused to accept rent from Redtop Robert, who offered to run the office in a more regular 9-5 manner in a compromise plan. The Shop would stay open as a gathering point and facilities open and available while responding to oppressive landlord control-and-sterilize concerns that Info Shop users found overbearing and irrelevant. Why, they wondered, were the alternately anal and anxious RCNV chiefs pressing forward with "Peace in Israel" but "Eviction War against the homeless activists next door"?

Rand's Resource Center issued a home-made eviction letter, a novel "6-day notice", and refused Redtop's rent offer as well as money from Al and Mooncat. The courteous but far-from-legal eviction proclamation which Mooncat's Menagerie received had yet to be supplemented at press time with a bona fide 30-day notice. Since the office had been previously rented on a monthly basis and tenants had offered rent money, street lawyers in the Info Shop were thinking the issue might best be adjudicated in court, and then, perhaps in the press and the community. Some militants were even considering a squat occupation of the property. Check with Al and John at 427-1546 as they await Deepfreeze Doug's deadline today.

Coming Soon: Allufi's Law: Santa Cruz's Stampeding Sergeant Slams Saucy Street Activists!, Santa Barbara--Homeless Hispanics Say No, San Francisco--Trashheads with Badges Steal Shopping Carts from Urban Street Folk, Recall Rotkin? Pro and Con?, Ed



#135

December 2, 1993

Thursday

ONE QUARTER OF A DOLLAR

or

PASS IT ON!

"Your law says the poor can't sleep at night! But we say that just ain't right!  
 You say we gotta keep a walking outside. But a car's a much better place to hide!  
 I don't wanna live in your big warehouse. When we get outta there we gotta de-louse!  
 A breathin' and a catchin' the new TB! No-I'll keep my baby in my old RVer!  
 [Echo:] Yeah—we'll keep our babies in our old RVeres!"

—Homeless chant to U.S. military bootcamp cadence by 'Sleepsong' Susan Dunn &  
 "Nuff Said" Nancy McCradie sung on a parade up State St. to 10/93 sleeping ticket trial  
 of Tony & Maria Perez and their 6 daughters, as modified by "Bathrobespierre" Robert Norse

### Gravytrain Greg Quits / Rains from Hell, but Armory Winter Shelter Locked / No Bathrooms, No Hot Water, No Budget—Signals Homeless Fight Ahead /

After a year of running firefights with local homeless activists over issues of hot water and free speech at the Armory Winter Shelter, which he ran, the Department of Human Services boss "Gravytrain" Greg Irish announced he was quitting his job as Department of Human Services coinkeeper—a job which oversees the Armory and 14 other programs—many afflicting the homeless. Bound for a Job Training Partnership job in Santa Cruz with a lawsuit against Santa Barbara County reportedly in the works, Gravytrain' puts in his last day Friday under a cloud of controversy from homeless activists and fellow bureaucrats alike.

Tuesday evening television featured Gravytrain beating back verbal volleys from homeless partisan "Bubba" Derrick Wilkins. Bubba denounced the spending priorities of both the County & Irish's office—which earmarked a thin \$49,000 (last year: \$88,000) to shelter 150-200 people per night for the winter—and this without access to hot water or indoor bathrooms.

"Nip and Tuck" Nick Tonkin, an outspoken critic of Gravytrain's on the Armory Subcommittee of the City-County Homeless Task Force, rose at the Santa Barbara Board of Supervisors in late November to denounce the Armory keymaster's refusal to carry through on promises made to the Subcommittee not to hire unsuitable personnel. Homeless activists were particularly concerned with the rehiring of Sandpaper Sandy Drake, whom Gravytrain unleashed on demonstrators last winter in a near-war that scarred the homeless community and frustrated all unionizing efforts and attempts at reform. Tonkin and other Subcommittee members took the staffing issue to Gravytrain's boss, County Administrator Jim Laponis, last Monday after Gravytrain failed to show at a prior meeting—though Laponis had no comfort for homeless activist Sleepsong Susan Dunn, when she filed a written complaint about harassment from Gravytrain's goon squads last winter.

Temporarily replacing Gravytrain may be Human Services staffer Marilyn Fentress—welcome news to those alarmed at rumors the ultra-conservative United Way was considering taking over the Armory. Still—activists wonder if the new overlords will be much

1 **Gravytrain Greg** The nickname derives from his opulent lifestyle, including a Mercedes, fancy clothing, and a posh salary as well as his unique use of public moneys to fund his partisans in last year's fight to keep the homeless out of the Armory bathrooms instead forcing homeless clients to use cold filthy unlit portapotties while his staff, Armory soldiers, and middleclass volleyball players were allowed to shower and toilets indoors. Pleading poverty, Greg claimed he could not open the bathrooms to homeless clients for hot showers or even to wash up before dinner because of fund limitations. His fund shortage, however, did not stop him and Armory Overlady Nancy Parrish from using paid staff as counter-demonstrators and, then reportedly raising the salaries of Armory workers who had violently driven petitioning homeless activists with petitions away.

Gravytrain refused even 1/2 hour of hot water a day to Armory users, called police twice to arrest non-violent demonstrators protesting his decision, and put no brake on goonsquad activity by his paid staffers against activists. He later refused to open the books, would not provide the plumbers reports he claimed showed rusted-out Armory pipes, and ordered the lock-out of independent plumbers secured by Legal Aid workers "Nightshirt" Nancy Davis.

2 Bubba is a long-time homeless activist, whose 2-week sidewalk encampment outside the Salvation Army in January 1990 was the forerunner of a 5-6 month Sleepless Settlement on the steps of City Hall later that year).

improvement over the old. Last summer, Armory Subcommittee members showed no stomach to make Gravytrain address hard-fought homeless concerns presented in petition form. The only homeless member, "Jabbing" Joe Murphy, writer, vet, unemployed chemist, and Armory user last winter, resigned in disgust when Gravytrain dismissed a petition of homeless concerns-- *with no resistance from other Subcommittee members, some of whose funding depending on Gravytrain's largess.* The Subcommittee subsequently declined to take up the important issues of homeless input, hot showers, access to bathrooms, longer hours, and first amendment rights, apparently overwhelmed with the reduced budget.

"Nip and Tuck" Nick noted the first priority was securing \$6800 each from City and County to pay the cost of 23 days being cut off the Dec 16 to March 14 period during which state Armories can be open nightly, if funding allows. Until Dec. 16th, and from March 15 to March 30th, the Armory will be open (if the bucks are there) only if National Weather Service predicts weather under 40 degrees or 50% chance of rain under 50 degrees.

Tonkin notes \$7100 additional funding for the Armory will be considered at the County Board of Supervisors on December 14th in Santa Maria (shortly after 9 a.m. at the Betteravia Government Center). Contact Tonkin at 965-7045 or at the Catholic Charities morning meal to register your views or to get details on when the Santa Barbara City Council will take up the request (probably the morning of the 14th or the 21st).

Sympathizers may also be interested in the 9 a.m. Santa Barbara Supervisor's meeting (4th Floor, Anacapa and Anapamu) in Santa Barbara when 'Nuff Said Nancy McCradie of the S.B. Homeless Coalition and her homeless children's chorus will turn the heat up on the Supes with their version of "Chestnuts Roasting in an Open Fire" ("Homeless Freezing in an Open Field" perhaps?). 'Nuff Said recalls when she and Jumpstart Jane Haggstrom ran the Armory (1987-90) and spent only \$48,000/year with hot showers, open bathrooms, good meals, and homeless management. Want to bring back the Good Ole Days with some Good Ole Demonstrations? Call 'Nuff Said at 568-1512 before she gets evicted on December 31st to make room for baseball batting cages (a story for a future *Street Shit Sheet*).

## *Cloudburst* Christmas Carols

by 'Nuff Said Nancy, Sleepsong Susan, & other Backalley Baritones with changes by Bathrobespierre Robert

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*(to the tune of "Ho, Ho, Ho, Who Wouldn't Go?")*

Up on the mountaintop I try to sleep / Out comes a squad car lookin' for me  
Down in the bushes with dirt for a floor / All of us are hiding 'cause we are poor.

(chorus) Oh! Oh! Oh! Where can we go? / No! No! No! Nowhere to go!  
Up on the mountain top / Click, click, click  
Down to the jailhouse with Sergeant Nick!

---

*(to the tune of "I'm Dreaming of a White Christmas")*

I'm dreamin' I'll be found guilty / Sleepin is still against the law.  
When they find me snoozin' / I'll be losin' / More time in the county jail.  
I'm dreamin' and it will cost me / I can no longer stay awake.  
Until someone changes....the law / This is what we poor will have to take!

---

*(to the tune of "Santa Claus is Coming to Town!")*

--You better watch out, you better not shout! / You better not cry, I'm tellin' you why  
Sleep patrols are cruisin' the town!  
--They're making a list, they're checking it twice! /  
They're gonna find out who's sleeping at night! / Slumberbusters out on the town!

--They know where you've been sleeping! / They know what bush it is!  
They're spending bucks to stop your snores / So be good and stay awake!  
Won't give you a break! / The trial's a fake!  
The judge has a show / You were sleeping, you know!  
Sleepcrime time is anytime in town!

(for more holiday homeless howlings, contact 'Nuff Said Nancy c/o 568-1512)

## OUTCRIES FROM THE OUTSKIRTS

**SO LONG TO SHABBYSHOW SHEILA, HELLO TO HAPPYFACE HAL**—more seasons groanings from City Council politicians. Grumbling in front-page forensics about being blamed for the homeless, 10-year Mayor Sheila Lodge [*Santa Barbara News Press*, 11/23, 11/28] let out a final blast at those without restrooms or a legal place to sleep: "I wouldn't tolerate behavior from the homeless that I wouldn't tolerate from anybody else, like defecating and urinating around city Hall and all the other crazy things they did." Some have suggested the homeless abandon their mad quest for decent treatment in favor of low-cost colostomy bags. If that seems too tasteless, perhaps Sheila and local city animal lovers can declare the homeless as honorary pets, issue them dog collars and pooper scoopers.

Incoming Mayor Happyface Hal Conklin, once a fairly consistent supporter of homeless rights along with outgoing Jerry DeWitt, smoothly switched into skunk stripes in mid-stream. In the summer of 1990, Hal authored the current "go to sleep, go to jail" ban-to-end-all-bans throughout Santa Barbara City Limits. In the midst of the 5 month Homeless Coalition sleepout in front of City Hall, reactionary Council candidate Bruce Rittenhouse had proposed a downtown sleeping ban that would have allowed for legal sleeping in outlying areas of the city. Fearful of being upstaged in the bigotry department, Happyface quickly had himself appointed to the Ordinance Sub-Committee and wrote up the present city-wide 24-hour ban—a far worse one than Rittenhouse had proposed—which passed in September.

Since that time, Hal has refused to support any change in his law, which criminalizes not merely "camping" (with tents, stoves, etc.) but actual slumber—virtually everywhere in town except for the undefined "undeveloped public property"—the whereabouts of which City Hall refuses to describe in any detail. [Last winter Cobblestone Colin Atherton and Bathrobespierre Robert Norse set out to track down the fabled "undeveloped property" After scrutinizing these inaccessible areas finally provided by the City Administrator's office, they were unable to find anything usable other than "the jungle," which is now slated to disappear in Fess Parker's latest plunder-public-property-for-profit hotel scam.

Want to talk to the "new" Hal about the Sleeping Ban? Give him a call at 564-5318.

**A JURY TRIAL FOR SAN FRANCISCO FOOD NOT BOMBS [SFFNB]!** After 5 years and nearly 600 arrests with no jury trials, Mayor "Juggernaut" Jordan may have driven the D.A. off the deep end. Against all odds on Dec. 6, D.A. Dietmasters will bring 6-8 SF FNbers to trial before a San Francisco jury—the first-ever prosecution-for-potatoes in a major city, the first attempt to convict and jail those serving food to the poor. Back 1989 Santa Cruz scrooges tried and convicted two chefs from *SWAP (Soup Without A Permit)* but authorities have hitherto been more cautious in liberal multi-racial San Francisco.

Jordan's Jellybrains are not charging the cabbagepatch cafeteria-istas with the "serving soup without a permit" charge (HSC 27552) under which many were actually arrested. Their actual crime is feeding unsightly homeless people in full view of Juggernaut's office window or as some wags term it, "conspiracy to commit lunch". The deadpan Dick Tracies are accusing the food felons of "contempt of court", "resisting arrest", and "battery on a police officer" in the first mass bust of *SFFNB* in years for a Sept. 2 incident.

Since then, the police have cited or arrested over 175 food servers, dumping as many buckets of soup and loaves of bread, and illegally confiscating "as evidence" countless ladles and serving items. The most pervasive charge against the outlaw eaterie operators is "contempt of a court order." The injunction in question is two years old, illegally issued without adequate notice or hearing, politically-motivated (by former Mayor Art Agnos's war against *SFFNB*) and never enforced until Juggernaut's "Matrix Operation Quality of Life" program went into high gear this summer to expel the homeless from San Francisco.

Defendants are expected to point out that there is no legal process for obtaining a health permit since the City Recreation and Parks Commission issued special regulations at Agnos's behest in 1990 criminalizing *all* groups that serve food in the parks, unless they do so for profit. Other considerations like the shortage of food for homeless people, the healthy nature of the vegetarian food *SFFNB* serves, and other basic civil liberties issues will probably be raised. Local courts have turned a deaf ear to *SFFNB*

members who have been beaten and abused by police in the last 5 years—so however senseless and obscene the current prosecution, the outcome is still uncertain.

Not without reason, cucumber-catching cops have become more and more reluctant to cite the backstreets bistro brigade—with fewer and fewer tickets being issued in the last two weeks. Meanwhile on Monday Supervisor Angela Alioto called Monday for a nonbinding emergency measure asking Jordan to halt his Matrix program, which has cited or arrested 3000+ people since this summer, mostly for "crimes" like sleeping, camping, and blocking the sidewalk. Supervisors Budget analyst Harvey Rose reported last week (*San Francisco Examiner 11/30*) that the SFPD spends \$151 to \$196 for each arrest and \$23 for each citation. Booking and jailing suspects raise the pricetag to \$584, not counting court costs.

Last cited were Diamond Dave and Barricades Barbara by apologetic gendarmes in the Haight Monday (Nov. 22); on Nov 29th, they were allowed to serve in the rain unmolested.. One FNBER has been given a "stay away" order from Mayor Jordan, which prevents him from being 100' from the Mayor's office—essentially barring him from the FNB table in front of City Hall. The trial of the Eggplant Eight begins Monday December 6th 9 a.m. in Dept. 13 of the S.F. Hall of Justice at 850 Bryant St. (between 6th and 7th Streets). Early-bird SFFNBers will be busy breaking the law by-feeding people breakfast on the steps of the courthouse at 8:30 a.m. Bring ladles and light hearts! More info, call: 415-330-5030.

**FACING FRIVOLOUS FELONY CHARGES** are the San Francisco *Homes Not Jails 4*. Their crime: a Thanksgiving Day takeover of an abandoned apartment building on Taylor and Ellis (which they had occupied the year before also on Thanksgiving Day). Cops spirited away four activists staying in the building the morning before the demonstration and then constructed a clump of charges: felony burglary, possession of burglary tools, felony conspiracy to trespass, and more! But a local judge didn't buy this billious bill of goods and released them O.R. after a night in jail. (In the past few months, *SF Food Not Bombs* members have also found themselves held on a ridiculous roster of felony charges, seemingly for the sole purpose of holding them over the weekend—since the charges were unfailingly dropped later). Tenement Ted, one of the 4, is reportedly huddling with Supervisor Hallinan in hopes of getting the city on the right side of the playing field. More info: S.F. Tenant's Union: 415-282-5525.

**MEDIA AND SANTA BARBARA HOMELESS MARCHERS** may have persuaded city-hired sleepmashers to stay away from the trial of Tony and Maria Perez, who showed up in Judge Talmadge's Muni Court a few Wednesdays ago. They showed, but the cops who ticketed them did not, sending word they were "on vacation." The couple and their six children, called to court for criminally falling asleep in their bus during the evening hours, were accompanied by an American flag-waving parade of campwagon moms and kids including Campfire Kimberly Fickling, 'Nuff Said Nancy McCradie, and Sleepsong Susan Dunn as well as CBS, ABC, and NBC.

'Nuff Said had rueful news about Nightchills Nick Garcia, who was at the same court session defending himself against a sleeping ticket. Advised to make a Murgia Motion, demanding previous discovery of the evidence against him, and bringing witnesses to show selective prosecution, Nick tried to wing it alone and broke down in tears in the midst of the trial, admitting he'd fallen asleep. Guilty—of being homeless and human.

A week later, Sleepsong & company marched to City Council where they chanted this ditty:

" The Constitution still applies! Pick on someone your own size!  
Let the babies sleep in bed. Catch the criminals instead!  
We still have the Bill of Rights! Cops don't have to pick on tykes!  
Kids and babies cry inside. There's no place that they can hide!  
1-2-3-4 Freedom's still worth fighting for! 5-6-7-8 Babies don't deserve this hate!  
Go to sleep, go to jail! Tell the poor to hit the trail!  
Pay the judge till the money's spent! After that try and find the rent!  
Rob the children of their bread! Stop them sleeping in their bed !  
Hit those sticks upon their door! When they cry, give 'em more !  
1-2-3-4 Freedom's still worth fighting for! 5-6-7-8 Babies don't deserve this hate!"

**NEW CALIFORNIA HOMELESS NETWORK CONTACT: Araceli ("RC") Arriola 916-447-0390**

**NEXT TIME:** Devil'sFood Duffy Previews a Screenplay "Who Killed the Legal Defense Center"?, Reports Statewide on Anti-Matrix Day, John Doe II in Frisco—the Strong Silent Santa Barbaran Says No to Bus Bumbusting!, Duskeyes Dan's State St. Update, New Developments in the 7-City Lawsuits in Southern California, People's Park Again! --Matrix Berkeley Style by Cornerstone Carol, Navarre Beach Homeless Hang on In Mendicino County, and more...if your editor can find a free computer... Submissions: call 'Nuff Said Nancy at 805-568-1512 or write Bathrobespierre Robert Norse at WPSG, 509 Broadway, Santa Cruz, CA. 95062

# STREET SHEET

#136

January 8, 1994

Saturday

You pay a quarter

Unless you're poor

"I have come to the borders of sleep/ The unfathomable deep  
Forest where all must lose/ Their way, however straight  
Or winding, soon or late, They cannot choose."

--Poems (1917) "Lights Out" by Edward Thomas (1878-1917)

## SLEEP-CRIME-IN-PROGRESS PEACE VIGIL ENDS IN FLURRY OF TICKETS & NEWSPRINT MAYOR & MERCHANTS VOW VENGEANCE, PLOT NEW CONSTITUTION-CRASHING CODES

True to their word, "Won Ton" Dave Jacobs, "Midtown" Mike Cronen and "Redtop" Robert Flory demolished their cardboard cubicles last Wednesday January 5th. After exactly two weeks non-stop human rights advocacy for the Santa Cruz homeless downtown, the unabashed urban nomads put the World Peace Vigil "Sleepcrime in Progress" to bed. Towards the end of its fortnight tenure, the criminal creche of sidewalk slumberers had grown to up to a dozen at night.

The Vigil site, a space of sidewalk next to the red fence around the former Ford's Dept. Store property at Church and Pacific, served as a rallying point, resting spot, and safety zone to the homeless community as well as a wake-up call to city potentates and merchants with the message-- "We're here; We're poor; And we're not going shopping!" Some homeless people were firm and outspoken with the statement: no more hiding in the bushes to wait for Bassett's Bumbusters<sup>1</sup> to slap them with slumberthumper cites.

The Vigil got support from scores of people including Cougarvoice Cathy, Lighthouse Linda, Nutcracker Nick, Jacklight John, Cry of Dawn Crista, Linda the Lark, Crossroads Chris, "Pot of Joy" Paul, Bathrobespierre Robert, Mustardseed Mike, Catnip Kate, Beddown Bob, Candlelight Kim, and many others. Averaging 2-5 participants per night, the vigil was initially ignored, then editorially reviled, and finally drenched in tickets--in a final "sore loser" blast at the successful sidewalk slumberbunnies.

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<sup>1</sup> Also known as the Santa Cruz Police Department, headed by "Homeless Go West!" Police Chief Jack Bassett. This San Diego import has earned public notice over the last decade by his systematic sweeps against penniless sleepers, alternating with pious reassurances to Council and public that "we ticket only on complaint." Bassett is untouchable as is his Inner Circle of immediate underlings--who routinely face no review or discipline for misconduct even after such gross abuses as the New Year's Eve Citizen-Bashing-at-the-Town-Clock followed by Santa Cruz's first-ever spontaneous riot. Beat cops rarely face discipline; higherups--never.

The vigilers witnessed and withstood the police-provoked New Year's Eve riot on Pacific Avenue, refusing to fold up and leave when cops swept the street in pursuit of window-breakers they themselves had incited by assaulting peaceful celebrants at the Town Clock nearly an hour before the 1 a.m. curfew. Jacobs himself cooled down looters, separated some who had come to blows, and told passersby the true story of the police "cattleherding" action that provoked angry and intoxicated youths to riot—a story that never appeared in the *Santa Cruz Urinal*<sup>2</sup>.

In the course of its fourteen day life, the small band of sleepcrime protesters amassed more concentrated publicity in the media than the 3 1/2 month long 1991 Town Clock Peace and Justice Vigil, the 8 1/2 month 1990 Post Office Homeless Vigil, and the 1989 month-long Town Clock Vigil Against Homeless Abuse.<sup>3</sup> Merchants wailed and raged about "the odor" of the Sleepcrime-in-Progress Vigil and its negative effects on holiday shopping even in the face of unchallenged stats that (contradicting stats that sales were up this season, *SCS 1/7*). Jacobs and Flory deliberately placed the Vigil somewhat away from the storefronts next to a commercially-unused corner and announced their demonstration would last only two weeks in a clear message that their demonstration would be non-confrontational and

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2 The town's monopoly newspaper--which calls itself the *Santa Cruz Sentinel*, colossally overpriced at 50 cents, usually devoid of local news, and sensationalist/slanderous in its "coverage" of the Peace Vigil. The January 7th lead story began: "Solutions are in the works to improve the downtown shopping district, *plagued by a New Year's Eve riot and a two-week homeless peace vigil in the past month.* [Italics added]."

3 These past vigils, like the current one, sought relief from the city's "Thou Shalt Not Sleep" law. They were studiously ignored by the media, sporadically lambasted by the *S.C. Urinal* and relentlessly harassed by the police. They and the 1988 daytime Homeless Table-on-the-mall collected literally thousands of signatures for a change in Municipal Code 6.36.010, the city Sleeping Ban, but the Progressive-dominated City Council refused to discuss the infamous law. [*Jacklight John Hamilton's Homeless Table has gotten hundreds more signatures in its month and a half stay in front of the Bookshop Santa Cruz (owned by the pro-Sleeping Ban Councilmember Neal Coonerty).*]

Jacobs is still appealing from the few convictions that came out of the 1991 Peace Vigil, including the important question of whether courts can constitutionally jail people without money for refusing to pay fines or do community service for infraction-level "crimes" like "sleeping outside in a bigoted community."

In what has come to termed "the Flory Defense", Redtop Robert Flory went to jail in 1991 for contempt-of-court and was released on writ habeas corpus frustrating Muni Court Judge Heather "Wake It Up As You Go" Morse's determination to give all scofflaw sleepers a free bunk in the county jail at taxpayer expense. "The Flory Defense" holds that since infraction prosecutions deny the defendant both a jury trial and a public defender, there can be no jail sentence as a result. If a defendant refuses to pay a fine or do Community Service, the government may sue in civil proceedings to garnish wages or seize property. It has been successfully used by Flory and Linda the Lark Edwards, but Jacobs' test case is still pending.



not--like past such homeless sleepouts--open-ended.<sup>4</sup>

City Council, the community-at-large, and the police all knew the Vigil's closing date. SCPD Lieutenant Locke, Mayor "Stalemate"<sup>5</sup> Scott Kennedy, and Councilmember "Birdseed" Beiers<sup>6</sup> so stated in the 12/30 *Sentinel*. Yet on Monday and Tuesday morning, round-em-up robocops descended at dawn to issue a total of 17 Sleepcrime tickets.

In the closing hours of the Vigil, Jacobs got a parting chop on the kisser --a ticket for "misuse of public property." His crime: reclining on the sidewalk--exactly where he had been for the last fourteen days.

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4 Prompting groans from long-time homeless agitator Bathrobespierre Robert Norse that the Vigil would be another symbolic exercise in futility. Norse, a veteran of past vigils, called for a Thanksgiving-to-Xmas "in your face" daytime sleepout as near to merchants' doors as possible without blocking access. It is legal to sleep during the day in public but not at night. So, a shopping-hours snore-a-thon would have put pressure where it was needed most--on the merchants, whose concerns might prompt Sleeping Ban reform from otherwise indifferent City Counciloids. Such a plan is still being considered by Jacklight John Hamilton, who has a sign-up list for volunteers willing to become Downtown Day Sleepers. Check with him at the Homeless Table near the Bookshop Santa Cruz (11-3 M-F) or call 425-8805.

5 So-called because of his refusal to advocate for homeless rights, specifically the right to sleep at night, and his stonewall-and-bury, weaken-and-delay tactics around the Civilian Police Review issue (still entombed in City Council sixteen months after it was passed in principle in Sept 1992).

Kennedy has become a major disappointment to those who voted for him in 1990, expecting a champion for the disadvantaged and poor. He initially supported a safe place for the homeless to sleep (1990), showed up as an observer at homeless demonstrations (1991), fought Council attempts to fastfreeze the First Amendment when it turned the Town Clock into a "park" so it could be closed to vigilers at 1 AM (1991), and called for a staff study of a homeless parking area where families in vehicles could safely stay at night (1991).

More recently he has attacked those attempting to expose Officer "Sticky Fingers" Butch Baker (1991), bent over to bar Homes-Not-Jails homeless speakers from City Council (1992), agreed to the delay and burial of the homeless parking report (1992), savaged proposals for civilian police review (1991-3), and used his mayoral voice to dismiss the Sleepcrime-in-Progress Peace Vigil and call for tougher anti-homeless laws (1994). Since "Stalemate" has graduated from silence to active hostility towards homeless rights, the *Street Shit Sheet* invites its readers to propose a more fitting title for the former liberal. Scruff-of-the-Neck Scott? Slumber-stopper Scott? Stop 'n Shop Scott? Leave your suggestions at 'Jacklight' John Hamilton's Homeless Table in front of the Bookshop Santa Cruz on Pacific Avenue (usually weekdays M-F 11-3). Best suggestion wins a free set of the last ten *Street Shit Sheets!*

6 The most liberal member of the Council on homeless issues, she stood alone in defending the rights of homeless speakers to address the Council in March 1992 after Mayor Neo Goonery had stationed police at the doors to bar anyone who looked homeless in defiance of the Brown Act and the Constitution.

But even Beiers has made little more than ineffectual chirps. Refusing to open a public debate on the Sleeping Ban, Beiers actually shakes hands with cops ticketing Sleepcrime-in-Progress vigilers in the week before the vigil ended. When an enraged Candlelight Kim Argula demanded to know what Beiers was doing, the ever-amiable politica offered to shake her hand too before jogging on down the road.

"Crowd Me Not" Crouton found himself handcuffed and jailed for two days for refusing to sign his \$162 "use a pillow, go to jail" citation.

Meanwhile spotty reports from the Interfaith Satellite Shelter program, the only drop-in floor-space-for-a-night option for those without condos, indicated people were being turned away. Lowluck Linda, a mom who pulled over to sleep by the side of the road because her taillights weren't working, was jolted awake and given a sleepcrime ticket that will become a \$272 warrant if not quickly paid. She was then told to drive off without taillights.

Other homeless locals reported increased sleepbusting patrols, harassment, and ticketing by the railroad tracks. And Santa Cruz is still officially in the midst of a Shelter Emergency, declared in 1990.

#### CITY COUNCIL PUBLIC COMMUNICATIONS 7 PM TUESDAY JANUARY 11th

---Redtop Robert Flory & Won Ton Dave Jacobs brief City Council sleepslayers and their merchant bosses on the real meaning of the "Sleepcrime=in-Progress" World Peace Vigil--and what comes next.

---Jacklight John Hamilton presents the Council (yet again) with bushels of signatures urging them to decriminalize sleeping in Santa Cruz. If you listen closely, you will hear them snoring. Bring your sleeping bag & join them! Jacklight plans to take his Petition to UCSC week after next & needs volunteers there & at his usual spot in front of the Bookshop S.C.

---Register Your Outrage about the New Year's Eve Police "WarGames", the Kennedy-Bassett Bigotry Unlimited Solution to Panhandling and Protest, the AWOL "Civilian Police Review" plan, the ever-obnoxious Sleeping Ban, etc. Three minutes to talk, while they rustle papers, munch dinner, & ignore you.

On the horizon for next issue: Hatrix in Berkeley--the Struggle Against Matrix-East Intensifies; Busted for Bedding Down in Santa Cruz--by CrowdMe-Not Crouton; \$10,000 Bail and Another Beating for San Francisco *Food Not Bombs* backalley buffet-teer Katenzjammer Keith McHenry; the Return of *Homes Not Jails* Santa Cruz-style; the Kennedy-Bassett Sweetheart Plan to Clip and Curtail Panhandlers and Protesters; Courthouse Roundup: Sleepcrime 1994; Shadows of Shame from Stapleton's: False Anti-Activist Charges of Shoplifting Blame S.C. *Food Not Bombs*; the *California Homeless Network* Update; and whatever you send in to: *The Street Shit Sheet* c/o WPSG, 509 Broadway, S.C., CA. Or leave your stuff with Jacklight John at the Homeless Table M-F or with *SC Food Not Bombs* at the 1 PM *SCFNB* meal across from Stapleton's on River St.

# STREET SHEET

#137

May 9, 1994

Monday

"...Sweeping painfilled needy under the rug  
If you're not a tourist, in business, or dollar-filled  
You're in line to be hung. Who's the real thugs?  
.....Spending money on power that could build shelter  
Buy bread and soup for empty cups. WAKE UP!  
If the wealthy gave a dime change from what they buy every day  
The problem, like a wicked witch, would wither away..."

--from "Banning Homelessness" by Darkwatcher Damian 3/94

## SCREAMS FROM THE STREET SCREAMS FROM THE STREET SCREAMS

**BUSTED FOR BACKTALKING THE BUSINESS BUMBUSTERS**, Won Ton Dave Jacobs got whisked off to jail Sunday afternoon, compliments of Sgt. 'Witwhacker' Watson's Gabgagger Brigade and the Spring Faire Jaycees for "Disturbing the Peace." Declaring the park its private preserve and the city police its special security force, the JayCee "Not At Our Faire!" leadership exposed their anti-homeless undies again [ A few years ago they threatened Linda the Lark Edwards and Redtop Robert Flory with jail for giving away flyers on police abuse.]

"No Guns" Radici and "Scofflaw" Scott Imier thought Dave too loud for the 'friendly' Faire, but others found Dave a refreshing tonic including Superior Court Judge Yonts, who reportedly commended Won-Ton for his forthright free speech towncrier, minutes before he was hauled off in handcuffs and held on \$1000 bail for shouting "Sit on the Sidewalk, Go to Jail--it's the Law."

**Support Won-Ton and basic civil liberties by calling the Deborah Smally of the JayCees at 423-0700 and ask them just who they intend to arrest next.**

**BRAVELY BATTLING THE SLEEPING BAN** in the best of company, Won-Ton scrambled to get his legal briefs filed last weekend in arguments that will be heard May 20th in Muni Court Judge 'Barracuda' Barton's Courtroom 3. (Barracuda's earned his badname by furious harassment of hemp activist Alan Brady some years back, but recently showed a compassionate side by dismissing a sleeping ticket against a beach camper who told the judge he had no legal place to sleep.

Won-Ton, , Blacktop Bob Duram, Candlelight Kim Argula, and a pack of other pavement possums will be challenging chump charges concocted by police at the 2nd World Peace Vigil, including the first-ever misdemeanor 'sitting' charge, levied against Kim even before the new "Drive 'em Out of Downtown" ordinances got passed in March.

The week-long February Peace Vigil on the mall publicized the unlawful conduct of city attorney and police in the face of the Orange County Tobe decision [4th District Court of Appeals] which ruled that city's camping ban unconstitutional as cruel and unusual punishment, violating the right to travel, and unequal protection of the laws. Rather than follow the court's law, the merchants and City Council decided to make new ones and came up with their "sit on the sidewalk, go to jail", "ask for a dime after dark, get arrested" etc. decrees. Is there any stopping that breathtaking combo of storeowner stupidity and 'progressive'powermongering?

Also seen arguing eloquently against the ban--Tidewater Todd, whose case will come up for final decision in the May 20th arguments. A second issue at that hearing will be whether defendants can be jailed for infractions when they have no right to public defender or jury trial. Reserve your bench and bring a friend. **Support these defendants and the Sidewalk Sixteen cited or arrested May 4th at the Farmer's Market by calling the COALITION TO DECRIMINALIZE POVERTY at 427-4597!**

**RUMORS FROM THE RENEGADES OUT AT THE RIVER ST. CAMPGROUND** murmurs good news and bad. The good is that the ever-controversial Campground, newly-

fenced off from River St. Shelter and Day Resource Center, is on the edge of securing 4 votes in City Council for legal status. The coin-counting owners--the Citizen's Committee for the Homeless has nervously closed it numerous times in spite of its being a clear exception to the Sleeping Ban (behind a domicile in a fenced-in area). Since late April, the campground has been up and running, smoothly serving 40 to 100 people per night. On the downside is the wicked word that police higher-ups are planning a raid tonight on the successful homeless-run open-air shelter. Hey with Blackbadge Bassett gone, will his cronies carry on the craziness? **Call the City Council at 429-3550 & remind them that sleeping is essential to basic life functions.**

**BATTLING BLACKROBES AND BAILIFFS** is Bathrobespierre Robert Norse, who is appealing a 60-day sentence for serving free food in San Francisco with **Food Not Bombs** there. Due back in court the week of May 16th, Bathrobespierre plans to appeal the \$20,000 jury trial where his chief witness (Keith McHenry) was held in jail, the court ordered the jury not to consider the legality of the Injunction holding soup-serving a crime, and Judge Brothbuster Barclay single-handedly altered the court order in order to "get the trial going." Bathrobespierre is also in the soup closer to home, having gotten two sitting on the sidewalk tickets.

On the flip side, he is trying to turn the tables on a bullying bailiff--James Thurber--who falsely had him arrested a year ago in retaliation for filing a complaint of misconduct. Bathrobespierre's first-ever Small Claims Court trial for damages will be May 12 1:30 p.m. in Department 4.

**MISINFORMATION FROM THE MAYOR?** No word from Mayor "Squawkbox"<sup>1</sup> after repeated calls, so we can only assume the **Sentinel** did quote him properly May 5th when he reportedly said that mass arrests the afternoon before at the **Food Not Bombs** meal were to "keep...the sidewalks clear for everybody." But eyewitnesses reported no obstruction of the sidewalk; sitting not blocking was the 'crime'.

Truth is the arrestees were actually handcuffed and hauled away, soup cups in hand, for peacefully sitting off to the side on the edge of the Ford parking lot, where folks have peacefully sat hitherto unmolested for the last half decade. Under his new "Roust the Wretched" law Scott's sidewalk squad any act of sitting on the sidewalk a crime punishable by \$160+ fine, and then by up to 6 months in jail.

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#137a

May 9, 1994

Monday

10c

or sparechange

"...Sweeping painfilled needy under the rug  
If you're not a tourist, in business, or dollar-filled  
You're in line to be hung. Who's the real thugs?  
.....Spending money on power that could build shelter  
Buy bread and soup for empty cups. WAKE UP!  
If the wealthy gave a dime change from what they buy every day  
The problem, like a wicked witch, would wither away..."

--from "Banning Homelessness" by Darkwatcher Damian 3/94

## SCREAMS FROM THE STREET      SCREAMS FROM THE STREET      SCREAMS FROM

**BUSTED FOR BACKTALKING THE BUSINESS BUMBUSTERS**, Won Ton Dave Jacobs got whisked off to jail Sunday afternoon, compliments of Sgt. 'Witwhacker' Watson's Gabgagger Brigade and the Spring Faire Jaycees for "Disturbing the Peace." Declaring the park its private preserve and the city police its special security force, the JayCee "Not At Our Faire!" leadership exposed their anti-homeless undies again [ A few years ago they threatened Linda the Lark Edwards and Redtop Robert Flory with jail for giving away flyers on police abuse.]

"No Guns" Radici and "Scofflaw" Scott Imler thought Dave too loud for the 'friendly' Faire, but others found Dave a refreshing tonic including Superior Court Judge Yonts, who reportedly commended Won-Ton for his forthright free speech towncriing, minutes before he was hauled off in handcuffs and held on \$1000 bail for shouting "Sit on the Sidewalk, Go to Jail--it's the Law." **Support Won-Ton and basic civil liberties by calling the Deborah Smally of the JayCees at 423-0700 and ask them just who's next.**

**BRAVELY BATTLING THE SLEEPING BAN** in the best of company, Won-Ton scrambled to get his legal briefs filed last weekend in arguments that will be heard **10 a.m. May 20th In Muni Court Judge 'Barracuda' Barton's Courtroom 3**. Barracuda's got his badname in a witchhunt against hemp activist Alan Brady some years back, but recently showed compassion in refusing a police continuance in a sleepban case and dismissing it.

Won-Ton, , Blacktop Bob Duram, Candlelight Kim Argula, and a pack of other pavement possums will be challenging chump charges concocted by police at the 2nd World Peace Vigil, including the first-ever misdemeanor 'sitting' charge, levied against Kim even before the new "Drive 'em Out of Downtown" ordinances got passed in March.

The week-long February Peace Vigil on the mall publicized the unlawful conduct of city attorney and police in the face of the Orange County Tobe decision [4th District Court of Appeals] which ruled that city's camping ban unconstitutional as cruel and unusual punishment, violating the right to travel, and unequal protection of the laws. Rather than follow the court' law, the merchants and City Council decided to make new ones and came up with their "sit on the sidewalk, go to jail", "ask for a dime after dark, get arrested" etc. decrees. Is there any stopping that breathtaking combo of storeowner stupidity and 'progressive'powermongering?

Also seen arguing eloquently against the ban--Tidewater Todd, whose case will come up for final decision in the May 20th arguments. A second issue at that hearing will be whether defendants can be jailed for infractions when they have no right to public defender or jury trial. Reserve your bench and bring a friend. **Support these defendants and the Sidewalk Sixteen cited or arrested May 4th at the Farmer's Market by calling the COALITION TO DECRIMINALIZE POVERTY at 427-4597!**

**RUMORS FROM THE RENEGADES OUT AT THE RIVER ST. CAMPGROUND** murmurs good news and bad. The good is that the ever-controversial Campground, newly-fenced off

from River St. Shelter and Day Resource Center, is on the edge of securing 4 votes in City Council for legal status. The coin-counting owners--the Citizen's Committee for the Homeless has nervously closed it numerous times in spite of its being a clear exception to the Sleeping Ban (behind a domicile in a fenced-in area). Since late April, the campground has been up and running, smoothly serving 40 to 100 people per night. On the downside is the wicked word that police higher-ups are planning a raid tonight on the successful homeless-run open-air shelter. Hey with Blackbadge Bassett gone, will his cronies carry on the craziness? **Call the City Council at 429-3550 & remind them that sleeping is essential to basic life functions.**

**BATTLING BLACKROBES AND BAILIFFS** is Bathrobespierre Robert Norse, who is appealing a 60-day sentence for serving free food in San Francisco with **Food Not Bombs** there. Due back in court the week of May 16th, Bathrobespierre plans to appeal the \$20,000 jury trial where his chief witness (Keith McHenry) was held in jail, the court ordered the jury not to consider the legality of the Injunction holding soup-serving a crime, and Judge Brothbuster Barclay single-handedly altered the court order in order to "get the trial going." Closer to home Bathrobespierre also has his bum in the soup with two sitting cites.

Striking back, he will confront a bullying bailiff--James Thurber--who falsely arrested him a year ago in retaliation for a complaint of police misconduct. Bathrobespierre's first-ever Small Claims Court trial for damages will be **May 12 1:30 p.m. in Department 4.**

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stories at Jacklight John Hamilton's Homeless Table at Pacific and Cathcart, at the Food Not Bombs meals, or call HUFF (Homeless United for Friendship & Freedom) at 475-6824.

<sup>1</sup> Previously known as "Stalemate" Scott for his successful role in delaying civilian police review for three years and finally subverting it entirely. Scott has earned a new name, with his new-found close relations with business boss and Councilmember Rittenhouse, retiring Chief Bassett, and Cro-Magnon radio station KSCO. Squawkbox Scott recently told KSCO listeners that the only opponents of his "Sit Down Downtown, Go to Jail" laws "I can count on the fingers of one hand---Robert Norse, Dave Jacobs, and Food Not Bombs." Everyone--raise your hands and let's teach Scott how to count!

Scott has also been pleasing his Pleistocene followers by busting people at City Council meeting whose voices he finds a tad too harsh. Won-Ton Dave Jacobs has been arrested at Council meetings for...laughing. Bathrobespierre Robert Norse had police approach him from both sides as he stood at the microphone because he mentioned the

"Peace if possible; justice at any price"

---quotation emblazoned on a wall at Dr. Sable High School, Chicago  
[Fire on the Prairieby Gary Rivkin]

\*\*\*\*\* "NOT GUILTY" OF THREATENING PROTESTERS is the verdict of some Free Meal and Homeless Community Resource Center regulars, who dispute rumors that Day Center Duchess Karen Gillette threatened to 86 demonstrators arrested in the downtown "sit on the sidewalk, go to jail" controversy. Others are not so sure, pointing to Gillette's long-standing hostility toward protesters--some of whose efforts helped to establish her Free Meal program in 1989.

Some have suggested Gillette's need for city funding and donations accounts for her uneasiness with the current protests for social justice downtown. Indeed *Sentinel* and *Good Times* stories quote Gillette as being indifferent or hostile to the struggle for homeless rights downtown. Others add that she and her employees regularly tear down protest flyers and have a newspaper display in the Center that dismisses and denounces long-time critic Bathrobespierre Robert Norse.

Norse himself has been seen lingering at the Free Meal and was heard to comment favorably on the campground and Day Center policies generally. "The post rules actually have a grievance procedure, even those 86ed apparently get to eat, and the kick-out list is small," Norse noted. Still some wonder why Gillette doesn't just publicly state that no one will be denied services for exercising their First Amendment rights downtown--and so silence the controversy.

\*\*\*\*\* FIRST-EVER HOMELESS CAMPING PERMIT in the works for the open-air 'back 40' shelter owned by the Citizen's Committee for the Homeless [CCH] and run by Best-Shot Brad under the Interfaith Satellite Shelter Program [ISSP]. The ISSP nightly bed program has shrunk to 30 for the summer. Years ago activists fought to keep CCH meetings open and were arrested in 1988 and 1991 trying to keep the campground open. Back then, CCH patriarchs called the cops on low-income campers to clear the way for "Community House"--which still lures state and federal grants.

The River St. campground is estimated to have an upward limit of about 150--hardly room enough for the 500-1500 homeless estimated in Santa Cruz. To complicate matters, Cal-Trans retains easement rights should they decide to widen Highway 1--which would wipe out the campground and/or Community House. Also Cosco is building two blocks away and may pressure the city to disappear the homeless to make the area more appealing to shoppers.

\*\*\*\*\* MEANWHILE UNIFORMED BUMBUSTERS from Superintendent 'Lebensraum' Jim Lang of Parks and Rec and Acting SCPD Chief

Belcher have been industriously passing out \$160+ sleeping tickets by the tracks, according to reports from Runaround Rick. And downtown, unsmiling sidewalk sitters report a geyser of police stops, tickets, and even arrests for such life-style crimes as 'dog-owning', 'standing on a skateboard', and 'digging through the garbage.' Insiders suggest this is part of the new 'no-media' strategy which ignores mass demonstrations from the Coalition to Decriminalize Poverty [CDP] (427-4597) on Wednesdays at the Food Not Bombs (425-3345) meal and cracks down the rest of the week.

Proposed counter-strategies: Copwatch on the Mall, a call-in phone tree for Instant Demonstrations, Video cameras a la Rodney King discouraging the Kennedy Cops and a new Sleepcrime-in-Progress 24 hour vigil to anchor ongoing protests. Meanwhile boycotts are urged against *Atlantis Fantasyworld*, *Bookshop Santa Cruz*, *Staff of Life*, *Artisans*, *Cat 'n Canary*, *Game Alot*, *Integrated Design*, and other supporters of the Downtown Ordinances. A Sunday picket of *Bookshop Santa Cruz* has become a weekly event at 2:30 PM. Info: call CDP at 427-4597.

\*\*\*\*\* **BUTTONS FOR WHEN YOU REST YOUR BUM:** Rascaleyes Robert Lee has already produced one: "Downtown Ordinances? We'll Not Stand For Them!". Soon to be ready: a new batch of beat-back-the-bigots buttons from Sloganslinger C. M. Berger--an old-timer whose "Come to Santa Cruz; Go to Sleep, Go to Jail" buttons were the rage of the 1990 Homeless Independence Day celebration here. Ante up and pin a placard on your shirt: "Sit Down For Justice!" Info: call HUFF (Homeless United for Friendship & Freedom) at 475-6824.

**An out-of-key guitar can still unlock the night.  
A string breaking with a drunken flourish can tie a crowd together.  
No one remembers the words, no one needs them.  
Even the terribly important I'm-not-here-on-business-  
and-I'm-not-really-here-anyway guy forgets to watch with invisible casualness  
for the guy he isn't meeting and listens to the music.  
The sweaty, shuddering notes slink under his mirror shades  
And into his mirror eyes when he isn't looking.  
The accompanying mouth harp is as flat as feet with corns  
and ingrown toenails and it doesn't matter.  
The singer's voice is hoarse enough to ride.  
A girl in flared skirt dances to a song she heard last week.  
A brown-bagged bottle snuggles into any free hand like a blind lover.  
Even the trashcan being beat on needs tuning.  
Everything is out of key just enough and the unlocked night  
Swings richly open like a bank vault to a safecracker  
as the tumblers click into place.**

--"Street Music" from Graffiti (1988) by Julia Vinograd

Coming Up: Disappearing Charges--the D.A. Ducks and Drops Misdemeanors against the Sinister Sitters; Fighting to Find the Future--a view from inside of the CDP; D.C. Peace Park:--Same Struggle A Success Last Year!; Election Suggestions.

WRITE FOR THE SHEET? WRITE C/O WPSG, 509 BROADWAY,  
SANTA CRUZ



# STREET

# SHEET

#139

June 8, 1994

Wednesday

You stir like crazy, stir-crazy your ladle a twister of defiance  
your cabbage worth a million bux your carrot-chop finer than gold  
your bagels pout all the zeroes in the philosophy of Nothingness  
to shame because they're strung round the necks of city blocks  
What would half a million mouths, stir-crazy, have done without you  
those San Francisco police state years?  
At this very moment, all graffiti under cop attack all over town  
are putting their tags and glyphs and visual glissandos together  
applauding the work you've done.  
No stir can hold you, stir-crazy your civil disobedience is the bright  
spelling bee for the People, whose winner is JUSTICE  
You've stuck with the simplest acts compassion is composed of,  
have been dragged across lacerating ground, battered and slammed and cuffed  
with wrist-wrenching yowls  
and still, in this collective of one after another in one round myriad  
you keep stepping forward, keep stirring what's good for the poor and the hungry  
and still keep stirring us up with in-your face derring-do  
when it comes to that flatfoot crew of public flops called Jordan's Cops,  
so that there's not a single bruise whether on the knees of comrades  
or the cheeks of oranges that isn't kissed by the sun of revolution,  
the one that belongs to us all the one we rise to greet and fight for  
and feed.

---"Stir-Crazy" (1994) Jack Hirschman's tribute to San Francisco Food Not Bombs

\*\*\*\*\*SIPS AND SLOPS FROM SAN FRANCISCO & SANTA CRUZ\*\*\*\*\*

&&&& FROM CELLBLOCK TO STOVESIDE writer, activist, and *San Francisco Food Not Bombs* [FNB] soupstirrer Katenjammer Keith McHenry is back in the bread business after spending all but four days of May behind bars for felonious free speech activities. Framed with a fistful of fanciful felonies, Keith was freed on \$25,000 and \$75,000 bail after Dawn-to-Dusk Dave Nadel put up the Ashkenaz nightclub in Berkeley as security ransom for Keith's reappearance for trial.

At 9 AM July 11th at the Hall of Justice in San Francisco, Keith will face trial for felony assault, battery, and strong armed robbery in an incident that happened this winter when he was distributing flyers in City Hall. According to Keith, he was sucker-punched by one of Mayor Jordan's enraged groupies--Nick Romols--who then turned around and accused Keith of hitting him and stealing his pager.<sup>1</sup> Never ever convicted of a single misdemeanor, Keith has spent 200 days in jail since he started serving food in S.F. in 1987 on harassment charges that were dropped, and now faces 10-15 years in jail if the frame-up holds.

The plucky potatopeeler has personally filed for three court orders to stop police from attacking the FNB literature table in front of City Hall. In late May police escalated arrests from misdemeanor contempt of court (for serving soup) to felony assault charges on other servers. On Monday and Tuesday cops actually knocked soup cups out of the hands of homeless people as part of their Broth Blockade.

<sup>1</sup> Why not get the thrill of hitting someone and then having them arrested in your place? Particularly when the police are your pals. Something similar happened locally in February when homeless activist B.D. was first shoved and then arrested and maced on the complaint of Integrand Design bestboy Stuart Martin, who continues to call police on protesters outside the Bookshop Santa Cruz. B.D. goes to trial on JUNE 27TH IN COURTROOM 4 AT 9 A.M. on 6 misdemeanors with 4 stemming from Martin's false complaint (resisting arrest, battery, etc.)

Food Not Bombs groups throughout the country are rallying at the S.F. Hall of Justice, 850 Bryant St. at 8 a.m. Send letters of support and donations to FNB, 3145 Geary Blvd. #12, S.F. 94118.

**NEW WINDS OF WAR** were whistling at the Wednesday "Sit Down and Sip" Supersoup *SCFNB* meal at Cathcart and Pacific downtown last week. Laid-back loiterers were bushwhacked right and left by porky pistoleros in search of warrants, grass, unlicensed bicycles, dogs on the mall, seat belts not on, and drums--among other things. Perhaps to avoid creating a riot, cops issued no 'sit-crime' tickets, though in court City Attorney and D.A. plowed ahead with plans for dozens of trials. With D.A. "Drumhead" Art Danner reelected and the ACLU still talking but not acting on defending the "sit criminals", a long hot summer seems on the way.

The only victim of police handcuffs June 1st was Bathrobespierre Robert Norse, lured away by the arrest of a man in a wheelchair at the Catalyst. Using a pick-off-the-protesters procedure, Norse himself was seized on a newly-printed warrant for "disturbing the peace" at a pervious demo and held on \$2500 bail and held until the protest was over--then released.

Some homeless rights activists have called for a renewed 24-hour peace vigil downtown; others are pressing the boycott against Bookshop Santa Cruz, Game Alot, Atlantis Fantasyworld, Artisans, Cat 'n Canary, Integrand Design, Staff of Life, and other "Shut Up and Shop" merchants.

Deep Croak--our City Council source--tells us that the open-air River St. campground will make it on the agenda Thursday June 14th. Whether this will work with 'no alcohol', 'in by 7 p.m.', and other infant-level rules remains to be seen.

In response to police threats to seize drums and dogs, some wags are reportedly planning a Dogs With Drums rally today with celebrants dressed up as canines bringing their own percussion! Hassled by cops for dumb stuff downtown? Leave a message with the *Coalition to Decriminalize Poverty* at 427-4597. The *Street Shit Sheet* will publish your report.

**COURAGE IN COURT!** is the watchword of Linda the Lark Edwards, who refused to rise for Referee "Meatgrinder" Mulligan Basement Traffic Court at her arraignment for "criminal sitting" last week. When Mulligan insisted, the small-but-mighty activist greeted him with a "Heil Hitler!" for which she was ejected from court and bounced to the end of the calendar. Linda faces up to 6 months in jail and \$1000 fine for her third "sitting" ticket MC 9.50.012). She is the only known scofflaw sitter to have collected three cites under the new law--making her liable for two misdemeanors and one infraction. She reappears June 14th 8:30 AM in Dept. 3. for continued arraignment.<sup>2</sup>

Recovering from a series of illnesses and still living in her van, Linda has a number of guest appearances in court:

The first-ever court trial (no jury) under the new "sit down, get dragged down" Downtown Ordinances. Linda was nabbed, the second person every

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<sup>2</sup> Protesters and others are advised to disqualify Mulligan (simply write down your case number at the Traffic Window and the words: "I swear under penalty of perjury that John Mulligan is prejudiced and move he be disqualified." This is called a preemptory challenge.). Those with misdemeanors can simply refuse to have him hear the case because he is a referee and not a judge, saving their preemptory challenge for the next bad judge they get.

cited, for sitting on the concrete utility box across from the Cat 'n Canary. Earlier that day, dozens of people sat down in front of the Bookshop Santa Cruz and were ignored by Sgt. "Steely" Seiley apparently under orders from his superiors. Watch the wheels of justice at work Friday June 17th Dept. 3 at 10 AM.

Linda's second "bad conduct" ticket goes to arraignment Monday June 20th Dept. 3 at 8:30 AM for sitting down May 4th at the Wednesday FNB meal. Eric Lifton, editor of *Fishwrap Live*, witnessed police "punish the protester" tactics and wrote about it for the May issue.

On July 1st the tart-tongued liberty lover goes to Dept. 4 at 10 AM for trial on infraction<sup>3</sup> charges of 'disturbing the peace.' Cat 'n Canary owner Julie Hende, Linda tells us, was calling police on people across the street whom she apparently considered an unsightly menace to her fashionable clothing business. "I told her she was greedy and selfish and didn't deserve her business and then repeated it, flipped off the store." Hawksclaw Hende then called the law to make a 'citizen's arrest' of the loose-lipped Linda, but police simply gave her a ticket and she continued working at the boycott table in front of Hende's store.

Previously Linda E. got similar harassment from employees of Georgiana's--the Cafe leased from Councilmember Neal Coonerty next to the Bookshop Santa Cruz. After being told repeatedly to move the petitioning table, Linda snapped, "We have a *fuckin'* right to be here". She was then charged with disturbing the peace, but the tender-eared employee never showed for court, so the case was dropped. Using bad words within earshot of merchants is now grounds for jail--but then, isn't that fitting in the 'new' Santa Cruz?

Added Hot Flash: Linda the Lark will refuse to accept Community Service and decline to pay any fine. She relies on 63 Ops. Atty Gen 418, 5-14-80 which has successfully persuaded other judges to remove camping convictions from the court calender rather than appoint a public defender and try penniless defenders for contempt of court for not paying the fine.<sup>4</sup>

**SEVEN TIMES IN COURT** and still swinging: meet Santa Rosa Robert who reports Officer Dennison banged his van, rocked it back and forth, and finally forced open the side door and through a piece of concrete in to discourage criminal sleeping in Santa Cruz. A visiting judge heard Robert in a rare exclusionary hearing which the defendant demanded, asking that any testimony from Dennison be thrown out

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<sup>3</sup> Timely tip for those going to court under the crazy "conduct" laws. The Kennedy-Coonerty conduct laws that make it illegal to peacefully ask for spare change after dark, illegal to sit-down on the sidewalk to rest, illegal to set up a political table in front of a cafe after dark, etc. are all mandatory misdemeanors punishable by up to \$1000 and 6 months in jail after the first offense. Also police are falsely charging demonstrators with 'resisting arrest', 'obstructing an officer', or 'failure to disperse'.

If you are charged with a misdemeanor, you are entitled to a public defender and a speedy *jury* trial. Under California Penal Code sections 19(e) and 17(d), the D.A. cannot 'reduce' the charge without your consent and unless the offense is on a specific limited list of charges. Jury trials cost the county time and money and make it more probable your charges will be dropped (though there is the risk of conviction and jail). Consult your handy law library for more details.

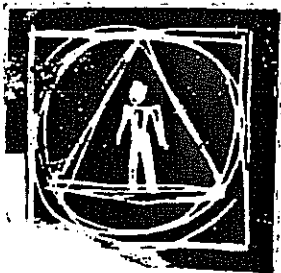
<sup>4</sup> Linda cites **63 Atty Gen. 418 5/14/80** on Section 1205 of the California Penal Code: "The power of a municipal court to enforce payment of a fine by imprisonment is restricted by Penal Code Section 1205, which precludes imprisonment for nonpayment of a fine in the case of an infraction." Recently dubbed the Edwards-Flory defense, this section is particularly important for poor defendants convicted of Sleeping Ban and other status crime charges. The state can assess a civil lien against your property, but if you only have a toothbrush, that doesn't give the G-man much punch for their punishment.

because it was obtained after an illegal entry. "My van was completely curtained and the door was locked. What probable cause did Officer Dennison have to believe I was inside asleep?"

You don't need much, it seems, when you wear a badge and gun. The judge declined to exclude Dennison's story and set the matter for trial. At press time, Robert couldn't be reached--perhaps catching a few winks before heading South again to pick his way through the Santa Cruz legal labyrinth.

**A NO SHOW AT FOOD NOT BOMBS** was special guest Acting Police Chief Belcher who reportedly asked to be present at a late May meeting of the feed-the-famished soup-and-vegies sidewalk servers. His psychiatric opposite number, Deadeye Dennis, did make several FNB meetings, unnerving many. Deadeye is the paid psychiatric worker, empowered to "5150" or send off to the nutward any downtown malcontent whose activities don't fit in with the merchant "Buy Till You Burst" plan. Hired under the new "Hospitality" program and slated to set up shop next to the Del Mar theater sometime this summer, Dennis claimed to be attending FNB meetings on his own time and not as a paid informant and shopping behavior modification expert. Dennis is reportedly circulating flyers to merchants suggesting they give him a quick call on his busy beeper if they should see a non-shopper engaging in un-commercial behavior. Keep us posted on Dennis's whereabouts.

Remember, if incarcerated in a psych ward, you have the right to a hearing before being forced to take drugs. You can also be held only 72 hours without the right to a release hearing. Phone HUFF (Homeless United for Friendship & Freedom) for more details: 475-6824.



COMING UP NEXT TIME OR SOMETIME: The misdemeanor sitcrimins in Court--how to drain the County Treasury while you sit; Berkeley Police Chief Butler vs. Cornerstone Carol Denney and the "Butler's Balls" trial; the pet Police Review Board--not due up until September; ACLU Where Are You?--the sad saga repeats itself again; Public Records For the Poor: how to get yours free or cheap; Homeless Garden Picketeer--Dark Skies Dan Calls for Fair Wages, Homeless Hiring, and Real Negotiations; Selective Enforcement of the Downtown Ordinances: Weak Link in the Chain of Repression.

Want to write for the Street Shit Sheet ? Drop a line to us c/o WPSG, 509 Broadway, Santa Cruz, CA. Or phone 475-6824.

# STREET

# SHEET

#140

10c

June 22, 1993

or give a damn!

Wednesday

*"Having a good night's sleep is something I've always dreamed of."*

—from *I Want To Reach Your Mind...Where Is it Currently Located?* (1994) by Ashleigh Brilliant

## STEAM FROM THE SIDEWALK

## FOG OFF THE FOOTHILLS

*"Nowhere used to be honeycombed with hiding places: semi-safe & sometimes warm...."*

—from Julia Vinograd *"Places to Stay"* Graffiti (1988).

##### DELAYED UNTIL JULY 12th but on track according to Councilmember "Birdseed"<sup>1</sup> Beiers is a permit for the "Back 40" or River St. Campground--already serving over 100 people per night. After years of protest and pressure on the *Citizens Committee for [making money off] the Homeless [CCH]*, city bureaucrats have chosen the Berkeley "carrot-and-claw" approach": offer social-services away from the downtown, and set up harsh anti-homeless laws at city center. The tactic was struck down by both federal courts in Miami (*Pot tinger*) and state courts in Santa Ana (*Tobe*), but merchant princes led by Bookshop Santa Cruz owner Neal Coonerty still feel legislating away unsightly humans is the way to go.<sup>2</sup>

##### HOSPITALITY FROM *FIRST ALARM* BROWNSHIRTS? That's the latest from City Council, which has voted to squander another \$20,000 for the business-backed "Hospitality" program designed to escort tourists in and homeless out of town. First Alarm Security, a controversial junior league wannabe G-men, is beloved for its attacks on dumpster divers, surveillance of food stamp users, and boffo backup of big brother SCPD raids on human rights. Register your doubts with City Councilettes Beiers and Rotkins on the Downtown Management Corporation Committee at 429-3550. And that cutsie-poo "no power-but aren't we liberal?" civilian police review board? Kicked down the road until August or September. Volunteer for Copwatch instead at 458-3781.

##### POLICE STILL A NO SHOW at the weekly *Food Not Bombs* meeting, held every Thursday night in the 509 Broadway St. basement. First Acting Chief Steve Belcher and then Sidewalk Sitterciter Sergeant Seiley failed to make guest appearances after announcing they'd be there.

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<sup>1</sup> So-named for her timid approach to homeless rights issues. Frequently she has been the only voice to speak up for basic civil liberties. In the 'no sitting' law (MC 9.50.017) where she was the dissenting vote. On all the other Matrix laws, however, she voted with the fascist-minded majority: the right to table in front of cafes, peacefully ask for money after dark, hold a peace vigil at night, etc. etc.--all got the ax when she voted in the Coonerty-Kennedy code.

<sup>2</sup> *HUFF (Homeless United for Friendship & Freedom)* is still asking customers to tell Bookshop Santa Cruz, Integrand Design, Staff of Life, Artisans, Cat 'n Canary, Atlantis Fantasyworld, and Game Alot to change their "bumbuster" policies or face a boycott. HUFF also suggests you ask any downtown business where you plan to buy whether they support arrests for sitting on the sidewalk; if they do, tell them you're shopping elsewhere for the day. Leave a message for HUFF c/o 459-7652.

Maybe Beiers will have better luck getting police selective enforcement artists to explain their now-you-see-us, now-you-don't policies before the Public Safety Subcommittee which hasn't met in months.

##### BUT THE BLUESHIRTS ARE STILL BUSY on the streets and under bridges issuing the Sleeping Ban tickets that make Santa Cruz famous up and down the coast as the worst-in-the-state. Last week cops swept under the Broadway bridge and gave out \$160+ citations for the crime of falling asleep outside after 11 p.m. Rumor is Kennedy, Beiers, & Rotkin seek a 4th vote to end the embarrassment of the sit-crime law. How about sleep-crime, Oh Mighty Ones?

##### NOR IS IT SAFE TO SNOOZE IN YOUR VAN confides Linda the Lark Edwards, who thinks she was tailed back to her slumberspot after a Wednesday demo against the "park your bum on the bricks, find your ass in the slammer" no-sit laws. She was wakened that night by the sound of tapping, followed by pounding, and finally peace-shattering banging on her bus. No warnings, no comments, no "police here!" announcements--just the flash of blue and red Sleepbuster squad car lights through the closed curtains. After ten minutes, the "peace officers" gave up, and Linda quickly slipped away with her van. "I needed to catch a few hours sleep before my morning court appearance," the homeless activists confessed, one of the many Linda will make in court in her fight against the Coonerty-Kennedy Matrix laws.

#### COURTHOUSE CALAMITIES:

MONDAY 9 AM DEPT. 4 Barricadista BD<sup>3</sup> faces multiple misdemeanor charges concocted by police for his support of the 2nd Sleepcrime-in-Progress Peace Vigil last February. In June, BD successfully struck down a stay-away order from the mall. Come to court and help him stay away from jailers.

EVENTS UPCOMING: Donate your drek to the *FNB* Rummage Sale slated for June 25th, 9-6 PM at Chestnut & Laurel; call 425-3345.

Later that night, check out a *FNB* benefit at the Abattoir (1121 Soquel Ave., S.C. at 8 p.m. [bands: Bethany Curve, Vishnu Secret, Anomie, & Lackadaisy by Hectic Times Music Collective], \$4 if you can afford it. Beg or bray if you can't.

COMING UP IN A FUTURE STREET SHIT SHEET : Rifling through SCPD files to find colorful criminal conduct: Linda the Lark moves for Discovery in her first Sitcrime case; Berkeley activists unite to overturn City Council's secretly-hatched anti-loitering law; the final fight against Berkeley's no-begging-for-the-poor law; courtcase update; *Food Not Bombs* ousted from Familia Center AIDS Drop-In Center, & now the Farmer's Market? Be there. Write c/o WPSG, 509 Broadway, S.C. 95062

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<sup>3</sup> Not to be confused with Muni Court Judge 'Barracuda' Barton, who will be hearing the "sit on the sidewalk, go to jail" cases in early August. 'Barricadista' B.D. is recently renowned for his revolutionary rhetoric, his sponsorship of the Saturday 'graffiti wall' at Beach Flats Park, and his organizing on behalf of oppressed people here and in Peru. BD welcomes support at the Saturday meetings of the lean but living Coalition to Decriminalize Poverty, which meets 3-30 PM Saturdays at Beach Flats Park.

COPS RESUME ROUSTS AGAINST VEHICULAR FAMILIES  
H.O.W. BLASTS BLUESHIRTS AT COUNCIL, MARCHES ON SBPD

Late-nite Lyn, Cobblestone Colin, and Mountainside Mike were among the dozen or so vehicular residents who denounced a recent flashflood of police harassment targeting *Homes on Wheels (H.O.W.)* buses and vans over the last two weeks. *HOW*, a free association of houseless poor folks on wheels, had been negotiating with City Council potentates to establish a vehicular park and waste dump for the many "trucking" families in and around Santa Barbara.<sup>1</sup>

Late-nite Lynn--with spouse Bigsky Bill and children in tow--thanked the City Council Tuesday for the prosecution dismissal of charges against her for "unauthorized use of an RV"--she was nabbed putting away her groceries at 9:10 one night some months back. In the next breath, she unfurled a daisy chain of nine bogus tickets slapped against her family van in the last two weeks.<sup>2</sup> Cobblestone Colin, Beaming Bob Hansen<sup>3</sup>, and other homeless wheelsleepers produced their own tickets--the total numbering somewhere near 30 in the last 10 days, according to 'Nuff Said Nancy McCradie, canny queen pin of the five-month old *HOW*.

Mayor Happyface Hal's "take it elsewhere" solution: Go to SBPD's Internal Affairs File-and-Forget Department and file a complaint! Will do! was the undaunted reply of Late-nite and her league of limousine loungers--and they marched directly to Lt. "Thimbleweight" Thayer<sup>4</sup> to demand justice. The issue is an immediate one for those who live on wheels--the threat to ticket is a threat to tow--one's home and everything one owns.

Would the liberal-lipped lieutenant respond to the harassment of *HOW*'s houseless-but-not-voiceless urban nomads? Some were not willing to wait out another night of anxiety and demanded the officers spearheading the campaign be stopped. "It's Officer Oshie," shouted

<sup>1</sup> But the only proposal that has been actively considered and discussed was one to decriminalize renting to motorhomes in industrial districts within the city. THOSE INTERESTED IN SUPPORTING A MOTORHOUSING PARK FOR THOSE WHO LIVE IN THEIR VEHICLES WRITE *HOMES ON WHEELS*, P.O. Box 4294, Santa Barbara, CA or call 966-3592.

<sup>2</sup> MC 10.44.200 is the little-used weapon police have been using to frighten parked parents-on-wheels. That code, 'Nuff Said Nancy tells us, gives a 2-hour parking limit, but only for rigs unhooked from towing vehicles. Cops are falsely classifying motorhomes as unhooked trailers.

<sup>3</sup> More popularly known as 'Protest Bob' Hansen for his relentless pursuit of homeless rights in protests that blocked Hiway 101 securing the homeless the right to vote (1984), succeeded in the temporary suspension of the city's Sleeping Ban (1986), spearheaded the City Hall Encampment to reestablish homeless resting rights (1990), sat in to return hot water to the Armory Winter Shelter (1992-3), and most recently directed City Council attention to the need for public toilets and a low-income trailer park in Santa Barbara (1994).

<sup>4</sup> 'Nuff Said Nancy, always the diplomat, praised Lt. Thayer's professed support for a low-income motorhome park and his promise to look over tickets and 'educate' officers about the issue. Other skeptics, like roadside roguelover Bathbrobespierre Robert Norse--just in from Santa Cruz--suggested high-profile publicity denouncing the harassment would go further than pattycake and honey.

Mountainside Mike to a listening KTMS reporter "in a one-man campaign against us. Tell that to the people!" Usually more low-profile in his protests, Mountainside confided the nightly wake-up expeditions were getting his dander up.

With his children playing on the police station steps, Darksy Doug growled that his written complaint to the SBPD would ask how could he have been fairly given a ticket [for parking longer than 2 hours] when the citation was written ten minutes after he arrived?

Cobblestone Colin, the recipient of the first recorded Sleeping Ticket this year, on Monday night (June 27),<sup>5</sup> added that Officer Michel had told him, "we're cleaning out the riffraff for the 4th of July holidays." Caught resting in his Child's Estate II<sup>6</sup> superbike chateau, Cobblestone said he would file an SBPD complaint and demand a court trial. "I was not sleeping", noted the gray-haired gratemaster.

Media publicity and the embarrassment of a horde of homeless hostiles flooding the Figueroa copshop may have had some results. No new tickets were issued Tuesday or Wednesday nights. But "Move-me-not" Michael did get pressured by 6 cops, Grapes-of-Wrath style, to move his van, and he finally did with a curse and a shrug.

Cobblestone and Beaming Bob are discussing formation of a Santa Barbara *Food Not Bombs*<sup>7</sup>, and the reactivation of a Justice March around town, where their homeless-mobiles will park at a different spot each night as they circle the city in search of a legal slumberspot. The troublesome twosome were rigorously reminding Happyface Hal's "Clear 'em Out" Council of the city's failure to provide nighttime toilet facilities for tourist & houseless person alike.

*Coming Up in a Future Issue: The New Jobs Wall at the Rescue Mission--Happy Hunting Grounds for La Migra?, From Sit-In to Shit-In?--Happyface Hal Burgles \$150,000 from Downtown Bathroom Bankroll to facelift the Lobero Theatre, Campfire Kimberly Recaptures the IMAGINE van...if you shout loud enough....*

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<sup>5</sup> Sleepbuster sergeants have been laying low since the Santa Ana *Tobe* decision (4th District Court of Appeals) in February threw out a "go to sleep, go to jail" law down in Orange County. But when the California Supreme Court took the case under review last month, the decision was effectively depublished and is no longer leading precedent. The "homeless--head out!" Court is expected to criminalize carsleepers sometime in the next six months.

<sup>6</sup> Named after the famous Child's Estate, a sizable section of property, now the City Zoo, which served as refuge to hobos and poor people throughout the 40s and 50s. Mrs. Child willed the land to the City with the provision that the settlers not be displaced. Cobblestone claims her wishes were ultimately ignored and the records documenting the eviction of the homeless have disappeared from the Natural History Museum's archives.

<sup>7</sup> An organization run by and for homeless people which both feeds the hungry and makes poverty visible--to the discomfort of public officials. In the last three days in San Francisco, 8 people were arrested for "conspiracy to commit lunch." 6 of them face felony charges for slinging soup with **San Francisco Food Not Bombs [SFFNB]**.

**SFFNB** Fruitfondler Bathrobespierre Robert was the first "food felon" convicted in a major urban area last February; he was sentenced to two months in jail for serving food in violation of a court order. His sentence is on appeal and will reappear in San Francisco Superior Court in late July.

Katzenjammer Keith McHenry, the happy hobo hashslinger of SFFNB faces literally life in jail if he is convicted of three felonies on July 11th in San Francisco. For info or to help, call 415-330-5030 or write **SFFNB, 3145 Geary Boulevard, #12; San Francisco, CA 94118**. Keith needs letters attesting to his character and commitment to non-violence and support from those opposing harassment of food servers. Write to **District Attorney Arlo Smith, Hall of Justice, 850 Bryant St., Room 325, San Francisco, CA 94103** and send a copy to SFFNB on Geary Blvd. The soup you save may be your own!



# STREET SHEET

#142a

10c

July 24, 1994

or just say no to bigotry

Sunday

"Sleeping is a part of living and, if done well, can be one of the best parts."

--from Ashleigh Brilliant's *I Want to Reach Your Mind...Where is it Currently Located?* (1994)

## SANTA CRUZ LIPO-LIBERALS LINE UP LOOSENING OF SITTING BAN

### DOZENS OF CASES CLOG COURTS NEXT MONTH FROM MAY PROTESTS

Berkeley beat back business brownshirts last week with 7500 signatures--forcing that city's City Council to place the "no loitering" law it jammed through in June on the November ballot<sup>1</sup>. Meanwhile hearing similar election sirens, Santa Cruz's mayor "Squawk Box"<sup>2</sup> Scott Kennedy has proposed modifying one of the city's six April Matrix laws--that he & other one-time 'liberals' passed unanimously this spring.<sup>3</sup>

These--the harshest anti-homeless laws in the state--were generated by merchant pressure in the wake of a New Year's mini-riot--provoked by police cattleherding at the Town Clock--and two small homeless Peace Vigils, which asked police to stop violating the 4th District Court's **Tobe** decision and allow the homeless to sleep at night without harassment.

The Kennedy revisions reduce the ban on sidewalk sitting from everywhere downtown to within 10' of a storefront or window, within 4' of a telephone or drinking fountain, and near an ATM. Merchant moneyseekers will still be able to reduce tourist eyestrain by banishing unsightly types from public areas. The 'liberalized' law, critics claim, is simply a damage control exercise in anticipation of November elections, which still gives cops a blank check to disperse 'undesirables.'

Cops will still be able to "move along" anyone who is seated or by the sidewalk, even if she's not blocking the way or bothering anyone. Without strong new checks on police abuse and policy guidelines, police will harass as they always have<sup>4</sup>, under Kennedy's new "love me, I'm a liberal" revisions, **due back at City Council Tuesday July 26th at 7 p.m<sup>5</sup>**.

<sup>1</sup> On July 19, both Berkeley's anti-panhandling and anti-loitering laws were put on the November ballot for citizen vote. Santa Cruz's City Council beggarbusters have so far refused to do this.

<sup>2</sup> So dubbed by certain critics because of his sympathy for former police chief Bassett's SCPD bureaucracy, his empty public grandstanding when confronted with large angry public demonstrations against the sitting law, and his shotgun attacks on critics over radio (KSCO) and in the media (City on a Hill).

<sup>3</sup> Councilmember Katherine "Birdseed" Beiers was the only member to vote against the sitcrime law last spring. She did, however, huddle with the herd to hustle through the other 5 anti-homeless Santa Cruz Matrix laws.

Among other things, these laws make it illegal to peacefully ask for a dime after dark anywhere, to ask for a bus token at a bus stop at any time, to set up a political table in the sidewalk in front of a cafe, or to hold a homeless vigil at night. Contacted recently, Beiers said she did not oppose but only 'had reservations' about these "homeless--go west" ordinances.

On July 5th at 3 a.m. in the morning, police swooped down to seize and destroy a homeless Peace Vigil begun the afternoon of July 4th. That vigil, entitled "Sleeping is a crime; sitting is a crime; land of the free? not realleee...", included a small cardboard structure placed at Cathcart and Pacific Avenue, affixed with a bulletin board, including a small portable toilet. (There are no public toilets in Santa Cruz open after 10 p.m.) Redtop Robert Flory and Won Ton Dave Jacobs received tickets under the "no demonstration structures after dark" Matrix law. They face continued court harassment and probable \$162 fines.

<sup>4</sup> For years cops have used 9.50.020 [misusing public property in a manner for which it was not designed or customarily used] to ticket poor people sitting on planters or at homeless vigils.

<sup>5</sup> **Santa Cruzans Against Repressive Laws [SCARL]** is proposing a self-regulating panhandler's code, a sunset clause for the city's panhandling law, and complete abolition of the sitting

Indeed, the anti-panhandling law has not been used to cite anyone--and is probably still barred under the Federal Blair decision in 1991. That ruling protects non-abusive requests for money as First Amendment-protected free speech. Even so, the Santa Cruz Matrix laws make excellent instruments of intimidation, which newcomers or low-profile old-timers are reluctant to challenge.

The sit crime law, now the object of liberal retrenching, emboldened police to make dozens of arrests and nearly a score of beatings May 4th and 11th at Wednesday **SC Food Not Bombs** meals on the Pacific Avenue mainstreet downtown. With many facing jail sentences as well as fines [the second offense is a compulsory misdemeanor], the "rest--get arrested" law has been the target of street and court action by the **Coalition to Decriminalize Poverty[CDP]**, **Santa Cruzans Against Repressive Laws [SCARL]**, **Santa Cruz Food Not Bombs**, **Welfare Parents Support Group**, **Santa Cruz IWW**, and even **Santa Cruz Action Network [SCAN]**--the very organization that elected the current City Council majority.<sup>6</sup>

However since the May 11th police follies, no tickets have been issued under the law--with Acting Police Chief Belcher declaring in print that he can choose to enforce when and where he wishes. Court cases may be dropped with the advent of the new law in order to split up homeless activists and middle-class supporters.

City Attorney "Bust the Breadgivers"<sup>7</sup> Barisone has rejected citizen complaints of selective enforcement, even as Santa Cruz Copwatch activists document police refusing to cite middle-class sidewalk sitters, waiting in front of Zachary's restaurant for a table. Linda the Lark Edwards, the first of the sitcrime cases, has filed a Discovery motion to determine just what sitcrime specialists have told the beat officers to do when confronted with buttocks to bust--**Friday July 29th 10 AM in Dept. 3**. On **August 6th 21-25** butt-on-the-blacktop bandits will challenge the constitutionality of the ordinance at a demurrer hearing **10 AM in Dept. 11**. On **July 26th Candlelight Kim Argula** faces the first major-league harassment trial of the sit-crime circus--a **jury trial at 9 AM** for the May 11th police pummel-and-punish expedition. Call the **Coalition at 408-427-4597** for details.

[Most of this **Street Shit Sheet** appeared in an early addition on July 18]

**Send in your rants, peeves, and ponderings to the Street Shit Sheet c/o WPSG, 509 Broadway, Santa Cruz, CA 95062. Or phone 408-459-7652.**

**Coming Up:** *Mountainside Mike Sues the Sleeping Ban--the History of a Looney Law; Peace Vigilars In Court--the February Sleepcriminals Face Barricuda Barton; Cover Up and Revenge--Police Pistoleros Pursue Victims of May 11th; Soup's On in San Jose!--A new FNB unleashes their ladles; Electiontime Again!--Softsoap and SCANdle; B.D. and Justman Jim: Toasting Flags for Truth; etc.*

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<sup>6</sup> The local ACLU, after months of dithering, is reportedly volunteering a few attorneys to help the sitcrime defendants, though it still declines to file an injunction. Also at issue: the refusal of attorneys Margaret Marr and Isabel Gillman to represent clients "associated with Robert Norse."

<sup>7</sup> The bad law barrister got his bad name by spending thousands of dollars of city money to take **Food Not Bombs** to court last year [June 1993], even before San Francisco's Mayor Jordan resumed arrests against S.F. Food Not Bombs [September 1993]. Mayor Coonerty's light-weight liberal council held a closed vote to criminalize **Food Not Bombs** in April 1993, using the same "get a permit or go to jail" demand used to bust the backalley breadslingers in San Francisco. Barisone got an injunction against Linda the Lark Edwards, Lotta Love Lotus, & Grinning Ray Grueneich.

Since the 1993 feed-not-lest-ye-be-fricaseed injunction, the city has taken no further legal action, but La Familia Center, the AIDS Drop-In Center, Recourse Center for Non-Violence (in its capacity as landlord), and other sponsors have denied **Santa Cruz Food Not Bombs** meeting space. Downtown Association dunderheads have pressured the Farmer's Market into ordering its members not to give

# STREET SHEET

#143

September 4, 1994

Sunday

give a dime                      spend some time                      or be strong and kind

**"If you're interested in justice, sometimes you gotta break the law"**

*San Francisco Food Not Bombs in September 1993 at the start of Mayor Jordan's anti-homeless Matrix program*

**"Sientense en la Banqueta, vayase a la Pinta!"**

*"Sit on the sidewalk, Go to Jail!"--still the law in Santa Cruz<sup>1</sup>*

## MORE SLEEPING BAN BUSTS ON EVE OF HISTORIC *IWW* PROTEST!

With hours of debate behind them, the General Assembly of the Industrial Workers of the World (*IWW*) bundled up their bedrolls for a Sunday night sleep-out to support the rights of houseless people in Santa Cruz. *IWW* member Israel Zuckerman says, "The Sleeping Ban is a labor issue. The threat is: 'Talk back, lose your job, sleep in the woods, go to jail.' We will support any efforts by the homeless to organize themselves. Our union's motto is 'An injury to one is an injury to all.'"

Santa Cruz is home to the worst Sleeping Ban in the state. Santa Cruz's 1978 ordinance MC 6.36 prohibits the very act of falling asleep or covering up with bedding outside or in a vehicle at night, even with the consent of the property owner.<sup>2</sup> The misnamed 'Camping Ban' prohibits all outdoor slumber including roadside resting in a vehicle, sleeping off one too many beers in your car in a private parking lot, or falling asleep under a bridge. It was made harsher in March<sup>3</sup> in the wake of City Council's "bums begone!" anti-homeless laws which also banned peaceful spanging<sup>4</sup>, innocent sitting on the sidewalk, and nighttime homeless protest vigils.

Piggybacking on years of protest and pressure by homeless activists, bureaucrats received official sanction this summer for an "open air shelter" on the Back 40 at River St. and Highway 1. The campground is located on property twice-purchased with federal homeless moneys but until recently off-limits to the homeless at night since 1987 under the proprietorship of the so-called *Citizens Committee for the Homeless*.

The River St. Campground houses 60-100 people per night, a small fraction of the 500-1500 people without legal places to sleep in the Santa Cruz city area. In spite of the hundreds of thousands of dollars pumped into Day Center Duchess Karen Gillette's nearby "Homeless Resources Center", the campground still has no running water, which makes both drinking and washing a problem. Its benevolent bosses reportedly intend to close it within two months once the ISSP begins the "winter shelter" program.<sup>5</sup> Many cannot use it for numerous reasons. The problems range

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<sup>1</sup> In spite of four separate court decisions finding Mayor 'Squawkbox' Scott Kennedy's "no sitting" laws un-Constitutional, he still supports an appeal and another anti-sitting law, which comes up for a vote September 14. SCAN (*Santa Cruz Action Network*) has also voted to support Kennedy--who continues to bash and sneer at activists in the press.

<sup>2</sup> Except in a fenced-in side yard or back yard. The Ban also prohibits slumber in restaurants, churches, garages, etc.--any place that is not constructed for use as "a domicile." It prescribes no warnings, directly criminalizes a necessary human function for the overwhelming majority of people with no legal place to sleep, and saddles the offender with a \$160+ fine for the first offense--which quickly becomes a jailable warrant when left unpaid.

<sup>3</sup> By declaring that sites of illegal sleeping could be quickly declared "public nuisances", thus subjecting those doing protest Sleep-Outs downtown protesting anti-poor laws to instant criminalization.

<sup>4</sup> Rhymes with "ranging". A street expression for "spare changing" used recently by a Santa Barbara urban nomad who'd recently visited Santa Cruz.

<sup>5</sup> The Interfaith Satellite Shelter Program trucks 80-150 people per night to

from a small but significant 50c nightly charge to rat-infestation to the 8 am wakeup--which make it inhospitable to those who work in the evenings.<sup>6</sup>

Meanwhile nightstalker squads of cops and rangers continue to roust sleepers at Lighthouse Field and in the Pogonip. Dawnseeker Doug reported an abusive daytime search of his tent in the Pogonip yesterday--where he'd camped because his evening job prevents use of the River St. Campground. Once a ranger in Oklahoma himself, Doug says he quit that job when their bosses instructed them first to carry flashlights then guns, changing their goal from help to harassment.

Two days ago Stargazer Steve also got the Sleeping Ban bashing Friday when he protested that taking his name as "a warning" was an invasion of privacy. "I'm poor, what am I going to do?" was his question. A ticket was the ranger response. And Fair Deal Fay tells us cops doled out 9-12 camping tickets a week ago Saturday at Lighthouse Field without giving a warning or mentioning a complaint. Roughground Rick reports the same treatment in late August.

### BOOTPRINTS ON THE BLACKTOP

Any leads on what misguided merchant sloshed fish oil along the Cathcart and Pacific fence some weeks ago? Bring in the guilty party and we buy you sushi!..... Bathrobespierre Robert Norse goes to court Tuesday Sept. 14 (8:30 a.m.) on charges of "disturbing the peace" filed by "Stab and Snicker" Stuart Martin, the ID Building best boy whose fanciful fairy stories have harassed at least four people since he began his anti-homeless campaign this spring. Stuart claims Robert called him a Nazi on Sunday May 29th at a demonstration in front of the Bookshop Santa Cruz. Police took no action at the time, but arrested him twice since on Stuart's say-so. If you've been the victim of this smiling storm trooper, leave a message with **Copwatch** at **427-4597**.....Be on hand for Mayor Squawkbox Scott Kennedy--when he hosts a non-violence conference in October (will his non-violent police break up a non-violent parhandling demonstration?). Also planning to be present: Katzenjammer Keith McHenry, Linda the Lark Edwards, and Bathrobespierre.....Copwatch Bob (also known as Blacktop Bob) reports skateboarding tickets, ongoing harassment, and even a "littering" ticket for kicking an inflated condom downtown....The joint-benefit for Santa Cruz **Food Not Bombs** and Linda the Lark has been postponed but not forgotten...Hats off to Marathon Mark, whose 28-page brief against the Sleeping Ban was quickly trashed by Commissioner 'Sweetcheeks' Salazar. Mark's extensive research traced the origins of the current Ban to an emergency law the City Council passed unanimously in 1976--more on this in a future issue....Barricadista B.D. has promised full support to the Kennedy re-election campaign with a flagburning at every rally.....Charmain's hunger strike to protest the D.A.'s bogus "fire code" charges for her and B.D.'s July 4th flagburning is due to enter its 4th week soon. Call Copwatch for more info.....Want to support a new "in their faces" Peace Vigil on the streets: call **HUFF (Homeless United for Friendship & Freedom) c/o 459-7652**.

COMING SOON: City Council Sweettalk: Questions to Ask the Candidates; Day Center Debacle--the Crack that Broke the Council's Back?; Begging Ban Bites Blacktop in Baltimore; ACLU Where are You?--the Injunction That Never Was; the Battle in Berkeley--fascism comes up for a vote....etc.

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in October or November. Though expanded and humanized somewhat--again under pressure from homeless activists--the Program serves only a fraction of the area's poor and acts as an excuse to issue Sleeping Ban tickets to those found sleeping outside--even if the program is full.

<sup>6</sup> Since asking for spare change has become a perilous criminal activity downtown at many locations and times, even a small charge may become a burden. One source reports, however, that monitors are liberal in allowing campers to "work off" their debts--a practice which some campers denounce as "modern-day slavery." As for rats, one knowledgeable source reports killing five each night--which he insists is not an exaggeration.

# STREET

# SHEET

#144

25¢....

September 16, 1994

...or panhandle a politician

Friday

"An unjust law is itself a species of violence; arrest for its breach is more so."

---Mohandes Gandhi, 1948, (The Campaign to Stop the [Berkeley] Poor Laws 8/94)

## CITY COUNCIL REFUSES MEDIATION, DEFIES LOCAL COURTS KENNEDY'S LATEST "SIT NEAR A BUSINESS, GO TO JAIL" NOW LAW

In three votes Tuesday night, the lameduck City Council rejected pleas from **Santa Cruz Coalition Against Repressive Legislation [SCCARL]**, **Food Not Bombs [FNB]**, **Homeless United for friendship & Freedom [HUFF]**, and a dozen activists and homeless locals to vote down the latest anti-poor law--a spiffed-up Sitting Ban, trotted out in July to buff up Mayor 'Squawkbox' Scott <sup>1</sup>Kennedy's tattered left-wing credentials in the upcoming City Council race.

The Kennedy proposal bans sitting in commercial and various other districts within 10' of a storefront window or entranceway, 4' of a phone or drinking fountain, and 50' of an ATM, coke machine, or other money-dispensing machine (newspaper racks excepted). It also bans lying down anywhere (including where **FNB** serves its Wednesday meal in front of the Ford's Parking Lot fence at Cathcart and Pacific. Privatized merchant spaces are free of these restrictions.

Kennedy's previous sidewalk sitting ban was thrown out by two courts in August. It banned all sitting except at a public bench, pay cafe, or political table and provoked dozens of arrests last May. That ill-starred ordinance, now being copied in Berkeley and San Francisco, was designed to free the town of "undesirables" as defined by certain downtown business owners including Neal Coonerty of Bookshop Santa Cruz and Julie Hennaed of Cat 'N Canary. Its merry masquerade as a 'conduct' law was rudely ripped aside by Commissioner Salazar and Judge Barton. The 'warn before ticketing' section allowed cops to warn, harass, ticket, arrest, and remove the ragged and politically active, while leaving middle-class sidewalk sitters outside Zachary's restaurant unrestricted.<sup>2</sup>

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<sup>1</sup> Squawkbox--because of Kennedy's repeated preference for using force and threats of force during City Council meetings to quell audience outrage at his Council's undemocratic antics. In spite of his predominant position at the Resource Center for Non-Violence [RCNV], Kennedy's political ambitions have apparently outstripped his principles and he faces a ground swell of revolt at an upcoming *Non-Violence in A Violent World: a Gandhian Approach* conference.

A panel on "Violence to the Homeless" will be held at the RCNV 10 AM Saturday Oct. 1st--originally scheduled to include SFFNB activist Keith McHenry, Bathrobespierre Robert, Linda the Lark Edwards, Pandabear Paul Brindel, and Squawkbox Scott himself was to discuss the very 'unjust' laws against the poor that Kennedy has championed in Santa Cruz.

On Sunday September 4, Kennedy shmoozed in 'brotherly' manner with protesters outside the Bookshop Santa Cruz from the **IWW (Industrial Workers of the World) in their 9/4 sleepout against the Sleeping Ban and even declared he had 'always opposed the Sleeping Ban.'** A day later when Bathrobespierre approached Kennedy to set up an appointment to discuss the antipoor laws, Kennedy coldly told him he never wanted to talk with him again.

A phone call to the RCNV today revealed that Bathrobespierre and Linda had mysteriously been removed from the homeless violence panel. Another example of Kennedy's political 'non-violence in action'? Contact the **RCNV** at **426-1626** to inquire further and press the Resource Center to honor include real local street activists--even those that the Mayor has pledged to shun.

<sup>2</sup> Activists phoned the police to complain about the soul-numbing presence of dozens of Sunday morning espresso drinkers waiting for their Eggs Benedict and orange juice with well-

Act III of the Silly Clownsil's Mission to Merchantlandia had the brave beggarbashers sewing a fig leaf on their strange legal creation in the form of a cosmetic "warning" policy statement. Optional but not required. But even that was too much for Mathews, Coonerty, and Rittenhouse--who suggested police be left entirely to their own devices after some words of woe from Chief Belcher. So not everyone would be ticketed on the Superhighway of Sales in Santa Cruz. Like traffic cops singling out the most egregious speeders, public posture police would select the most deserving and declassé dressed deadheads for their citations.

#### UPROARS AND UPDATES

§§§§§**BARS FOR BREADGIVING** loom closer for Bathrobespierre Robert in his San Francisco appeal from a jury trial Guilty verdict. The bearded bagel-ear earned 2 months in the pokey last February in the first-ever Soupserver trial there. Convicted of defying a five-year old court order that **Food Not Bombs** not feed the hungry, Bathrobespierre was the first food felon<sup>13</sup> tried in a major urban area.

Mayor Jordan's Judges are tightening the Matrix noose around the San Francisco homeless with continued sweeps, busts for food, and a new leaning-and-loitering law under consideration. The February verdict against Bathrobespierre after the only trial in over 750 arrests is being appealed by Berkeley attorney-cum-activist David "Bedrock" Beauvais is appealing Bathrobespierre's two-month sentence on numerous grounds. The court order itself was faulty, based on no political rather than health considerations. The chief defense witness (Keith McHenry) was whisked to jail on the first day of the 4-day trial. Trial judge "Roust the Rutabegas" Robert Barclay unilaterally reconstructed the crucial court order under which Bathrobespierre was convicted, letting the jury only see a part of it.

When Beauvais finally got to see the court file, he found a sealed packet, which Superior Court Judge "Blockade" Bea has refused to open. Beauvais goes to court to argue the matter before Bea and two colleagues next month, but there is also a motion before the court to deny the appeal because papers have not been filed in time. (Beauvais refused to file without access to the whole file). Bathrobespierre is packing toothbrush and teddybear in the event that he finds himself locked down in November.

**EDITOR'S NOTE:** This *Street Shit Sheet* was cut short because of the weekend Police Accountability Conference in Berkeley. To write for the *Shit Sheet*, give your stuff to Santa Cruz **Food Not Bombs** or write **Bathrobespierre Robert Norse**, c/o **WPSG**, 509 Broadway, Santa Cruz 95060.

**Next Issue:** Barricadista B.D. on trial for flagburning and homeless speechmaking; Showdown Charmain's Hunger Strike--the 2nd Month; Hopalong Hopkins Beats a Retreat--the Sept. 16 Court Victories and the End of the Old Sitting Ban; No on N & O in Berkeley: the Fight Against the Poor Law and the Fight Among the Poverty Fighters, Stubbornheart Star's Report from the Streets, 'n more....

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<sup>13</sup> Actually a misdemeanor punishable by up to 6 months in jail and \$1000 fine. At least 8 others continue to face identical charges and a court date in October (call **415-330-5030** for more info). Heightened attention in the alternate media has made dismissal of charges more likely. Meanwhile Katzenjammer Keith McHenry awaits a trial on three fabricated felonies for distributing *Food Not Bombs* literature in City Hall. Mayor Juggernaut Jordan's judicial jamboree begins in San Francisco 8:30 AM Monday September 19th at 850 Bryant in the quaintly-named Hall of Justice.

Mayor Kennedy refused pleas from Bathrobespierre Robert Norse that the Ban be put forward so ""homeless people affected could debate it without fear of arrest after 11 PM when the City's Sleeping Ban goes into effect. The hearing actually began well after the homeless curfew to a much diminished audience as the last item of the night.

Councilmember Catherine 'Birdseed' Beiers confused and disappointed Sitting Ban opponents expecting her to vote against the new Kennedy Cosmetic Sitting Ban because of the haste with which it was passed and its unconstitutionality. The lone dissenting vote was that of Lizardheart<sup>3</sup> Louis Rittenhouse, presumably because the Kennedy law was more liberal than the March "no sitting anywhere" law. Council Member Katherine "Birdseed"<sup>4</sup> Beiers ran with the pack again and voted to make storefront sitting criminal behavior punishable by \$160+ on first offense and up to six months in jail for subsequent charges.

Levelheaded Lois, speaking for **SCCARL** suggested time and money would be better spent used in Town Meeting and/or Conflict Resolution as formally proposed in a months-old letter from **SCCARL** to the Council. Rather than discuss mediation, Council Member Neo Coonerty<sup>5</sup> launched into a tirade against her son Daniel Robin of Conference Partnership, who had offered his services as a professional mediator. Kennedy replied he hadn't replied to **SCCARL's** letter because they 'lost the address.' He also credited himself with showing up at several Conflict Resolution sessions, but expressed no interest in a six months 'cooling off' period which Daniel Robin said would be necessary to get parties together to talk.

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clothed butts proudly parking on the pavement. To no avail! Police declined to round up these scofflaws, perhaps fearing a volley of scones and jelly.

<sup>3</sup> "Lizardheart" for his consistent languorous hostility to local human rights for the local homeless people. When Linda the Lark told him of a homeless man being beaten by local trollbusters last winter, Louie's only comment was, "maybe they were trying to send him a message." Louie, a major property owner downtown failed to disqualify himself (along with Coonerty) in the votes on the Downtown Ordinances.

Still, those who know Louie do give him credit for being unabashedly candid in his bigotry. A bigotry that does not extent to animals: At last night's Council meeting, Louie cast the only vote against the 'spay for pay or slay" law for cats backed by the SPCA. That's one we owe you, Louie.

<sup>4</sup> "Birdseed" because of her failure to follow through on local civil rights issues in spite of, undisputed good intentions. Some hope that the election of Cella Scott, a firm opponent of the Santa Cruz Matrix laws, and Beiers' elevation to Mayor, snatched from her last time by Squawkbox Scott, may stiffen her spine and amplify her voice.

<sup>5</sup> AKA Neal Coonerty--a name reflecting his bullying and abusive manner in debate and action. He again slandered Candlelight Kim Argula as a "rock thrower" last night and refused to take up the mediation proposed by Lois and others. Recently he has extended the "enter my store, go to jail" ban to Lightyear Lisa Gillespie and others; their crime: opposing the anti-homeless laws he and his merchant pals have saddled us with.

At other times, Coonerty whines and thunders against those boycotting his Bookshop, Cat 'n Canary, Artisans, the ID Building, Game ALOT, Atlantis Fantasyworld, and Staff of Life. Rather than punishing owners for expressing their views, HUFF called the boycott because the stores are particularly prominent in pushing the new 'criminalize the houseless" final solution. Coonerty, Hende, and Stuart Martin of the ID Building have a pattern of calling the police to remove political protest from 'their mall.'

Squawkbox Scott dismissed the mediation offer as "asymmetrical" since the Council would be asked to hold off on its beloved no-sitting-near-shops law but had seen no activist efforts to deal with "downtown problems."<sup>6</sup> Waxing eloquent, Kennedy cited letters of concern from the Palomar Hotel and El Centro claiming their facilities couldn't be rented because of street noise and the tenant fears about walking in the street. He again denounced activists speaking against the sitcrime law as "the same ones who oppose the Host program, Mental Health, the Day Resource Center, etc." "Hypodermic syringes," triumphantly concluded Coonerty "were found behind by police behind slats in the Cathcart and Pacific Ford's fence"--in what he regarded as the knockout punch in favor of a law to make criminals out of sidewalk sitters.

Council candidate and probable front-runner Skyrider Celia Scott suggested a broader approach to solving downtown problems. Show some slack on the proposed sitting ordinance, use existing obstruction laws, accept the court's August ruling holding the Sitban unconstitutional, and use non-violent conflict resolution. Further, if the concern was "residents having to step over bodies downtown", why make such sitting near shops criminal all over the city in all commercial districts as the Kennedy law does? What do the 10', 4', or 50' provisions have to do with obstructing the sidewalk? Nothing.

Only three speakers supported the Council's position: Carol Ellsworth, president of the Downtown Association Board of Directors, Dan of the Chamber of Commerce, and the ever-recalcitrant No Guns. Carol and Dan heaped praise on the Council for their March Matrix laws, speaking of the new 'friendly' mall that had developed until the courts overturned the sitting ban in August. Warning darkly of 'intimidation and threats' but citing no specifics, the merchant lobbyists praised their council pals.

In a diverting intermission, No Guns, a sometime hemp and houseless activist, denounced Council critics for "fighting for the right to be obnoxious and to sit on a piece of concrete" instead of setting up cottage industries and developing unused public lands. She reviewed her own history as one who had lived in a tent, bucket bathed in cold water, and spent time on the streets challenging the hemp laws, and told activists get to work not attack the Council. It was unclear why she felt a fine or jail term for sitting would be useful to "put activists back in touch."<sup>7</sup>

Bathrobespierre Robert Norse suggested the new law would only lead to new confrontations and suggested a voluntary code. One activist, Norse noted, was already planning to sue the city in Municipal Court for \$25,000. Rather than assist pedestrian safety, the sitban would "force to the curb" folks who want to sit down--particularly onerous on streets like Sequel Ave. where there are many shops but few benches.

He predicted continuing demonstrations & boycotts focusing on "arrest the ugly" business bullies. Norse then turned to the lengthy prologue which Barisone had added to the amended sitting ban as a glowing giftwrap to dazzle and derail the court's

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<sup>6</sup> A favorite mantra of Mayor Kennedy's, who misses no opportunity to deprecate and denounce the street activists. Strangely the liberal leader has been unable to produce any record of mediation efforts initiated by him, the merchants, City Council or his own beloved Resource Center for Non-Violence. Later in the meeting Kennedy specifically rejected delaying further repressive measures even when credentialed mediator Daniel Robin offered his services and said setting aside the Sit Ban for six months would be a helpful first step.

<sup>7</sup> No Guns has been occasionally dubbed "No Brains" by the *Street Shit Sheet* for her peculiar attacks of sympathy for City Council overlords and capricious attacks on activists. In 1988, she single-handedly disrupted a peaceful but noisy protest that exposed the hypocrisy of the Laird-Rotkin-Wormhoudt City Council's policy of ignoring and repressing homeless speakers seeking a legal place to sleep or at least a real debate on the issue. In 1990 she decided Bathrobespierre Robert was a government agent and began a speak-out in the living room of his household.



constitutional concerns. The list of sweet-smelling phrases to institute the Sitting Ban absurdity included congestion, public safety, pedestrian peril, walkalong efficiency, business economics, and more to show a compelling government interest in stopping criminal sitting.

Copwatch Bob Duran read a brief history of the Nazi campaign against beggars in 1933, invited the Council to respect history by renaming their approach in honor of its true spiritual father, & ended his lesson with a brisk Sieg Heil! Won-Ton Dave Jacobs, whose Peace Vigil was a primary target of the Downtown Ordinances, dismissed the sitting ban as an odious edict. "Those who can't buy anything can't sit nearby?!" boomed Jacobs sarcastically. "New laws make new criminals."

Candlelight Kim Argula reminded Council that the Downtown Ordinances were designed to stop protests against the Sleeping Ban, and that Ban was the real issue. The Council would save the community much grief by finally addressing THAT issue instead of enacting law after law to 'disappear' homeless activists. When Candlelight Kim appealed for a discussion of safe camping zones away from the Downtown, Motormouth<sup>8</sup> Mike Rotkin dismissed her as simply "trying to repeal the Camping Ban."<sup>9</sup>

IWW member Irreducible Israel Zuckerman suggested that while few would object to regulating obstructing the sidewalk, regulating the manner of how one uses one's body (sitting or lying) was an intrusion into private space unwarranted by any legitimate city interest.

Earlier, City Attorney 'Bust the Breadgivers' Barisone<sup>10</sup> announced the City is gearing up to challenge Judge Barton's ruling throwing out the sitcrime and subsequent 'resisting arrest' prosecution of Lamplighter Lisa Henry<sup>11</sup>. Rather than beat a retreat

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<sup>8</sup> Rotkin's nickname comes from his incessant diarrhea of the mouth, particularly annoying when coming from the podium. His privileged position creates a captive audience, on top of which he threatens to arrest anyone who interrupts him or reacts with disbelief and outrage to his tiresome tirades.

<sup>9</sup> Rotkin unusually dismisses any attempt for people to have a legal place to sleep after 11 p.m. as a call for them to be able to sleep anywhere and everywhere, in the streets, on people's lawns, etc. Six years of correction from activists has failed to curb Mike's enthusiasm for this way of misrepresenting and dismissing those who seeking acknowledgment of the right to sleep.

<sup>10</sup> A name stemming from his court actions against Santa Cruz FNB in 1992 when City Council voted secretly to criminalize giving away free food. Though no further legal action has been taken, that vote has not been nullified and much of the city's muscle enforcing the city's sitting ban was directed against FNB Cathcart and Pacific food giveaway on Wednesday afternoons at 4 p.m. (To help FNB, call 425-3345)

<sup>11</sup> A bright light in the Coalition to Decriminalize Poverty, which organized mass demonstrations against the Sitting Ban back in May. Lisa was seen serving scalawag soup to sit-down saddlebums in front of Zachary's at Squawkbox Scott Kennedy's reelection kickoff rally at Zachary's some weeks back. Some critics called their sidewalk protest a KickOut Rally. It demanded some naked honesty from Kennedy as Kleigligh Kitten bared her breasts and followed the embarrassed office-seeker down the street to a Candidate's Forum later that night. There **SCAN** [Santa Cruz Action Network] dutifully endorsed him, gave Skywalker Celia Scott a higher percentage of votes, but passed over Standup Simba Kenyatta for the November election.

Some poverty rights advocates endorsed Celia, Simba, and Doorway Dan Jaikut [the most radical speaker of the evening]. Meanwhile Pandabear Paul Brindel and Lighthouse Linda Lemaster came out in support of Squawkbox Scott for re-election--in spite of his deadly positions on police review and poverty law. Efforts to locate a psychiatric rescue squad for Paul and Linda were unsuccessful at press time. "It's hard to explain," admitted Linda after half an hour at a typewriter.

gracefully on one of the most unpopular laws in years, Busts-R-U's D.A. Art "Drumhead" Danner challenged the dismissal of Henry's non-violent resistance.

Irreducible Israel called the appeal vindictive and a waste of money. He noted the city's plan to take up two more sitting cases in Judge Kelsay's Dept. 4 this Friday at 10 AM<sup>12</sup> reduced justice to an undignified lottery. Rotkin responded that the City Attorney was paid a set fee so that the city wouldn't be paying any more for additional appeals. Ten years ago, Israel noted, street people were permitted to congregate in San Lorenzo Park. When they were driven out, in an attempt to constrict public spaces to "unscruffy" types, they came down to the mall. A place to hang out might be part of the solution, he concluded.

Elbow Grease Ed Davidson noted that the previous law against sitting on planters was selectively enforced and didn't see why the proposed one would fare differently. He called for stats to show that tickets were ever issued under that law to middle-class people having lunch on the once plentiful wooden planters, which allowed much face-to-face contact on the mall before they were demolished under the *Vision Santa Cruz* defoliation-deconstruction plan after the 1989 earthquake. And what about citing store owners of Palookaville and Cooper St. Cafe for their sandwich boards instead of just going after homeless "obstructions"? Cutting through Rotkin's interruptions, Coonerty reassured Elbow Grease that citations were pending.

With Kennedy's sitcrime bill law slated to go into effect the third week in October, the Council turned to the second conduct issue up for vote: a proposed 'warning' provision. Since the courts had struck down imbedded warning provision in the old sitlaw as vague and prone to selective enforcement, city shill Barisone proposed to establish a separate warning provision. Sitting will be a crime whether people are warned or not.; and an officer shall warn people of that. It was perhaps because of this promised addition that Beiers, had gone along with the prior vote upholding the sit-near-a-shop, go-to-jail law, even though she'd told constituents she would vote against it.

But now Rotkin declared that it would be impractical for police to warn everyone sitting down. Council-wise onlookers smiled and suggested that Rotkin's real agenda was again to protect middle-class tourist sitters some of whom might be less than tractable when told what to do with their bodies by armed baby-sitters stalking the Boardwalk. When Kennedy meekly questioned whether sitting down fifty feet from a coke machine should be a jailable crime in another amendment, Rotkin kvetched that he had nothing but sympathy for those who were uncomfortable if the wrong types were hanging around.

Returning to the warning provision, Beiers reminded her "They Shall Not Sit!" colleagues that most tourist towns don't arrest people for kneeling without a license: "It's such an uncommon law," she tsked. Without a mandated warning, snappy dressers as well as ragged types could get hauled away without a chance to move if the cop chose to selectively enforce. Rotkin's solution was a non-binding Council policy statement 'suggesting' but not dictating a police warning. Beiers pointed out that a similar 'policy' statement on the Sleeping Ban had been of little avail in curbing police enthusiasm. Tourists unfamiliar with Santa Cruz's law deserved to have a warning that the mere act of sitting down in the wrong place would produce criminal liability. The council ignored Beiers and voted 6-1 to remove the warning.

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<sup>12</sup> Jacklight John Hamilton and Justin Toews face Clampdown Kelsay, who the city's legal lugheads think may okay the old Sitting Ban. If they do, the city attorney can play Courthouse Roulette and hope that future cases end up in a sympathetic court.

'em when they're down" anti-poor laws last Spring to discourage further visible protest in the downtown area.

Meanwhile the number of uniformed SCPD cops, greenshirted "hosts", mental health workers, and PSI brownshirt 'security' guards patrolling the mall as Xmas time fashion fascisti has been high. The happy "Hosts" headquarters near the Del Mar theatre has become a second SCPD copshop, with its friendly greeters fingering deadheads for drug busts and enforcing merry merchant "shut up and shop" agenda against "criminal sitters" and unfashionable politically-abrasive musicians. They have indeed acted as the eyes, ears, noses, & tongues of the police--part of a state-wide pilot project to hide poverty and punish panhandling.<sup>3</sup> "Skidmarks" Bob Duran of the *Just Kidding* band faces two "disturbing the peace" charges for singing "inflammatory songs" on Pacific Ave.<sup>4</sup>

Jacklight John Hamilton reports the *HUFF* Boycott Bigotry table in front of the ID Building and Bookshop Santa Cruz has accomplished its holiday shopping season mission and will be closing down December 23rd. The high-profile "MuhthaHUFFers" include Mainstreet Mark Peterson, Dawnseeker Doug McGrath, Bathrobespierre Robert Norse, Stubbornheart Starr Reynolds, Crossroads Chris Brozda, "Garden of Eden" Rick, and a bucketful of others. Their four-week long 11-3 stint at the entrance to "Stalk and Slander" Stewart Martin's ID Building alerted shoppers and residents to the harsh Downtown Ordinances, the new Sitting Ban, the ever-vicious Sleeping Ban, and Martin's own vigilante campaign against homeless activists.<sup>5</sup>

The table served steaming vegetable soup Monday and Friday to hungry hobos and other streetfolk, complements of *HUFF* and Jumbogumbo Joe Schultz. Dozens of potential shoppers turned away from the ID Building as Jacklight and his midtown MuhthaHUFFers pressed the "Boycott Bigotry" campaign against ID, Game-A-Lot, Bookshop Santa Cruz, Artisans, Cat 'N Canary, Atlantis Fantasyworld, and Staff of Life.<sup>6</sup> Jacklight weathered repeated harassment from Martin (whose complaints police eventually began to ignore) and unsigned libelous broadsides from anonymous character assassins (whose language sounded remarkably similar to that of Neal Coonerty).

He and his happy *Huffsters* plan to press on with their holiday heat for the heart with pen and clipboard in a new "Downtown Dialogue" for Detente with the Damned. Watch for Jacklight's pungent petition coming to a sidewalk near you. Those signing agree to open a dialogue with three merchants and ask them to reconsider their support of anti-homeless law downtown. Instead signs will ask shopkeepers to consider other non-violent solutions like conflict resolution, mediation, and voluntary self-regulating codes. *HUFF*

<sup>3</sup> Apparently part of a package deal with the Downtown Ordinances--which originated from a right-wing Sacramento thinktank, the "Hosts" program has been pushed in various forms elsewhere. In Santa Barbara, downtown businesses actually proposed hiring people to stand next to panhandlers and discourage people from giving them money. That plan was hooted down the road last spring.

<sup>4</sup> Skidmarks' police report indicates complainant "Stamp 'em out" Stewart Martin of the ID Building initially sought to charge Duran with felony charges of "making terrorist threats" for discomforting lyrics that brought up Stewart's shadowy shenanigans from spring and summer. Then and now the smiling vigilante's false charges have caused repeated police and judicial harassment of homeless activists protesting the Santa Cruz merchant program to piss on peons without pocketbooks (an "economic cleansing" agenda using the Downtown Ordinances).

<sup>5</sup> Martin's past victims include David Dumars, Robert Norse, Chris Brozda, John Hamilton, Bob Duran, Juan Santos, Reggie Koseca, and a number of others. Activists' charges against Martin are detailed in the "Stewart Martin unWanted" poster available from *HUFF*.

<sup>6</sup> The businesses were chosen in May by *HUFF* and the *Non-Violent Action Group* as a representative sample of the Big Boys downtown who were pushing the anti-homeless laws. The ID Building's Martin was actively gunning for homeless activists with repeated spurious complaints. Bookshop Santa Cruz's owner and City Councilmember Neal Coonerty took a leading role in pasting together the bogus "conduct" laws as well as evicting those who disagreed with him from his Bookstore. Staff of Life, though a regular contributor to *FNB* also was unashamed in its support for laws criminalizing poor people for innocent behavior on the street; they also took action to destroy Triangle Park "to eliminate the bums and drunks there." Folks shopping downtown are encouraged to further the boycott by asking the question "do you support the anti-homeless laws that make it a crime to sit down near a shop?" before buying at a store downtown.

# STREET SHIT SHEET

#145

December 19, 1994

Sunday

## 25¢ or stand up for an illegal!

"We live in a marsh of whatever mood/ the cops are in at the moment.  
Quicksand if they see us,/ if we aren't quick enough./ Loons laughing and lingering  
with intent. The look that could kill/ was longer than 3 inches;/ what knife, officer?  
(It's rusting among the swamp orchids,/ gorgeously veiled with vermin.)

Everything is sorta soggy;/ everything is sorta illegal.  
Even the air we breathe was probably stolen./ And not just cops believe this,  
we do too./ Stolen air is the sweetest,/ sunk into like kisses."

- "On the Street" from Graffiti by Julia Vinograd (1988)

[Send articles to the Street Shit Sheet at 322 Maple St., Santa Cruz 95060 or call 423-4833]

## POOR AND POLICE IGNORE HARSH DOWNTOWN ORDINANCES LOTS OF COPS, FEW BUSTS, 'boycott bigotry' CAMPAIGN ON PACIFIC

Two major Sleepban protests, two new HUFF "hot soup" meals a week, and a three-week long "Boycott Bigotry" table are the latest formal challenges to the Santa Cruz anti-homeless Downtown Ordinances.<sup>1</sup> These city laws, passed last spring and reaffirmed this fall, restrict sidewalk sitting, sparechanging, political tabling, demonstrations, street performers, and nighttime vigils, as well as other civil liberties.

Actual ticketing under the oppressive laws has been sparse. Authorities may fear the kind of resurgent mass protest that flared up here last May and in Seattle last September under their Sitting Ban law (a model for Santa Cruz's). All known recent Sleeping Ban protest tickets have either been dismissed at trial on the motion of the prosecutor or never appeared on court calendars. Nineteen "use a pillow, go to jail" cases from the IWW/HUFF September Sidewalk Snooze and the November 1st Boycott Bigotry Speakout/Sleepout, have all evaporated without a trace.<sup>2</sup>

The city's determination to avoid a court challenge to the 11 PM- 8:30 AM ban on all outdoor or vehicular sleeping has led some activists to speculate that local sleepbusters fear the belated intervention of ACLU attorneys or perhaps even the U.S. Justice Dept. The Feds recently filed a brief supporting the **Tobe** defendants in Santa Ana, Orange County--where a Sleeping Ban milder than Santa Cruz's was thrown out as a cruel and unusual punishment, a violation of the right to travel, and an abuse of equal treatment under the law. Santa Cruz City Attorney and City Council have refused to recognize the **Tobe** decision (Feb 1994) and when pressed by demonstrators, instead passed the "kick

<sup>1</sup> These city laws, passed last spring and reaffirmed this fall, restrict sidewalk sitting, sparechanging, political tabling, demonstrations, street performing, and nighttime vigils. The April Sitting Ban, though initially thrown out by two local courts as unconstitutional in August, was resurrected by the Kennedy-Rotkin Council in September as the "sit near a shop, go to jail" law.

<sup>2</sup> Trenchant-tongue Todd Schumann, Crossroads Chris Brozda, Marathon Mark and Mettlesome Mike Liebeck are designing a Bumlover's Brief against the Santa Cruz City Sleeping Ban (MC6.36.010), designed to help poor people fight it in court. Even though protest cases are not being prosecuted, ordinary sleepers in the Pogonip and in cars find themselves hauled into court on Sleeping Ban charges, when those tickets go to warrant.

Court dockets show continued use of the discredited law--though Armory and church shelter space cannot accommodate 1/3 of the local homeless population. Mayor "Birdseed" Beiers has agreed to consider a modification of the Sleeping Ban, allowing people to sleep in their vehicles on some church property, but that measure will not reach the Council before January at the earliest. Given the official Shelter Emergency (declared 1990) and the coldest weather in Santa Cruz since 1882, the City's failure to decriminalize the right to sleep is further abusive torture for those outside. On 12/17, the Interfaith Satellite Shelter Program turned away Bobolink Bernedette, suspended because of a bureaucratic error; HUFF workers last saw her downtown, preparing to spread blankets on the sidewalk.

The IWW (Industrial Workers of the World) has a small legal fund for September Sleepout

meets every Tuesday 7 p.m. at 322 Maple and invites friends and foes alike to share coffee & controversy there (call 423-HUFF for info).

As the Boycott Bigotry table retires, planterbox patriarch Won Ton Dave Jacobs and Redtop Robert Flory arrive. The two plan a Xmas-week 24-hour vigil downtown to reclaim Santa Cruz public spaces. **HUFF's** meeting next Tuesday will consider support for their vigil, which is expected to be under heavy police attack.<sup>7</sup>

## SNORES AND SNAPSHOTS FROM THE STREET

**+++++ Sergeant Andy "Crackerbarrel"<sup>8</sup> Crane** reports no local panhandling tickets were issued throughout the fall and virtually no sidewalk sitting citations. A recent Northern California decision has upheld the 1991 Blair case, finding non-abusive sparechanging to be free speech. Union Grove Music hobohaters have reportedly threatened streetsitters near their store, falsely telling them that holding up a "Will Work for Food" sign on the public sidewalk is prohibited.<sup>9</sup>

**+++++ Airburst Erik Marcus** got the only two sitting tickets we know of under the new Kennedy-Rotkin Ban passed in September. He was arrested and jailed in October on two (!) misdemeanor(!!) sitting tickets for sitting on the sidewalk near the Cottontails shop at the Farmer's Market at Lincoln and Pacific. Erik sez arresting Sgt "Spin Control" Seiley's police report is fabricated or fumbled.<sup>10</sup> **Marcus's charge goes to court trial on January 20th in Dept. 11 at 10 AM**, hopefully with ACLU attorney support.<sup>11</sup>

**+++++ Police violence<sup>12</sup>, court harassment<sup>13</sup> & merchant hostility<sup>14</sup>**

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<sup>7</sup> The last Jacobs-Flory downtown vigil on July 4th lasted only half a night when police removed their cardboard display from Cathcart & Pacific and charged them with violating Ordinance 94-12, MC15.32--the anti-homeless law that prohibits "obstructions" after dark. On Friday, Jacobs won a discovery hearing, forcing the city attorney to stipulate that only Jacobs and Flory had ever received such a ticket--a natural enough conclusion, since the whole ratsnests of Downtown Ordinances were specifically designed to deter Jacobs, Flory, Hamilton, Norse, and other poverty rights protesters.

<sup>8</sup> Called "Crackerbarrel" because of his amiable country conversational manner, Andy is unfortunately "part of the team" when it comes to bogus political prosecutions--as in the case of Marlena Zaro, who was hauled before a judge and jury because a number of cops didn't like her "horn-tooting salute" to them at the May 11th "Little Haiti" police crackdown on sidewalk sitters.

<sup>9</sup> Four years ago in May 1990, Union Grove precipitated a massive march to the police station when Sgt. Bob "Hobohunter" Henig beat musician Morpheus Mike Hobson for sitting on the Union Grove Parking lot fence. Henig was never disciplined; Union Grove policies haven't changed.

<sup>10</sup> For instance Jan Magnuson of Cottontails is cited as complaining witness in the report. Yet when he spoke to her, she denied that she filed a complaint, though she admitted supporting the Downtown Ordinances. When another man sitting with Erik moved 11' from the shop as required by law, Seiley then threatened to arrest him for "blocking the sidewalk." "Curb your conscience" seemed to be the message--the only legal place to sit being at the street.

<sup>11</sup> Margaret Marr and Isabel Gilman were two of the capable ACLU attorneys who successfully challenged the earlier Sitting Ban this August. They may be involved. Unfortunately, these two also discredited themselves at that time by declaring they would not help criminal sitters 'associated' with Bathrobespierre Robert Norse (such as Linda the Lark Edwards). Since August, the local ACLU has refused to support the Sleeping Ban protest cases, unlike ACLUs elsewhere in the state.

<sup>12</sup> The May 11th police-beatings downtown resulted in direct injuries to about a dozen people. The Civilian Police Review board meets next meeting is 5 PM, Monday December 19th in City Council chambers--where victims of the May 11 melee plan to reopen the issue.

<sup>13</sup> Though the April Sitban law was declared unconstitutional, patrons of the **FNB** meal from May 4th and 11th are still being dragged into court. City and county authorities are appealing the 'Sitcrime' and 'resisting arrest' [going limp] case of "Linchpin" Lisa Henry. The City's case against Cucumercoddler Crouton is still pending. D.A. "Dirty Hands" Danner is showing off his skill in lugwrench law with a stacked pack of prosecutions: Though Marlena Zaro successfully beat back a concocted "Failure to Disperse" charge in early November in the first of the May 11th misdemeanor trials, "Dirty Hands" plans more legal leapfrogging with

have not displaced the Wednesday *Food Not Bombs*, meal from Cathcart and Pacific.<sup>15</sup> Though many of its members oppose the Downtown Ordinances, *FNB* has never officially supported *HUFF's* Boycott Bigotry campaign. Soft on bigotry? Nah, says one *FN*Ber, "we serve food; not politics." "It's okay," said one *HUFF*er. "Both their politics and their food are good. We do our job and they do theirs."

**++++ Crying "Theater" in a crowded fire** was enough for criminal charges to be filed against Shorebird Charmain Hurley and Barricadista B.D.<sup>16</sup>--ticketed and jailed July 4th for a public protest against U.S. foreign policy on the boardwalk. Since burning one's own flag is still constitutionally-protected activity, Belcher's Blueshirts and the Fire Dept. Flambeaus<sup>17</sup> spent some time in cooking up 'firecode violations' to fricasse the two fiery freedom-fighters.<sup>18</sup> All smoke and mirrors, it seems, since the D.A. abruptly dropped all charges when Hurley, B.D., and their pro bono attorney Floodlight Ed Frey<sup>19</sup> came forward with evidence that of the 287 prior similar cases, only Charmain and B.D.'s had resulted in criminal charges.

**Hopefully Highlighted Next Issue:** Bathrobespierre Behind Bars?--the January 27th Foodcrime Appeal; Best Homeless Services in the State?--"No Way!" Say Two Homeless Women; Sixth Sham Trial Date for *FNB's* Katenjammer Keith McHenry Feb 14; Another Valentine's Day Massacre?; May 11th Victims & Police Review--Coverup or Cure? + more!

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"Resisting Arrest" cases against Justman Jim Costner, Won Ton Dave Jacobs, and Candlelight Kim Argula plus a flurry of "Failure to Disperse" foofaraws--all to cover up the worst Santa Cruz police riot in two decades. The court injunction against several *FNB* servers from 1993 is still on the books, as is one from 1989 against Keith McHenry of San Francisco *FNB*. None of these has been enforced recently, but neither have they been dissolved.

<sup>14</sup> *Food Not Bombs* has weathered a "boycott from above" campaign at the Farmer's Market last summer when greengrocers were directed last summer not to give to the group by Downtown Association cover-up girl Lori Hennigs--[see La Gazette, July 1994, "The Farmer's Market: A Loss of Innocence" by Celine-Marie Pascale]. Increased police surveillance and petty harassment of Deadheads and other Rainbow Travelers has led to seizure of drums, "dog-off-a-leash" tickets, grass busts, etc. at Ford's parking lot. Unknown freedom fighters have retaliated with monthly snip-and-slip removals of the middle of the fence dividing the parking lot from the sidewalk.

<sup>15</sup> The May 11th police beatings downtown resulted in direct injuries to around a dozen people. Then-mayor 'Squawkbox' Scott Kennedy concluded the affair by commending acting Chief "Best Foot" Belcher in a summer Public Safety Subcommittee--the only public forum where the issue was ever addressed. Mayor "Birdseed" Beiers has not yet announced any reopening of the police abuse issue, nor has the Civilian Police Review Board, appointed by the Council, taken up the beatings. Their next meeting is 5 PM, Monday December 19th in City Council chambers--where victims of the May 11 melee have promised to press case.

<sup>16</sup> Also known as David Dumars, B.D. has received more *Sentinel* and *Good Times* coverage for his judicial gymnastics than any other local civil rights activist this year. Unfortunately B.D. has also received the longest jail sentence of any local homeless activist in at least six years in events that followed the February assault and false charges by merchant groupie Stewart Martin of the ID Building. His six month sentence will next appear for review on January 20th in Dept. 3 (for continued stay), but the actual appeal won't happen until later.

<sup>17</sup> Though the Dept. has let itself be used by the SCPD in anti-homeless support actions--such as putting out campfires on cold nights at protest sleepouts(fall 1988) and removing protest climbers from the Town Clock(1988-9), this is the first case we know of where Santa Cruz Smoke Sniffers colluded in a baldly bogus case with a political agenda. The Dept. and the D.A.'s office initially clammed up when Floodlight Ed Frey, attorney for the two friendly firebugs, demanded a record of past offenses similar to those B.D. was accused of.

<sup>18</sup> The charges? Fire in public without a permit; fire in an assembly area where there are more than 50 people; storing combustible fluids, toxic spilling (of lighter fluids). Floodlight Ed Frey tracked down the interest info from incident reports on all the toxic spills and fires of the last year. While huge gas and oil spills were often unmentioned (and never brought to court), a few squirts of lighter fluid on the boardwalk was considered a jailin' offense when connected with political protest.

<sup>19</sup> So-named because of his unceasing support for cutting-edge causes such as medical marijuana and his willingness to descend again and again into D.A. Art Danner's dungeons to challenge the Jails R Us master on his own turf, in election after election, and scandal after scandal.

# STREET

# SHEET

# 146

February 12, 1995

Sunday

give change (25¢)

or make change

"To be a minor is a major offense/ To be without capital is a capital crime.  
To be hungry is disgustingly weak;/ meals should be social occasions  
or attacks of the munchies.  
To stand on the street is loitering/which means being human litter that should be trashed.  
And all property is protected from your sleep;/ after all  
supposing you dreamed it burned down?"

--"The Rules" from **Concrete Meat** (1981) by Julia Vinograd<sup>1</sup>

[Send articles to the **Street Shit Sheet** at 322 Maple St., Santa Cruz 95060 or call 423-4833]

## COPWATCHER ACQUITTED IN 2ND PROTEST TRIAL !

**Copwatcher and Carrotcutter 'Candlelight' Kim Argula** beat back bogus charges of "delaying an officer" on Thursday<sup>(a/a)</sup> after a three-day trial, and more than 10 harassment court appearances. At issue were concocted charges cooked up from the massive May 11th protests against the anti-homeless "no sitting" ordinance. In a trial that cost \$5000 to \$10,000, not counting lost juror worktime, 12 jurors took less than an hour to dump the misdemeanor charge--which could have saddled Kim with 6 months in jail and/or \$1000 fine. The ancient charge was yet another ferocious fabrication out of the police mini-riot last May--one of a series of cases which Assistant City Attorney 'Conscience-free' Condotti and D.A. 'Hopalong' Hopkins lost last August before Commissioner Salazaar and Judge Barton. Commissioner Salazaar then spent 15 minutes unsuccessfully urging D.A. "Lizardlips" Lyon to spare the court, the public, & Kim the time & money.

**Both Barton & Salazaar ruled the First Ban unconstitutional** after hearing briefs from Margaret Marr and other attorneys that the law was prone to selective enforcement (as is the 2nd Sitting Ban). Additionally, Judge Barton threw out collateral "resisting and delaying" charges against a dozen peaceful demonstrators. Kim's lingering charge was yet another dying vengeful yelp at the *Food Not Bombs* cauliflower cooker, and long-time anti-poverty organizer. Her insistence on keeping poverty and discrimination in broad public view through weekly FNB meals downtown has--at one time or another--had her barred from La Familia Center, blackballed from the Farmer's Market, ousted from the AIDS Drop-In Center, booted from Bookshop Santa Cruz, slandered by the *San Jose Mercury News* (as a violent rock thrower), and most recently arrested for moving the FNB meal under the eaves of the Metro transit center in a pouring Wednesday afternoon rain Jan 4. (Subsequent negotiations produced a cease-fire allowing FNB to serve there the next week; **Misdemeanor charges against Kim and Redtop Robert Flory for "obstructing a business" (602.1 PC) were dropped by press time!**

**On May 11th Kim monitored police misconduct** on an afternoon when cops struck one pregnant woman across the stomach causing a miscarriage, another man suffered broken ribs and weeks of subsequent harassment, and others were senselessly brutalized. Riot-clad baton-wielding police provoked a demonstration 300-500 strong to dramatize City Council's determination to support the merchant agenda of gentrifying the Pacific Garden Mall with the April Downtown Ordinances. Neither the Council's Public Safety Subcommittee under Mayor Kennedy nor the new Civilian Police Review Board has launched any investigation of the public brutality--in spite of numerous videotapes, hospital reports, and continuing complaints. **Next Civilian Police Review Board Meeting**

hospital reports, and continuing complaints. **Next Civilian Police Review Board Meeting: Feb. 15, 5 p.m. City Hall Chambers. Come on time to speak to the Board. CPRB's phone: 429-3262**

**Two jurors shook Kim's hand afterwards**, the foreman of the jury, telling her to "keep up the good work." D.A. Lyons summoned two cops who said there was an invisible police line which Kim crossed. Kim's witnesses, Redtop Robert, and "Skidmark" Bob Duran, denied there was any such line around those being arrested for peacefully sitting. Commissioner Salazaar refused to let Charlene C. tell the jury about her police beating. Also on hand to congratulate the trial-weary soupserver was "Trumpets for Truth" Marlana Zara--herself acquitted on Nov. 8 of "failure to disperse" in the only other May 11th-related jury trial. Merriemelodies Marlana stirred up the baton-happy blueshirts by tooting her tiny trumpet at the "sitter-smasher" squad of SCPD's "relocate the wretched" army. For her sarcastic musical tribute, she was targeted, arrested, and dragged through the courthouse congo line at a taxpayer cost of \$10,000+.

**Public Defender Laurie Wilmore** won Kim's praise for her eloquent and successful concluding remarks, reminding the jury that not Kim but the right to peacefully assemble itself was on trial. Lori called copwatcher Kim a human camera, which the D.A. and police department were trying to discredit and "smash on the ground". *Street Shit Sheet* editor Bathrobespierre Robert Norse criticized Wilmore and PDs generally for their hostility to a political defense--much of which needs to be worked out in extended consultation with the defendant and her friends. PDs are also notorious locally for alternately delaying, hustling, and ignoring their clients with a "lawyer knows best" attitude. Improved "attorney control" by defendants and more communication between activists and PDs was one solution proposed. **Those who want to join Bathrobespierre and Merriemelody Marlana on the PD Contact Squad call 423-HUFF.**

**Sunnyside Sleepsnatchers Struck at high noon** during the court recess and seized silver-haired Won Ton Dave Jacobs, cantankerous courtclouter and relentless human rights activist. Won Ton's latest crime: trying to catch a few winks legally right outside the jailhouse court (since sleeping at night is everywhere illegal outdoors). No stranger to courtroom conflict, Won Ton has beat back all 15-malicious misdemeanor cases filed against him in his 4-year human rights fight. This new "trespass" ticket for lying down outside the building to catch a few winks threatens another 6 months jail/\$1000 fine. Dave's harassment for peacefully lying down in an area regularly open to the public outside the courthouse nicely complements the D.A.'s 8-month old assault on Kim within, showing the real '90s police agenda: drive the poor out of sight and out of public life. **Jacobs and Redtop Robert go to trial March 17 at 1:30 p.m. for having an overnight table and display in a 4th of July Freedom Vigil last year--the only ones to be prosecuted under MC15.32, another of the Kennedy-Yokoyama Downtown Ordinances.**

**Summing up Commissioner Salazaar's performance**, activists found a highly-mixed bag. Salazaar ultimately rejecting attorney Wilmore's claim that if an officer was not performing a lawful duty, she had a right to resist arrest. Since the whole prosecution rested on arrests made under an unconstitutional (and preposterous) "sit down, go to jail" law, Salazaar did have the option to refuse to try the case at all (as Judge Barton refused in August in the Lisa Henry case). Perhaps feeling pressure from downtown, Salazaar argued with D.A. Lyons but then allowed the charade to proceed. To his credit, Salazaar refused to discard the First Amendment when Lyons tried to stop Bathrobespierre from giving away a "Free Kim Argula!" flyer to non-jurors outside the courtroom. The judge also allowed the unconstitutionality of the sitting law to be mentioned, but refused to permit direct testimony of police brutality. He okayed bad jury instructions (arrests under an unconstitutional law were permitted if an officer believed it was his duty). Those making small personal recordings of the trial under were not



hindered.<sup>2</sup> **Still unresolved: a May 11th misdemeanor cases involving Justman Jim Cosner due to come to pre-trial in February and the Lisa Henry appeal from last year. Otherwise it seems that ALL CASES STEMMING FROM THE MAY 4 AND 11 PROTESTS LAST YEAR HAVE BEEN DISMISSED OR STRUCK DOWN BY JURIES.**

## SALAZAAR SUSTAINS SECOND SIT-BAN !

Over the constitutional objections of ACLU-related attorneys Margaret Marr and Isabel Gilman, Commissioner "Sweetcheeks" Salazaar upheld the Santa Cruz City Sitting Ban February 2nd in the Erik Marcus case. While the Wednesday Farmer's Market flowed to and from a quarter of a block away, Airburst<sup>3</sup> Erik was scooped up from the sidewalk near Cottontails at Lincoln and Pacific back in mid-October, shortly after the new "Sit near a shop, go to jail" law went into effect. The sit-down began when Erik observed several young Deadheads driven away from a sitting spot that neither blocked traffic nor the windows. Feeling this was wrong, Erik took their place. After the Hospitality Snitch Squad informed the police of Erik's criminal behavior, Sgt. "Obey or Pay" Seiley demanded he move along. When Erik refused, Seiley ticketed him under MC 9.50.012 (the Kennedy-Rotkin Sitting Ban<sup>4</sup>, when he wouldn't. Almost immediately thereafter Seiley gave Marcus a second ticket, this one a misdemeanor punishable by 6 months in jail or \$1000 fine, and rushed the renegade rump-rester to the local lock-up.<sup>5</sup>

At a trial before Commissioner Salazaar without a jury, Marcus's attorneys Marr argued the "shut up and shop" law was unconstitutional and another selective sally against the 'unsightly.' It violates substantive due process, the right to travel, the ban against cruel and unusual punishment, and--in Marcus's case-- freedom of speech. Gilman pointed out that Marcus was seated in an alcove that neither blocked foot traffic nor interfered with the customer line-of-sight into the display window.

A recent federal decision legalizing panhandling under 647 PC, Marr pointed out, both required malice and actual block of the sidewalk. Also, state disorderly conduct preempted local city laws. Cities can go no further than deal with the legitimate interest of a free flow of traffic; people have the right to be left alone where entirely innocent conduct like sitting is concerned.

Labor picketing was specifically protected while poor people sitting down with "Will Work For Food" signs was not. Moreover, the police practice of warning people before ticketing them prompted the same problems as the first Sitting Ban--the cops could choose

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<sup>2</sup> Under the California Rules of Court, section 980(c), any member of the public may make a small audio recording for personal use by simply informing the judge (either do so verbally or on paper through the bailiff). After Gemstone Jim Ostrowski began to use this right regularly, Judge Tom Kelley actually designed an official-looking "information" form for court use. When a member of the public tried to use this form in the court of Judge "Artichoke-Heart" Attack in Ostrowski's recent jury trial (for possession of "joke" government plates), Attack interrupted the trial twice to stop the recording. Those interested in challenging Attack's illegal behavior can contact **HUFF**.

<sup>3</sup> So named for his simultaneous lightness of manner and sudden decisiveness in supporting the human rights of poor people locally. Erik has gone to jail three times in the last three months to protest unjust local laws: once in October against the Kennedy-Rotkin Sitting Ban, once in November against the City's Sleeping Ban, and once in January to oppose Community Service fees for the poor at the hands of lynchlaw leader Meatgrinder Mulligan.

<sup>4</sup> So called because these two 'liberals' pushed the effort to pass a second Sitting Ban, after the first had been tossed out by local courts for giving police unconstitutional selective enforcement powers. More limited than the first ban, the Sitting Ban makes it illegal to sit within 10' of an entranceway or window, 4' of a telephone or drinking fountain, and 50' of an ATM. Councilmember "Rightswrecker" Rotkin even insisted that a 'lying down' ban be retained throughout the downtown; hence it is now a \$168 crime to lie down on any sidewalk in Santa Cruz (residential districts excepted).

<sup>5</sup> City codes under the April/October Downtown Ordinances provide a second offense within a month is a mandatory misdemeanor. Thus far this year, Council liberals "Birdseed" Beiers and "Go-slow" Celia Scott have made no public statements opposing the ordinances or taken any action to reverse them.

who to ticket by only warning people they wanted gone--which was the purpose of the law, after all. A second ticket becomes an automatic misdemeanor, even before a person is convicted of the first ticket, and that second ticket lets cops jail you, violating the presumption of innocence.

City Attorney "Conscience-clipper" Condotti retorted there were plenty of legal places to sit (benches, pay cafes; the curb), no evidence of "invidious discrimination", and a legitimate city purpose in promoting business and encouraging people to window-shop. After a brief recess, Salazaar, perhaps shrunk from the flak he'd gotten for finding the first ban unconstitutional, found the law constitutional, but dismissed the misdemeanor charge, saying that Marcus had only 'sat' once. Fine \$101--but treated as time-served. Result: Santa Cruz is now the only city in the state to pass and uphold a law that punishes sitting on the sidewalk near a business. Berkeley's Measure O goes into effect March 1st: for information about forthcoming protest and civil disobedience, **contact Jackhammer John Vance at the First Amendment Foundation (510-215-5777)**. Join the fight to finish the anti-poor law that Rev. Desmond Tutu publicly denounced during last fall's (No on N & O) election campaign.

## RUMORS FROM THE ROOFTOPS

\*\*\*\*\* **Cold, wet, and cranky** sums up the condition of the disposition and clothing of Marathon Mark Webster and Justeye Geena--sometime residents of the River Street Campground until they were evicted in what Mark describes as petty powertripping. Often seen slogging about in a soaked pancho, Mark had particularly choice words for Councilmember 'Squawkbox' Scott Kennedy last Tuesday night at a Redevelopment Agency hearing on how to spend homeless and housing money. The two have been concerned for sometime about the "no tents" idiocy that denies campers both shelter and privacy out at the Campground. Former Mayor Kennedy blithely assured the two that the true purpose of the campground was to avoid for refuge from police harassment, and to avoid Sleeping Ban tickets--objectives that didn't require tents. "What about protection from the rain and cold?" asked Mark. "Two out of three ain't bad," smiled Squawkbox Scott.

Geena and Mark are pursuing negotiations with Potter's Field Paul Merceau, Interfaith Satellite Shelter Program Director to resolve this and other issues. These include two and a half hour waits outside the Armory from 5:30 a.m. even in rainy weather, discriminatory treatment of "inside cliques" at the Campground, and alleged goonsquad vigilanteism there. Leave a message for the troublesome twosome at 423-4833 or seek them out at the *Food Not Bombs* meals.

\*\*\*\*\* **Funding is the first priority** for the new Homeless Task Force, organized and managed by CCH volunteer Crazyquilt<sup>6</sup> Kimberly Carter. Kimberly corralled a crowd of several dozen--including business reps, service providers, homeless activists, and councilmembers. Their initial goal: to refund the ISSP program before it goes belly-up April 30th. Due to downsize by half when the Armory closes in mid-March, the ISSP has told the *Sentinel* it hasn't the money to 'reopen' the campground at all.<sup>7</sup> Horselaugh Harriet<sup>8</sup>--not on the Force--gave us a broad grin. Another bailout for CCH's budget booboos? she growled. Why not a homeless-heavy ground-up investigation of the perk-loving patriarchs?

<sup>6</sup> So-called because of her success in drawing together a multi-colored variety different folks.

<sup>7</sup> CCH has closed down the campground at River St. and Hiway 1 in the past under various pretexts including drug use, 'to start building Community House', threats to City Funding should 'illegal sleepers' be found there, and the ever-reliable 'insurance requirements'. The property, however, was bought in 1986 with homeless moneys and should be available the homeless year-round, wretched and rat-ridden though it is. Recently conditions have worsened with overflowing portapotties reduced from 4 to 2 and still no fresh running water to wash with. Next CCH meeting:

<sup>8</sup> Our cover name for a source that does not wish to be identified.

The Task Force--open to everyone--has split into sub-Committees to cover fund-raising, the campground crisis, youth services, civil rights, and other areas. Give a call to Kimberly for a look-see or to help out at 458-8913. No need to wait for the next meeting (several weeks off) to put in your 40¢ or lend a hand. Bathrobespierre Robert Norse and Day Center Duchess Karen Gillette were actually seen speaking together afterwards for the first time in generations.

\*\*\*\*\* **Due in San Francisco for a Souprime Sentencing Appeal**, Bathrobespierre Robert may actually be going down for the count **March 10 10 a.m. at 633 Fulsome St., Rm 636**. The big-bellied brothgiver was given two months in county jail a year ago (stayed pending appeal)--the first trial and conviction of its kind in San Francisco--for violating a court order that barred *Food not Bombs* from giving away food to the homeless in San Francisco. With thousands arrested under May "Juggernaut" Jordan's Matrix program to cement over the homeless problem, *FNB* continues to serve food twice-daily from UN Plaza (noon and 6 pm) with 8 S.F. cases still pending in the courts.

Bathrobespierre, ably defended by Berkeley barrister 'Bedrock' Beauvais, faces the three-judge Superior Court panel feeling little hope since the Court allowed the D.A. to file response briefs a month late--an unprecedented concession. 'Bedrock' Beauvais feels the case could go either way. If the Court turns its thumbs down, Beauvais can try to get the transcript certified and, if that succeeds, ask the Court of Appeals if they will hear the case. If that fails, the case reverts to the creepy court of visiting Judge 'Bilgewater' Barclay, whose biased rulings speeded his conviction last year. Before seeing the sandal-wearing soupslinger sent to stir, Beauvais may ask Barclay to modify Bathrobespierre's sentence. In the meantime Bathrobespierre is passing around a pardon plea for Governor Whiplash Wilson. Want to circulate or sign a petition? Call **423-HUFF**.

Beauvais's appeal brief cites insufficiency of the evidence (they never proved a permit was necessary for small-scale charitable "picnics"), equitable estoppel (police didn't enforce the law for a year and a half, then suddenly did; the D.A.'s office declared it wouldn't prosecute *FNB* cases, then did), and missing witness (Keith McHenry was mysteriously jailed the first day of the trial and released at its close with apologies). In case any are missing the real point, *FNB* will be serving a bagel brunch outside the court that fateful March morning to give the public & the high sheriffs something to chew on.

\*\*\*\*\* **Deal with the Devil #2 for 'Katenjammer' Keith McHenry** was signed and sealed last Friday. With a 15 years of feeding people free food, several million meals, 95 San Francisco arrests, 10 SFPD beatings, and countless court hearings behind him, Keith has accepted a deal dumping 48 misdemeanors and 7 felonies in return for a plea that gets him convicted of two felonies (assault and petty theft). After a year of felony probation, the charges will be dropped to misdemeanors. Judge Lucy "Cowgirl" McCabe has 'guaranteed' that probation can only be violated by serious felony charges punishable by life or execution, supposedly safeguarding Keith against more frame-up frolics from the downtown Dick Tracys. He will be permitted to attend public events, like Police Commission meetings, even those at which Mayor Jordan and the two city officials whose lies led to the charges will be present.

"Looks like a pretty big victory," strutted Keith, who will now fly out on a nationwide speaking tour including Dallas (3/3), New Orleans (3/10) St. Louis (3/17), DC. (3/24) Philadelphia (3/31, NYC(4/2), Boston (4/7), Montreal (4/8) Toronto (4/9), Detroit (4/10), Chicago (4/11), and San Francisco (4/14-15). If anion's interested, Keith may visit Santa Cruz on a projected West Coast Tour in May. Be on hand for the **Valentine's Day Victory Celebration at the Hall of Justice 8 a.m. Tuesday February at the Hall of Justice (850 Bryant St.)**. Celebrants will then beam back to business with a **march to the Embarcadero Hyatt Regency where President "Cave-In" Clinton will be speaking at 11 a.m.** Bring your ladle!

\*\*\*\*\* **Still beating the bushes for the Recall of Drumhead Art Danner** is "Bottomline" Bob Lamonika, whose *Coalition to Recall Danner* cites 17 specific and

document reasons to turn the tinhorn Torquemada out to pasture. Lamonika's list Ranges from the recent Catherine Gardner affair back to his gin-and-tonic collision with Sandra Larsen (she got injured and then smeared). But our beef with the breezy benchwarmer stems from his interest in harassing homeless activists. When even city officials were scuttling to forgive and forget their May 11th police riot, Danner forced two jury trials (of Marlana Zara and Kim Argula) which cost taxpayers tens of thousands and resulted in acquittals. Bottomline Bob's campaign can be reached at **457-2670**. Starting in early April, the Coalition needs 14,000 signatures to recall the D.A. Volunteer early and increase their chances. **Next meeting: March 4, Aptos Public Library 2 PM**

~~~~~ **Slamming the Sleeping Ban from another side** are Hilltop Holly Gray, Midtown Mark Peterson, Skidmark Bob Duran, and Bathrobespierre Robert Norse--dragged back to court for covering up with blankets outside the Bookshop Santa Cruz last Nov. 1 at 11:02 p.m. (two minutes after the City's Snoozeslayer Ban went into effect). Jailed for ten hours and finally released without bail, the frazzled Four found no traces of their cases on the calendar when they showed up in court two months later. No way. In early January each received a thick packet from the relentless Assistant city Attorney. Snoozesnuffer victims take note! They will be huddling in courtrooms 2 and 3 at 8:30 a.m. with their leapfrog lawyer Catnip Kate Wells on the first floor of the County Courtroom. Meantime, send in your complaints to **HUFF (Homeless United for Friendship & Freedom)** at **423-HUFF**. And if the police conduct seems in any way suspect, file a complaint with the new under-used Civilian Police Review Board at **429-3262**. Feeling shy about that, call HUFF and some of our motherHuffers will go with you.

#### **Street Shit Sheet Salute:**

to Duskstar Deryll Darling for fast action to lodge a black family of 6 caught without shelter at University; Copy one night downtown;  
to a Happytalkin' Host for getting Bobolink Bernadette a ticket to San Jose, when the ISSP turned her away; and  
to Day Center Duchess Karen Gillette for passing on a portable stove to a charitable feeding group which shall remain nameless.

#### **Quick Correction:**

Our 11/21 "Stewart Martin unWanted" flyer, detailing the downtown skullduggery against homeless activists apparently misquoted Jesus Santos, whom we mistakenly called Juan Santos. We heard and wrote that Martin and Bookshop Santa Cruz owner Neal Coonerty had hassled Santos for distributing "Yes on L" literature in front of Georgiana's Cafe. Public sidewalks in front of open-air cafes are now private, or, at least, forbidden locations for political tabling, performing, or playing music thanks to the Coonerty Cafe Law (MC 5.43.020(e)--Ord 94-21].

Santos now tells some folks did ask him to leave, but not Neal. Has the former City Councilmember abandoned his campaign against unsightly vagabonds, homeless hobos, and unrepentant activists? He might start by readmitting into the Bookshop activists like Candlelight Kim, Justman Jim, Bathrobespierre Robert, and a backpack of others--barred for peaceful protest against his Downtown Ordinances. Until then we continue to support the Boycott Bigotry drive against Bookshop Santa Cruz, Artisans, Atlantis Fantasyworld, Cat 'N Canary, and Game Alot. If you hear of any other store that backs arrests of the poor for innocent behavior, let us know.

**Next issue-stories we had no space for this issue!** including **Trenchant-Tongued Todd's Brief Against Bigotry**--Fighting the Sleeping Ban in Court, Santa Cruz-Style; **What's Up with Won-Ton Dave?**--the latest struggles and victories of the wizened warrior; **"Jus' Kiddin'"s banshee band of bandits** beats back the latest (and hopefully last) Stewart Martin mendacity--an interview with Phil Free; **High-Profile Scrutiny of Blackrobe Badguys**--the latest antics of Referee Meatgrinder Mulligan and Muni Court Judge Artichoke-Heart Attack; **Pay for Community Service Work or Go to Jail?**--the Bizarre Case of Airburst Erik Marcus; **Friendly First Night?**--the Quiet Police Crackdown; **Downtown Discrimination Deja Vu:** Reports from Gateways, Zinotto's, the ID Building, and others; **Crossroads Chris Brozda Back in Court**--facing two years in jail for walking through the Coffee Roasting Company twice; and more.

# STREET SHIT SHEET

#146a

February 17, 1995

Friday

give change (25¢)

or make change

"To be a minor is a major offense/ To be without capital is a capital crime.

To be hungry is disgustingly weak;/ meals should be social occasions  
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To stand on the street is loitering/ which means being human litter that should be trashed.  
And all property is protected from your sleep;/ after all  
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--"The Rules" from **Concrete Meat** (1981) by Julia Vinograd<sup>1</sup>

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## COPWATCHER ACQUITTED IN 2ND PROTEST TRIAL !

**Copwatcher and Carrotcutter 'Candlelight' Kim Argula** beat back bogus charges of "delaying an officer" on Thursday February 12th after a three-day trial, and more than 10 harassment court appearances. At issue were concocted charges cooked up from the massive May 11th protests against the anti-homeless "no sitting" ordinance. In a trial that cost \$5000 to \$10,000, not counting lost juror worktime, 12 jurors took less than an hour to dump the misdemeanor charge--which could have saddled Kim with 6 months in jail and/or \$1000 fine. The ancient charge was yet another ferocious fabrication from the police mini-riot last May--one of a series of cases which Assistant City Attorney 'Conscience-clipper' Condotti and D.A. 'Hopalong' Hopkins lost last August before Commissioner Salazaar and Judge Barton. Commissioner Salazaar then spent 15 minutes unsuccessfully urging D.A. "Lizardlips" Lyon to spare the court, the public, & Kim the time & money.

**Both Barton & Salazaar ruled the First Ban unconstitutional** after hearing briefs from Margaret Marr and other attorneys that the law was prone to selective enforcement (as is our current 2nd Sitting Ban). Additionally, Judge Barton threw out collateral "resisting and delaying" charges against a dozen peaceful demonstrators. Kim's lingering charge was yet another dying vengeful yelp at the *Food Not Bombs* cauliflower cooker and long-time anti-poverty organizer. Her insistence on keeping poverty and discrimination in broad public view through weekly *FNB* meals downtown has--at one time or another--had her barred from La Familia Center, blackballed from the Farmer's Market, ousted from the AIDS Drop-In Center, booted from Bookshop Santa Cruz and slandered by the *San Jose Mercury News* as a violent rock thrower. Most recently she was arrested for moving the *FNB* meal under the eaves of the Metro transit center in a pouring Wednesday afternoon rain Jan 4. Subsequent negotiations produced a cease-fire allowing *FNB* to serve there the next week. **Misdemeanor charges against Kim and Redtop Robert Flory for "obstructing a business" (602.1 PC) were dropped on February 7th at arraignment.**

**At the May 11th demonstration Kim monitored police misconduct** when cops struck one pregnant woman across the stomach causing a miscarriage; another man suffered broken ribs and weeks of subsequent police harassment; and others were senselessly brutalized. Riot-clad baton-wielding police from five different jurisdictions provoked a demonstration 400-strong to oppose City Council's merchant agenda of gentrifying the Pacific Garden Mall with the April Downtown Ordinances. Neither the Council's Public Safety Subcommittee under Mayor Kennedy nor the new Civilian Police Review Board has launched any investigation of the public brutality--in spite of numerous videotapes, hospital reports, and continuing complaints. **Next Civilian Police Review Board Meeting Feb. 27, 5 p.m. City Hall Chambers. Come on time to speak to the Board. CPRB's phone: 429-3262. Or call CPRB member John Malken at 429-9088**

<sup>1</sup> Vinograd, a Berkeley street poet, has published more than 40 books of vivid verse and given the *Street*

**Two jurors shook Kim's hand afterwards**, including the jury foreman who told her to "keep up the good work." D.A. Lyons summoned two cops who said there was an invisible police line which Kim crossed. Kim's witnesses, Redtop Robert, and "Skidmark" Bob Duran, denied there was any such line around those being arrested for peacefully sitting. Commissioner Salazaar refused to let Charlene C. tell the jury about her police beating. Also on hand to congratulate the trial-weary soupserver was "Trumpets for Truth" Marlana Zara--herself acquitted on Nov. 8 of "failure to disperse" in the only other May 11th-related jury trial. Merriemelodies Marlana had stirred up the baton-happy blueshirts tooting her tiny trumpet at the "sitter-smasher" squad of SCPD's "relocate the wretched" army. For her sarcastic musical tribute, she was targeted, arrested, and dragged through the courthouse congo line at a taxpayer cost of \$10,000+.

**Public Defender Laurie Wilmore** won Kim's praise for her eloquent and successful concluding remarks, reminding the jury that not Kim but the right to peacefully assemble itself was on trial. Lori called copwatcher Kim a human camera, which the D.A. and police department were trying to discredit and "smash on the ground". *Street Shit Sheet* editor Bathrobespierre Robert Norse, however, criticized Wilmore and PDs generally for their hostility to a political defense--much of which needs to be worked out in extended consultation with the defendant and her friends. PDs are also notorious locally for alternately delaying, hustling, and ignoring their clients with a "lawyer knows best" attitude. Improved "attorney control" by defendants and more communication between activists and PDs was one solution proposed. **Those who want to join Bathrobespierre and Merriemelody Marlana on the PD Contact Squad call 423-HUFF.**

**Sunnyside Sleepsnatchers Struck at high noon** during the court recess and seized silver-haired Won Ton Dave Jacobs, cantankerous courtclouter and relentless human rights activist. Won Ton's latest crime: trying to catch a legal catnap right outside the jailhouse court; sleeping at night is everywhere illegal outdoors. No stranger to courtroom conflict, Won Ton has beat back all 15 malicious misdemeanor cases filed against him in his 4-year-long human rights fight here. This new "trespass" ticket for lying down outside the building to catch a few winks threatens another 6 months jail/\$1000 fine. Dave's harassment for peacefully lying down in an area regularly open to the public outside the courthouse precisely complements the D.A.'s 8-month old assault on Kim within, showing the real '90s police agenda: drive the poor out of sight and out of public life. **Jacobs and Redtop Robert go to trial March 17 at 1:30 p.m. for having an overnight table and display in a 4th of July Freedom Vigil last year--the only ones to be prosecuted under MC15.32, another of the Kennedy-Yokoyama Downtown Ordinances.**

**Summing up Commissioner Salazaar's performance**, activists found a highly-mixed bag. Ultimately, Salazaar rejected Public Defender Wilmore's claim that if an officer was not performing a lawful duty, she had a right to resist arrest. The whole prosecution rested on arrests made under an unconstitutional (and preposterous) "sit down, go to jail" law. Hence, Salazaar did have the option to refuse to try the case at all as Judge Barton refused in August in the Lisa Henry case. Perhaps feeling pressure from downtown, Salazaar argued with D.A. Lyon but then allowed the charade to proceed.

**To his credit, Salazaar refused to discard the First Amendment** when Lyons tried to stop Bathrobespierre from giving away a "Free Kim Argula!" flyer to non-jurors outside the courtroom. The judge also allowed the unconstitutionality of the sitting law to be mentioned, but refused to permit direct testimony of police brutality. He gave bad jury instructions, claiming arrests under an unconstitutional law were permitted if an officer believed it was his duty. Those making small personal recordings of the trial under were not hindered.<sup>2</sup> **Still unresolved: a May 11th misdemeanor cases involving Justman Jim**

<sup>2</sup> Under the California Rules of Court, section 980(c), any member of the public may make a small audio recording for personal use by simply informing the judge (either do so verbally or on paper through the bailiff). After Gemstone Jim Ostrowski began to use this right regularly, Judge Tom Kelley actually designed an official-looking "information" form for court use. When a member of the public tried to use this form in the

**Cosner due to come to pre-trial in February and the 'Liftoff' Lisa Henry appeal from last year. Otherwise it seems that ALL CASES STEMMING FROM THE MAY 4 AND 11 PROTESTS LAST YEAR HAVE BEEN DISMISSED BY THE D.A. OR STRUCK DOWN BY JURIES.**

## SALAZAAR SUSTAINS SECOND SIT-BAN !

Over the constitutional objections of ACLU-related attorneys Margaret Marr and Isabel Gilman, Commissioner "Sweetcheeks" Salazaar upheld the Santa Cruz City Sitting Ban February 2nd in the Erik Marcus case. While the Wednesday Farmer's Market flowed a quarter of a block away, Airburst<sup>3</sup> Erik was scooped up from the sidewalk near Cottontails at Lincoln and Pacific back in mid-October, shortly after the latest "Sit near a shop, go to jail" law went into effect. The sit-down began when Erik observed several young Deadheads driven away from a sitting spot that blocked neither foot traffic nor the display windows. Feeling this was wrong, Erik took their place. After the Hospitality 'Snitch Squad' informed police of Erik's posture-crime, Sgt. "Obey or Pay" Seiley demanded he move along. When Erik refused, Seiley ticketed him under MC 9.50.012, the Kennedy-Rotkin Sitting Ban<sup>4</sup>. Moments later, Seiley gave Marcus a second ticket, Second 'conduct' tickets are automatic misdemeanors punishable by 6 months in jail or \$1000 fine. Then, sweet-tempered Seiley rushed the renegade rump-rester to the local lock-up.<sup>5</sup>

At his trial before Commissioner Salazaar without a jury, attorney Marr argued the "shut up and shop" law was unconstitutional and another selective sally against the 'unsightly.' It violates substantive due process, the right to travel, the ban against cruel and unusual punishment, and--in Marcus's case-- freedom of speech. Attorney Gilman reiterated that Marcus was seated in an alcove that neither obstructed pedestrians nor interfered with the customer line-of-sight into the display window.

A recent federal decision legalizing panhandling under 647 PC, Marr pointed out, required both malice and actual blocking of the sidewalk. Also, state disorderly conduct preempted local city laws. Cities can go no further than deal with the legitimate interest of a free flow of traffic; people have the right to be left alone where entirely innocent conduct like sitting is concerned.

Labor picketing was specifically protected by the City while poor people sitting down with "Will Work For Food" signs was not. Moreover, the police practice of 'warning' people before ticketing them prompted the same constitutional problems as the first Sitting Ban. Cops could pick & choose who to ticket by only warning people they wanted gone--the poor and the protesters. A second ticket becomes an automatic misdemeanor, even before a person is convicted of the first ticket, and that second ticket lets cops jail you, violating the presumption of innocence.

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court of Judge "Artichoke-Heart" Atack in Ostrowsk's recent jury trial (for possession of "joke" government plates), Atack interrupted the trial twice to stop the recording. Those interested in challenging Atack's illegal behavior can contact **HUFF**.

<sup>3</sup> So named for his simultaneous lightness of manner and sudden decisiveness in supporting the human rights of poor people locally. Erik has gone to jail three times in the last three months to protest unjust local laws: once in October against the Kennedy-Rotkin Sitting Ban, once in November against the City's Sleeping Ban, and once in January to oppose Community Service fees for the poor at the hands of lynchlaw leader Meatgrinder Mulligan [see p. 4 below].

<sup>4</sup> So called because these two 'liberals' pushed the effort to pass a second Sitting Ban, after the first had been tossed out by local courts for giving police unconstitutional selective enforcement powers. More limited than the first ban, the Sitting Ban makes it illegal to sit within 10' of an entranceway or window, 4' of a telephone or drinking fountain, and 50' of an ATM. Councilmember "Rightswrecker" Rotkin even insisted that a 'lying down' ban be retained throughout the downtown; hence it is now a \$168 crime to lie down on any sidewalk in Santa Cruz (residential districts excepted).

<sup>5</sup> City codes under the April-October Downtown Ordinances provide a second offense within a month is a mandatory misdemeanor. Thus far this year, Council liberals "Birdseed" Beiers and "Go-slow" Celia Scott have made no public statements opposing the ordinances or taken any action to reverse them.

City Attorney "Conscience-Clipper" Condotti retorted there were plenty of legal places to sit (benches, pay cafes, the curb), no evidence of "invidious discrimination", and a legitimate city purpose in promoting business and encouraging people to window-shop. After a brief recess, Salazaar, perhaps shrunk from the flak he'd gotten for finding the first ban unconstitutional, found the law constitutional, but dismissed the misdemeanor charge, saying that Marcus had only 'sat' once. Fine \$101--but treated as time-served. Result: Santa Cruz is now the only city in the state to pass and uphold a law that punishes sitting on the sidewalk near a business. Berkeley's Measure O goes into effect March 1st: for information about forthcoming protest and civil disobedience, **contact Jackhammer John Vance at the First Amendment Foundation (510-215-5777)**. Join the fight to finish the anti-poor law that Rev. Desmond Tutu publicly denounced during last fall's (No on N & O) election campaign.

## RUMORS FROM THE ROOFTOPS

\*\*\*\*\* **Cold, wet, and cranky** sums up the condition of the disposition and clothing of Marathon Mark Webster and Justeye Geena--sometime residents of the River Street Campground (or "Back Forty") until they were evicted in what Mark describes as petty powertripping. Often seen slogging about in a soaked pancho, Mark had particularly choice words for City Councilmember 'Squawkbox' Scott Kennedy last Tuesday night at a City Redevelopment Agency's CDBG hearing on how to spend homeless and housing money. The two have been concerned for sometime about the "no tents" idiocy that denies campers both shelter and privacy out at the CCH-controlled Campground. Former Mayor Kennedy blithely assured the two that the true purpose of the campground was to secure refuge from police harassment, and to avoid Sleeping Ban tickets--objectives that didn't require tents. "What about protection from the rain and cold?" asked Mark. "Two out of three ain't bad," smiled Squawkbox Scott.

Geena and Mark are pursuing negotiations with Potter's Field Paul Merceau, Interfaith Satellite Shelter Program Director to resolve this and other issues. These include two and a half hour waits outside the Armory from 4:30 a.m. even in rainy weather, favoritism for "inside cliques" at the Campground, and alleged goonsquad vigilanteism there. Leave a message for the troublesome twosome at 423-4833 or seek them out at the *Food Not Bombs* meals.

\*\*\*\*\* **Funding is the first priority** for the new Homeless Task Force, organized and managed by CCH volunteer Crazyquilt<sup>6</sup> Kimberly Carter. Kimberly corralled a crowd of several dozen--including business reps, service providers, homeless activists, and councilmembers. Their initial goal: to refund the ISSP program before it goes belly-up April 30th. Due to downsize by half when the Armory closes in mid-March, the ISSP has told the *Sentinel* it hasn't the money to 'reopen' the campground at all.<sup>7</sup> Horselaugh Harriet<sup>8</sup>--sometimes homeless but not on the Force--gave us a broad grin. Another bailout for CCH's budget boobos? *she growled*. "Why not a homeless-heavy ground-up investigation of the perk-loving patriarchs?"

The Task Force--open to everyone--has split into sub-Committees to cover fund-raising, the campground crisis, youth services, civil rights, and other areas. Give a call to Kimberly for a look-see or to help out at 458-8913. No need to wait for the next meeting

<sup>6</sup> So-called because of her success in drawing together a multi-colored variety different folks.

<sup>7</sup> CCH has closed down the campground at River St. and Hiway 1 in the past under various pretexts including drug use, 'to start building Community House', threats to City Funding should 'illegal sleepers' be found there, and the ever-reliable 'insurance requirements'. The property, however, was bought in 1986 with homeless moneys and should be available the homeless year-round, wretched and rat-ridden though it is. Recently conditions have worsened with overflowing portapotties reduced from 4 to 2 and still no fresh running water to wash with. Next CCH meeting:

<sup>8</sup> Our cover name for a source that does not wish to be identified.



(several weeks off) to put in your 40¢ or lend a hand. Bathrobespierre Robert Norse and Day Center Duchess Karen Gillette were actually seen speaking together afterwards for the first time in generations.

AAAAA **Due in San Francisco for a Souprime Sentencing Appeal**, Bathrobespierre Robert may actually be going down for the count **March 10, 10 a.m. at 633 Fulsom St., Rm 636**. The big-bellied brothgiver was blasted with a sentence of two months behind bars a year ago (stayed pending appeal)--the first such trial & conviction in San Francisco--for violating a court order that barred *Food not Bombs* from giving away food to the homeless in San Francisco. Thousands were arrested under Mayor "Juggernaut" Jordan's Matrix program, to cement over the homeless problem, *FNB* continues to serve food twice-daily from UN Plaza at noon and 6 pm. 8 foodcrime cases are still pending in the courts with a massive discovery hearing slated for **Feb 27th 9 a.m. on 2nd floor at 850 Bryant..**

Boldly backed by Berkeley barrister 'Bedrock' Beauvais, Bathrobespierre faces the three-judge Superior Court panel feeling little hope since the Court allowed the D.A. to file response briefs a month late--an unprecedented concession. 'Bedrock' Beauvais believes the case could go either way. If the Court turns its thumbs down, Beauvais can try to get the transcript certified and, if that succeeds, ask the Court of Appeals if they will hear the case. If that fails, the 'criminal consume' case collapses back into the creepy court of visiting Judge 'Bilgewater' Barclay, whose biased rulings speeded Bathrobespierre's conviction last year. Before seeing the sandaled soupslinger sent to stir, Beauvais may beg Barclay to slash the scofflaw's sentence. In the meantime Bathrobespierre is passing around a pardon plea for Governor Whiplash Wilson. Want to circulate or sign a this petition? Call **423-HUFF (or drop a line to 322 Maple St., Santa Cruz 95060)**.

Beauvais's appeal brief cites insufficiency of the evidence (they never proved a permit was necessary for small-scale charitable "picnics"), equitable estoppel (police didn't enforce the law for a year and a half, then suddenly did; the D.A.'s office declared it wouldn't prosecute *FNB* cases, then did), and missing witness (Keith McHenry was mysteriously jailed the first day of the trial and released at its close with apologies). In case any are missing the real point, *FNB* will be serving a bagel brunch outside the court that fateful March morning giving the public & the high sheriffs something to chew on.

AAAAA **Deal with the Devil #2 for 'Katenjammer' Keith McHenry** was signed and sealed last Friday. With a 15 years of feeding people free food, several million meals, 95 San Francisco arrests, 10 SFPD beatings, and countless court hearings behind him, Keith has accepted a deal dumping 48 misdemeanors and 7 felonies in return for a plea that gets him convicted of two felonies (assault and petty theft) and one misdemeanor (disrupting a meeting). Then, after a year of felony probation, the charges will be dropped to misdemeanors. Judge Lucy "Cowgirl" McCabe has 'guaranteed' that probation can only be violated by serious felony charges punishable by life or execution, supposedly safeguarding Keith against more frame-up frolics from the downtown Dick Tracys. He will be permitted to attend public events, like Police Commission meetings, even with Mayor Jordan & the two city officials whose lies led to the charges present.

"Looks like a pretty big victory," strutted Keith, who will now fly out on a nationwide speaking tour including Dallas (3/3), New Orleans (3/10) St. Louis (3/17), DC. (3/24) Philadelphia (3/31, NYC(4/2), Boston (4/7), Montreal (4/8) Toronto (4/9), Detroit (4/10), Chicago (4/11), and San Francisco (4/14-15). If any one's interested, Keith may visit Santa Cruz on a projected West Coast Tour in May.

AAAAA **Still beating the bushes for the Recall of the District Attorney 'Drumhead'** Art Danner is "Bottomline" Bob Lamonika, whose *Coalition to Recall Danner* cites 17 specific and documented reasons to turn the tinhorn Torquemada out to pasture. Lamonika's list ranges from the recent Catherine Gardner "election timing" affair back to his gin-and-tonic collision with Sandra Larsen who was injured and then smeared, while the D.A.'s drunk driving was covered up. Our beef with the breezy benchwarmer stems from his harassment of homeless activists. Even when city officials were scuttling to forgive and forget their May

11th police riot, Danner forced two jury trials (of Marlena Zara and Kim Argula) costing taxpayers tens of thousands and resulting in acquittals. Bottomline Bob's campaign can be reached at **457-2670**. Starting in early April, the Coalition needs 14,000 signatures to recall the D.A. Volunteer early and increase their chances. **Next meeting: March 4, Aptos Public Library 2 PM**

AAAAA **Slamming the Sleeping Ban from another side** are Hilltop Holly Gray, Midtown Mark Peterson, Skidmark Bob Duran, and Bathrobespierre Robert Norse--dragged back to court for 'covering up with blankets' Nov. 1 outside the Bookshop Santa Cruz last at 11:02 p.m. (two minutes past the City's Snoozeslayer Ban's 'no sleep' deadline). Jailed for ten hours and finally released, the frazzled Four found no traces of their cases on the calendar when they showed up in court two months later. Free at last? No way! In early January each received a thick packet from the campercatcher Condotti with orders to **be in Muni Court (2 & 3 at 8:30 a.m. on March 1st)** to pay for their notorious napping. Busted for snoozing? Huddle with them and their leapfrog lawyer Catnip Kate Wells on the first floor of the County Courtroom. Meantime, send in your complaints to **HUFF (Homeless United for Friendship & Freedom)** at **423-HUFF**. And if the cops were abusive or rude, file a complaint with the new under-used Civilian Police Review Board at **429-3262**. Want company or help doing that? Call HUFF and our motherHuffers will go with you!

### **Street Shit Sheet Salute:**

to Duskstar Deryll Darling for taking fast action to get a black family of 6 huddling at University Copy out of the rain to emergency shelter hours after the ISSP pickup deadline had passed.

to a Happytalkin' Host for getting Bobolink Bernadette a ticket to San Jose, when the ISSP turned her away; and

to Day Center Duchess Karen Gillette for passing on a portable stove to a charitable feeding group which shall remain nameless and for accepting a collect call from a jailed homeless activist. **Right on, K.G!**

### **Quick Correction:**

Our 11/21 "Stewart Martin unWanted" flyer, detailing the downtown skulduggery against homeless activists, apparently misquoted Jesus Santos, whom we mistaken called Juan Santos. We heard and wrote that Martin and Bookshop Santa Cruz owner Neal Coonerty had hassled Santos for distributing "Yes on L" literature in front of Georgiana's Cafe. Public sidewalks in front of open-air cafes are now private, or, at least, forbidden locations for political tabling, performing, or playing music thanks to the Coonerty Cafe Law (MC 5.43.020(e)--Ord 94-21).

Santos now says some folks did ask him to leave, but not Neal. Has the former City Councilmember abandoned his campaign against unsightly vagabonds, homeless hobos, and unrepentant activists? He might start by readmitting into the Bookshop activists like Candlelight Kim, Justman Jim, Bathrobespierre Robert, and a backpack of others--barred for peaceful protest against his Downtown Ordinances. Until then we continue to support the Boycott Bigotry drive against Bookshop Santa Cruz, Artisans, Atlantis Fantasyworld, Cat 'N Canary, and Game Alot. If you hear of other stores that back arrests of the poor for innocent but 'unprofitable' behavior, let us know.

**Next issue-stories we had no space for this issue!** including **Trenchant-Tongued Todd's Brief Against Bigotry**--Fighting the Sleeping Ban in Court, Santa Cruz-Style; **What's Up with Won-Ton Dave?**--the latest struggles and victories of the wizened warrior; **Jus' Kiddin's banshee band of bandits** beats back the latest (and hopefully last) Stewart Martin mendacity--an interview with Phil Free; **High-Profile Scrutiny of Blackrobe Badguys**--the latest antics of Referee Meatgrinder Mulligan and Muni Court Judge Artichoke-Heart Attack; **Pay for Community Service Work or Go to Jail?**--the Bizarre Case of Airburst Erik Marcus; **Friendly First Night?**--the Quiet Police Crackdown; **Downtown Discrimination Deja Vu:** Reports on Gateways, Zinotto's, the ID Building, and others; **Crossroads Chris Brozda Back in Court**--facing two years in jail for walking through the Coffee Roasting Company twice; and more.

*The first edition of Street Shit Sheet #146 was published 2/12/95.*

# STREET SHIT SHEET

#147

February 18, 1995

Saturday

10¢ or **Speak out on the sidewalk**

"But think of our children. / If you lie on the street drunk, sick, mad,  
or anyway broke in grimy old clothes / you might scare our children.  
That would be bad. / Or you might not scare our children / that would be worse.  
We have their whole lives planned / and the plans don't include you.  
And you don't fit in anyone's plans / particularly your own.  
You're like those amputated limbs / that still ache / except you're not invisible.  
Why aren't you invisible? / We need to tell our children/ this is a safe and happy country  
because if our children believe it / maybe we'll believe it again.  
So it's really mean of you to insist / making us look like liars  
don't you think you're being inconsiderate?"

--"Parents to the Homeless" from **Styrofoam Ghosts** (1993) by Julia Vinograd

[Send articles to the **Street Shit Sheet** at 322 Maple St., Santa Cruz 95060 or call 423-4833]

## MORE BAGEL BUSTS AT SF McHENRY VICTORY RALLY ! CANDLELIGHT KIM FACES NEW FOODCRIMES !

A negotiated settlement with jovial gumbogobbler 'Katenjammer' Keith McHenry freed author and activist to serve soup and organize nationally. But now one of his Santa Cruz counterparts, Candlelight Kim Argula faces misdemeanor charges of "contempt of a court order" (166.4 PC) for holding up a bagel at a demonstration denouncing President Clinton's support for recent Mexican government repression.

On Tuesday morning around noon, Kim and several other *Food Not Bombs* members tried to bring several bags and boxes of bread and bagels in to feed a protest of several hundred people outside the Hyatt Regency Embarcadero Hotel. When big-bellied blueshirts blockaded the edible contraband, Kim reached into the box and shouted "Anyone want a bagel?" "Arrest her!" was the police response, diving into the bagel battle. The incriminating evidence was ripped from Kim's hand and thrown into the gutter, from which it was later retrieved and devoured. The offending mouth: no other than 'Skidmark' Bob's of the local Santa Cruz band Jus' Kiddin', which earlier wowed the crowd with their hit single *Ameri-ka-ka-ka*.

At the victory celebration in front of the S.F. Hall of Justice two hours before, Kim and 125 other *FNB* supporters watched a S.F. Mime Troupe morality play starring a Dudley Doright detective who saves a bag lady from a fanatic free food fomenter and falls in love with her. Wise Fools contributed two 15' high human puppets--Marie Antoinette ("kill the disgusting homeless") and a Prodigous Panhandler with outstretched hand. In mid-show, the SFPD upstaged the actors by suddenly dragging off three *FNB*ers who were giving out bread on the courthouse steps.

One arrestee--Coffeeklatch Chris Allen--later got beaten up at the police station for asking why he was being fingerprinted. According to Skidmark Bob, Chris was thrown into a cell, his head hitting the steel bunk, choked, his feet stomped, and then kicked some more. He and the two others arrested face multiple charges of "resisting", "operating an unlawful food facility", and "contempt of a court order." **On March 15 at 9 a.m. the four will be arraigned at room 201 850 Bryant St. in S.F.** but old-timers suggest checking with *FNB* locally before going to the hearing since charges are routinely dropped. (Only one case--that of Bathrobespierre Robert Norse Kahn--made it to trial. He was convicted, sentenced to two months, and will be at a full-blown appeal hearing **March 10 9 a.m. at 633 Fulsome St., Room 636 in San Francisco.**)

## TINY TIDBITS FROM THE TREETOPS

No good news yet from Santa Cruz Mayor 'Birdseed' Beiers on the 'permitted vehicular sleeping' exception to the Camping Ban. The proposed change is still winding its way through the City Attorney's office--March at the earliest, but probably April...**Cough up the bucks or go behind bars** is the word from Community Options, the court referral service that provides agency referrals for those without money to 'work off' their tickets. **Airburst Erik Marcus** (recently the first and only person convicted under the new October Sitting Ban) came in to Community Options to be assigned to Earthsave to work off his 24 hours of community service, a punishment for his participation in the Nov. 1 Sleepout Against Bigotry, for which he'd already spent 10 hours in jail. C.O. refused to sign him up unless he paid them \$25 or did "shit work" for 5 hours for them, something Erik declined to do. When he returned to court, court referee **Meatgrinder Mulligan** immediately threw him in jail for 4 days, insisting the bailiff take him into custody on the spot. Erik is preparing his complaint to the Commission on Judicial Performance to lower the curtain on Mulligan's masquerade as a judge. Others should do the same.

**Meatgrinder** is in hotter water still for his arbitrary abuse of Cecil Razor, a church busdriver with a spotless driving record, Mulligan spitefully and unlawfully pulled Razor's driver's license in an infraction proceeding (a violation of state vehicle code 13203).

**The head of the DMV himself** returned Razor's license. Razor is now suing Mulligan under Title 42 of USC 1983 (denial of civil rights under color of law). Rights-R-Us Richard Quigley and Bathrobespierre Robert Norse inform us that Mulligan is an old hand at constitution-shredding--especially notorious for not informing defendants of their jury trial rights and giving police testimony privileged status. **To avoid Mulligan, tell the clerks at the County basement ticket window you wish to disqualify him (a signed statement saying "I swear John Mulligan is prejudiced and move to disqualify him" will do--and simply states your opinion).**

**Catnip Kate Wells** has taken on the Sleepout Against Bigotry sleeper trials of Hilltop Holly Grey, Skidmark Bob Duran, Midtown Mark Peterson, and Bathrobespierre Robert Norse in a **continued arraignment March 1st at 8:30 a.m. in Depts. 2 and 3**. The four will be challenging Santa Cruz's notorious Sleeping Ban using the same arguments successfully presented in the Southern California **Tobe** case currently before the Supreme Court: right to travel, cruel and unusual punishment, and equal treatment under the law. Hotwater Harry Simon, lead counsel in the **Tobe** case, expects a decision by April 24th, but fears it will be against the campers challenging the Santa Ana Sleeping Ban. In Santa Cruz, the Frazzled Four may be joined by plenty of others facing police harassment for outside slumber once the ISSP closes down this spring.

**Lighthouse Linda Lemaster** tells us that Free Radio Santa Cruz may be up and running shortly. For the first time in broadcasting history, the FCC lost its case in court against "pirate radio" operator Stephen Dunnafer in Berkeley, opening the door for broadcasting bucaners here. The full-blast court hearing for government-free low-wattage radio is **March 10th at 1:30 p.m. in Judge Claudia Wilkins' court at Federal Court House (1301 Clay St.) in Oakland**. Spanish-language free radio is already broadcasting in Salinas. Radio-Free Berkeley: 104.1 FM; SF Mission Radio: 103.3 FM; SF Liberation Radio: 93.7 FM. Sign up to skateboard the skyways in Santa Cruz: **contact Lighthouse at 459-7652**.

Next Time: Lighthouse Linda editorializes on Legal Aid's Lawsuit Against the County's Low-Income Housing neglect; Feb 27th: FNBSF opens up the books on Jordan's War Against the Poor; High Noon March 1st: Berkeley SPAM (Sitting & Panhandling Action Movement) butts in against the Sitting Ban; Leafblower Lunacy--More Hard Times for Cornerstone Carol Denney and whatever else fits...

# STREET SHIT SHEET

#148

May 1995

Monday

give a dime or a piece of your time

Spare changers gamble with the 2-armed bandits/ the way businessmen gamble with the 1-armed bandits in Vegas./ Put in 1,000 quarters and lose them./ Say "spare change" a 1,000 times 'till you can't hear your own voice./ lose your identity./ become only a thing in the way. get 1,000 dirty looks./ get hassled by the cops./ get hooked on ugliness./ keep playing the street. And then jackpot./ The businessman gets a flood of quarters/ and is free from the machine for a moment while he shows his friends/ and gets the money changed to bills or chips and then gamble again. The spare changer gets a quarter for the quarter meal or enough change for a beer/ and is free from the machine/ for a moment while he shows his friends and gets the money changed to food or drink/ and then gambles again/ and again. Luck is a jealous lady/ who never lets her lovers go.

--"Spare Change" from **Street Sense** (1984) by Julia Vinograd

[Send articles to the **Street Shit Sheet** at 322 Maple St., Santa Cruz 95060 or call 423-4833]

## SLEEP/CRIME TRIALS, POVERTY TICKETS & TENT TURMOIL TWO GUILTY OF NIGHT-TIME DEMO LAST JULY 4TH

With hundreds of houseless people thrown into domestic "illegal" status under the City's 11 PM- 8:30 am Sleeping Ban<sup>1</sup>, a reform proposal permitting vehicular sleeping was still hiding in the catacombs of City Council subcommittees with no next meeting scheduled--fully five months after it was promised by Santa Cruz City Council liberals Celia "Saylittle" Scott and Mayor "Birdseed" Beiers.<sup>2</sup> Reports at the **Food Not Bombs** meals show more police and ranger harassment of sleepers as well as conflict at the Open Air Shelter.

Marathon Mike Webster currently on the phone in search of tents funded by the Above the Line Community Coalition,<sup>3</sup> reports a Tent Rebellion earlier this week against the official edict banning tents in dry weather. With six 'staff' tents permanently up, campground users faced a bitter cold wind and a cloudy sky plus a sign, "clear weather today; no tents tonight." With 85 people crowded like cattle under the Free Meal lean-to, another twenty descended on staff members demanding the right to set up their own tents. Nervous staff members looking at the number of people and the anger in their voices nodded. The tents went up.

Meanwhile the Constitution took another cudgeling in the court of Municipal Judge 'Artichoke Heart' Robert Atack in the 'sidewalk obstruction' case of Redtop

<sup>1</sup> MC 6.36--which makes the act of falling asleep and/or covering up with blankets criminal behavior punishable by \$168 fine. Santa Cruz has an officially declared Shelter Emergency since 1990. The ISSP Winter Shelter program closed in April. The Open Air Shelter-ISSP Program has no more than 150 spaces leaving 800+ illegal each night.

<sup>2</sup> Katherine Beiers and Celia Scott got their telltale nicknames from the **Street Shit Sheet** because of their refusal to speak out on issues of homeless rights. Scott's public opposition to the anti-homeless Downtown Ordinances last year has crumbled into near-silence after her election to Council. To her credit, Beiers has taken some quiet actions. She wrote to the California Supreme Court, supporting the pro-homeless (and recently overturned) *Tobe* decision that upheld the right to sleep outside in Santa Ana. She clarified Brown Act requirements for public comment at the Civilian Police Review Commission giving it much more liberal procedures than City Council. She opposes relocation of the police station to San Lorenzo Park (**study session coming up May 30th at 2:30 pm in City Council chambers**).

<sup>3</sup> Out at the Open Air Shelter. Crazyquilt Kimberly Carter, ATLCC co-ordinator got permits and facilities for fresh water at the campground. She is now fighting the Water Dept. for affordable rates. Justeye Gena and Marathon Mark report the Open Air Shelter bosses are still treating homeless campers like kiddies with unnecessarily early and threatening wake-up calls. One man was recently expelled for the summer when he slept late (9:30 am). Mark, Gena, and Kimberly's struggle to secure tents and tarps for the campground goes on. Most recently, their attempt to put up a lean-to tarp next to the still-closed Day Center annex was thwarted. They were told such protection from the cold and wet was "an insurance problem." Talk to Marathon and Gina through the ATLCC's Emergency Shelter Subcommittee 457-9754, Ext. 264, through **Food Not Bombs (FNB)** 425-3345, or the **FNB** meals (Tues. at 11 am Loudon Nelson Park; Weds. at 4 pm Cathcart and Pacific; Sat and Sun at 1 pm River and Josephine).

Robert Flory and Won Ton Dave Jacobs. City police cut short their small peaceful sleepout protest last July 4th downtown at 3 am July 5th.

"No person, without a permit, shall place on the public sidewalks of the city between sunset and sunrise **any** structure or object which may **potentially** represent a hazard or obstruction to **any** able-bodied or disabled person traversing **any** portion of said sidewalk.*[Italics added]*" says MC 15.32.040-the Sidewalk Obstructions After Dark law:

**Flory and Jacobs were the only two** ever charged while merchant flower boxes and furniture nightly litter the lanes. The law was specifically enacted to abort poverty protest against the anti-homeless sleeping ban. The law is obviously overbroad and vague on its face and a clear prior restraint on free speech, which police can and do selectively enforce at will. City attorney "Conscience-clipper" Condotti agreed there was no permit process in place. Without alleging any health complaint, he repeatedly raised the specter of "a 5 gallon bucket with urine in the bottom" (the makeshift toilet used by the protesters in a city where no public restrooms are open after 10 pm).

"Guilty. Pay \$108." was the Attack edict, hanging his decision on the fact that no permit had been applied for. Citing the obscure but often effective Edwards-Flory defense<sup>4</sup>, the two declined to pay or to do Community Service. Next hearing: 9/29.

**A year later, still gunning for the badass bumslingers** who parked their posteriors on the pavement last May 11th are D.A. "Drumhead" Art Danner<sup>5</sup> and City Attorney "Conscience-clipper" Tony Condotti in the appeal hearing of "Limberlimbs" Lisa Henry **Thursday 4 pm May 11th in Dept. 9**. The "Sit on the Sidewalk, Go to Jail" law got tossed out as unconstitutional kudzu by Commissioner Salazar and Judge Barton in August. A month later, the Silly Clownsel<sup>6</sup> bellyflopped back with a second Sitban ordinance--under which Airburst Erik Marcus was convicted in February (appeal is pending). That ordinance, which bars sitting near a shop, ATM, telephone, or drinking fountain, also bans lying down everywhere on any downtown sidewalk (something insisted upon by Councilmember Robocop Rotkin).<sup>7</sup>

*On the horizon for **Street Shit Sheet #149**: Five years later--finally a permit for FNB in SF?; Moxie Margaret Marr vs. the Downtown Business Association trash-the-trolls tax; Free Radio Santa Cruz--baby gets bigger!; Hotwords Jose--on trial for dancing; and more...2nd Edition*

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<sup>4</sup> **63 Atty Gen. 418 5/14/80** of Section 1205 of the California Penal Code reads "The power of a municipal court to enforce payment of a fine by imprisonment is restricted by Penal Code Section 1205, which precludes imprisonment for nonpayment of a fine in the case of an infraction." Recently dubbed the Edwards-Flory defense, this section is particularly important for poor defendants convicted of Sleeping Ban and other status crime charges. The state can assess a civil lien against your property. If all you have is a toothbrush, judges and sheriffs may look and feel pretty foolish.

<sup>5</sup> After months of preparation, the Recall Danner Coalition began in earnest May 5 at noon with a kickoff rally at the County Building. For years a high-profile politico, Danner's campaigns against grass growers, homeless activists, and ordinary citizens are provoking political payback. Bottomline Bob Lamonica says the Coalition needs 14,000 signatures of registered voters by Oct. 12th to send the D.A. back to private life. Call **457-2670** if you want to gather signatures for our first-ever D.A.-recall

<sup>6</sup> Streetshit-eeze for the City Council--which has been avoiding new confrontations with protesters since the disastrous May 11, 1994 police riot. On May 11th, cops clubbed a dozen before they were driven away--one woman miscarried and another man had his rib broken. Out of more than 50 arrested, none were convicted. No police were reprimanded or sanctioned and then-Mayor "Squawkbox" Scott Kennedy publicly declared his support for Chief Blunderbuss Belcher's beatings.

<sup>7</sup> Police swooped down on a reckless recliner earlier this week and gave out one of the first "lying" tickets yet issued. Witnesses confirmed the story, as did the victim who gave the *Street Shit Sheet* an exclusive interview as he lay on the sidewalk the next day. Special tip of the hat to Postmaster Peter for proofing this edition.

**pitch a dime or do the time**

On a cold night the street makes music to keep warm.

Music is fire in disguise;

liquor is fire in drag.

Streetbands burn like small fires and cops put them out until the cops are gone until the cops come back.

Half the words are forgotten, instruments are out of tune.

missing strings, teeth, time--it doesn't matter.

Shivering shadows listen with outstretched hands.

Music is fire

and the jealous cops are only the heat.



--"Night music" from **Street Signs** (1982) by Julia Vinograd

Send articles to the **Street Shit Sheet** c/o 322 Maple St., Santa Cruz 95060 or call 423-4833

## Curtains for the River St. Campground?

The Open Air Shelter, aka the "Back 40" may face final closure in November. **Citizen's Committee for the Homeless [CCH]** announced plans to move ahead, hell or high-water, with its Community House "transitional" housing project. Having secured modular units for 44 people from Stanford, At their September Board Meeting **CCH's** Board of Directors rejected Bathrobespierre Robert Norse call to save the campground.

Community House director Darrell Darling agreed to help a City Council Subcommittee seek out "alternate sites" for the campground, yet he admits **CCH** plans to begin bulldozing the field and locating the trailers the minute **CCH** gets their permits in order. The Free Meal may be driven from its site of the last six years into cramped winter quarters as early as November 1st, when the Armory opens up as weather-contingent Winter Shelter.

On December 15th, when the Armory opens nightly, **CCH** had planned to have ousted all campers from the field. Bubbah Brian Koepke, Lighthouse Linda Lemaster, and other activists wondered why a City Council subcommittee was wasting its time looking for alternate spots for the Campground, when it would be much easier to relocate the proposed Community House development. At their last meeting a week ago, Mayor 'Birdseed' Beiers and Councilmember 'Saylittie' Celia Scott were poring over maps in search of alternate spots for the Campground instead of talking turkey to Community House. Why not tell **CCH** to move Community House or face an embarrassing public accounting in the appeal to City Council?

Lemaster also advocates a review of the real property accounting, claiming the land was bought with federal dollars meant strictly for homeless people. There is little dispute that neighborhood consent and appropriate property would be far more difficult to find for 200 campers than 44 people in 10 trailers. [To attend City Council campground subcommittee meetings, call 429-3550; a special hearing is slated for November 7th]

Some activists view "Community House" as a fund-raising scam and government money-magnet, organized by poverty pimpsters who have historically specialized in excluding homeless people from their meetings and homeless campers from their campground. In October 1991, **CCH** called in police to drive campers off the property, arresting three. In 1994, pressed by activists, **CCH** secured a permit from City Council. In 1995, under camper pressure, tents, previously permitted only for privileged staff, were finally okayed for everyone. Recently, two young women, one of them pregnant, claimed in the *Sentinel* and on *Free Radio Santa Cruz* that staff harassed them for wanting their tent up during the day.

Bouillabaisse Barbara Riverwomon risked jail to feed homeless people in the spring of 1989 with **SWAP (Soup Without a Permit)** dinners at the Town Clock--a course of civil disobedience that ultimately launched the Free Meal. She denounced the whole idea of driving away 200 to set up some low-rental transitional housing for 44.

An activist from the **Above the Line Community Consortium** (a mixed group of merchants, activists, bureaucrats, and service-providers working to fund and locate a winter youth shelter) questioned the idea of locating Community House near the Free Meal and the **Interfaith Satellite Shelter Program [ISSP]** pickup point. Would it be wise to

locate 'clean and sober' Community House in the middle of homeless services that handle many people who still have drug and alcohol problems?

Other activists like Calamity Jane Imler said they've opposed the Campground as an unsuitable site all along. Jane feels a number of smaller campgrounds has always been the best way to go--however repugant to County poverty pimps, ever concerned with luring federal grants for salaries and facilities. Puckish Paul Merceau, **ISSP** Executive Director, noted that a closing of the campground and the surge of illegal camping that would result next April or sooner might be an activist's dream. With unprecedented state and federal welfare cuts imminent, the City may face hundreds camping out in streets, parks, and cars come next Spring next to Newt, Wilson, and **CCH**. **HUFF (Homeless United for Friendship & Freedom)(423-HUFF)** recruiters may find an army of demonstrators more ready than ever before to challenge city anti-homeless laws.

**Drug War Roadblocks on Barson Street.** That's the word Wednesday afternoon (10/18) from local Free-radio firebrand, *Jus Kiddin'* songster, and Dick Tracy-dissin' Dad 'Skidmark' Bob Duran newly returned from the North. Happy hempsnatcher from the DEA and their local police pals were stopping vehicles at checkpoints for "vehicle problems" like faulty lights, then searching their car for sinister smokables. It's harvest-time across the state and business-as-usual, for our pipsqueak pot-hating pistelleros seeking out more revenue-enhancing jailbirds in their well-funded well-organized hysterical Hemp War.

Nothing new, but how long will we bend over for potpillaging police? Last week state Governor Whiplash Wilson vetoed the medical marijuana bill and county D.A. 'Drumhead' Art Danner charged the Santa Cruz City Planning Director with illicit herb growing. Isn't it time our friendly City Council spoke up against this legalized lynching of the Constitution? If you find yourself on a jury, nullify! If you're fond of firearms, start your own militia. If you have a joint and three brave friends, toke up on the corner and pass the pot around.

Two tokers from Cathcart and Pacific reported on Bathrobespierre's Broadsides radio show last Monday that a sneering SCPD 'search-and-destroy' soldier illegally searched the two, found a small quantity of grass, and ground it under foot as well as confiscating an "illegal pipe." Trivial indignities? Wait til it happens to you.

**Report any police abuses to SPAN (Stop Police Abuse Now!) at 475-2012, expose them on Free Radio Santa Cruz at 427-3772, and contact the CPRB (Citizens Police Review Board) at 429-3262** Blow the whistle on police bigotry and keep us informed!

**Bars and Cuffs Again for Roughrider Ray McMinn**, a mainstay of the **Homeless Garden Project**, a frequent figure at the **Citizen's Committee for the Homeless (CCH)**, and a worker at the **Interfaith Satellite Shelter Program**.

26 years ago, Ray was railroaded to prison, serving 14 years of a 40 year sentence after being convicted of robbing a friend of eight dollars. Ray got a typical "jail the longhair" 15 minute trial, with the jury deliberating 8 minutes. Brightsky Becky Johnson reports Ray moved to Santa Cruz after the 1989 earthquake to care for a relative.

Earlier this summer, an ancient parole violation warrant reached the county and Ray was locked up for 50+ days before good samaritan Darrell Darling posted \$1000 bail for him. Not for long--after delays and buckpassing, the Virginia governor signed an arrest warrant and Judge Kelsay had Ray back behind bars by 8:30 a.m. Thursday. Two years ago Ray was hospitalized for emphysema--so this latest state-sponsored kidnapping could be a death sentence for him.

Those who want to testify to Ray's good character or protest this medieval treatment can write to the Parole Board, Governor, and/or Attorney General in Virginia. Send the Parole Board a note about case #096929 at 6900 Atmore Dr., Richmond, Virginia 23225; phone them at 804-674-3081; fax them at 804-674-3284. For more info, leave a message for Brightsky Becky at 426-3609

**Coming Up! Covering Up for the Cops--the City Council's Public Safety Subcommittee Halloween Hideaway; ; Disappearing Trashcans at Hippie Corner--more police mischief?; What Ever Happened to Won Ton Dave?; Feed the People-- Downtown Again?; Drumhead Danner disdains Linda the Lark's death by discounting sexual felony battery charges...and more!**

**For more Street Shit,tune in Bathrobespierre's Broadsides, M & F 10 AM- 1 PM on 96.3 FM!**



10 cents

or

give your heart

They're not just canceling the buses, they're canceling the night.

Stay inside from 10 p.m. on.

San Francisco has curfews for the young. South Africa had curfews for the blacks....

Maybe pretty soon we'll disappear entirely?

Grubby hands escaping sleep, clutching a transfer to the moon.

Guys riding to a party, or maybe only looking for a party

but the night rich and dark with promise like a moist chocolate cake....

A whole night world and only the meringue on top has money enough for a car.

Where will the night go when its people are taken away?

The moon may never be full again.

--from "For the Cuts in AC Transit" from **A Door With Wings** (1995) by Julia Vinograd<sup>1</sup>[Send your stuff to the **Street Shit Sheet** c/o 322 Maple St., Santa Cruz 95060 or call 423-4833]

## CAMPERS HALT CLEAN-UP EVICTIONS!

HUNDREDS TO BE MADE HOMELESS BY "COMMUNITY HOUSE" NEXT YEAR

## HOMELESS 'HELPERS' READY TO EVICT HOMELESS out at the River St.

Campground! The **Citizen's Committee for [the class cleansing of] the Homeless [CCH]**, is the owner of the property on which the campground stands and the manager of the campground through the **Interfaith Satellite Shelter Program [ISSP]**. After soliciting hundreds of thousands of dollars in the name of homeless people in the last decade, **CCH** confirmed at its 10/26 monthly Board meeting that it would make no commitment to reopen or run the only legal place for homeless people to sleep in Santa Cruz. Instead the Board whistled full-speed-ahead for the mid-January location of a modular trailer village called Community House that will displace 200+ campers in favor of 40-44 rent-paying clients in recovery from alcohol & drugs.

Though originally billed as an SRO project in 1991 to wrest the property from the City<sup>2</sup>, Community House has apparently been transmogrified into a clean-and-sober facility<sup>3</sup> intent on attracting federal CDBG funding complete with bureaucrat-pleasing caseworkers. If the campground closes permanently December 1st as billed and no alternate site is found by March 15, 1996<sup>4</sup>, virtually the entire homeless population of Santa Cruz will become illegal after 11 PM at night under the City's Sleeping Ban when the Armory Winter Shelter closes next spring.<sup>5</sup>

**CCH's** Board meeting boasted a laundrylist of lollygagging liberals included City Councilmember Saylittie Celia Scott, ISSP Executive Director Pardonnez-moi Paul Merceau, Patriarch Poverty-pesoteer Paul Lee, and Community House honcho Drygulch Darrell Darling. Remarkably, nary a homeless camper or community dissenter was present to mar the "full-speed ahead!" pace of Community House.<sup>6</sup> Drygulch

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<sup>5</sup> In spite of the fact that the City declared a Shelter Emergency in 1990. City Council Progressives have never found the political courage or sense to lift the Sleeping Ban as the Federal Courts lifted it in Miami (the *Pottinger* decision), holding that the right to sleep cannot be legislated away.

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Darrell did report he was not foreclosing the possibility of relocating Community House if the City were willing to (a) find the property, (b) buy it, (c) clear it with the Red Cross and Lutheran Church that put up the original funding, and then (d) run the Open Air Shelter itself. *But neither he nor any other CCH member recognized the primary overriding importance of maintaining the Open Air Shelter if no alternate site is found.*<sup>7</sup> *Instead Community House was going to proceed at the expense of the only legal place to sleep in Santa Cruz!*

**LATE FLASH:** This morning under apparent orders from CCH "Clear 'em out before they get Comfortable" policy makers to make the area a "night-time only" shelter, campground staff demanded campers leave with all their belongings, under threat of camping tickets, subsequent ban from the campground, and possible trespass prosecution by 10 a.m. Trash problems, drug use, conditioning for an Armory schedule, and orders from above were some of the excuses monitors offered for the sudden clean-up.<sup>8</sup> Clients and critics suggested CCH convenience, obliviousness, and desire to disperse the houseless community were more likely reasons.

Ankle-Deep Anne, Badweather Bill, Squeakywheel Squirrel, and others held counsel with Operations Manager Roughwinter Ron, who praised "co-operation not capitulation." Ron emerged from a meeting with Pardonnez-Moi Paul to announce the day-time camp tents included could stay up during the day until the Armory opened December 1st.<sup>9</sup> Camper determination, belated staff common-sense, the appearance of outside media (**Free Radio Santa Cruz**<sup>10</sup>, **Community Perspectives**, **Santa Cruz Urinal**) apparently halted the homeless clean-out.<sup>11</sup> In the past camper solidarity had secured more frequent portapotty pickups, the right to keep up tents, and the right to be free from abusive searches and seizures. This time, it saved the campground itself.

But only for the moment. November may be the last month of life for the only open air shelter of its kind in the state if not the nation if campers and the larger community allow it to be replaced by ten modular trailers. One old-time activist called for a sleep-out at Drygulch Darrell's Bed-and-Breakfast hotel on Westcliffe Ave.; another suggested moving bedding into the County Building since the County hates outdoor shelters; others proposed methodically contacting the Lutheran Church and Red Cross (who put up \$350,000 for the property) and asking them to pull out. Still others said—call CCH members to expose what the poverty patriachs are doing with donations, fight the Community House permit when it reaches City Council on appeal, and mobilize homeless rights supporters across the state to support the Santa Cruz homeless. And some sentimentalists even signed the place to begin was a petition to CCH asking them to commit themselves to the campground, so the Community can stand together against the frosty political winds whipping across the city & the nation.

**Next Time: Street Chefs in Cages--the Arcata Solution. Street Jewlers Out of Town!--an early Holiday Crackdown in S.C.?, Jail in Jan. for Bathrobespierre?--Bagel Badguy Behind Bars in San Francisco!. Berkeley Fights Back for People's Park. S.C. Campground Permit: Rumor or Reality? & anything else you send us!**

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**Coalition for a Safe Place to Sleep**), and misinformed homeless people about their times and whereabouts in order to ensure an elite (i.e. non-homeless and/or non-radical) attendance.

<sup>7</sup> As of the end of October, the City Council's Open Air Shelter Subcommittee had despaired of any support from the County--which has long rejected the idea of any kind of campground, much less a significantly homeless-run one. Mayor Beiers announced that three sites were being considered--one behind St. Francis "no tie-dyes" Soup Kitchen, another near Pioneer House, and a third in Harvey West Park. Homeless camp activist Bubbah Brian Koepke, the only homeless person on the Subcommittee, suggested such sites were highly unlikely to be approved by the neighbors and mostly too small.

<sup>8</sup> One monitor-endorsed rumor had it that the City had issued no permit for the campground this year and that police and city officials were determined to clean up the "eyesore" during the day. Unless agreed to be daytime refugees, so this story went, police would shut it down at night. ["The police made us do it" was the line used by CCH in 1991 when they closed down the campground in mid-October, driving away two dozen and arresting No Shit Sheila, Teddybear Tim, and Bathrobespierre Robert.] Mayor Beiers later asserted that City Council supported the campground, though she wanted a cleaner more sightly campground with tents down during the day.

<sup>9</sup> Or possibly sooner if state and county officialdom allow the Armory to open in November if the weather is wet and/or cold.

<sup>10</sup> **Catch Bathrobespierre's Broad-sides Monday and Friday 10 AM-1 PM on 96.3 FM. Call-in at 427-FRSC (3772), or show up at Taco Bell's on Pacific Avenue at 9:45 AM to be interviewed live on the air.**

<sup>11</sup> Though not before well-over half of the campground packed up baggage and tents, discarding what could not be carried. Given that camp director Pardonnez-moi Paul had promised the November 2nd eviction would not happen, since the Armory was not open, the whole operation smacked of bureaucratic bungling and obliviousness ("let 'em leave early; it'll make 'em easier to control later; besides we can put a good face on for solliciting money later for Community House!")

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or

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Stay inside from 10 p.m. on.

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<sup>5</sup> In spite of the fact that the City declared a Shelter Emergency in 1990, City Council Progressives have never found the political courage or sense to lift the Sleeping Ban as the Federal Courts lifted it in Miami (the *Pottinger* decision), holding that the right to sleep cannot be legislated away.

<sup>6</sup> In fact, our inside source Deep Lip revealed that the moment Bathrobespierre Robert Norse left the room, Celia Scott suggested CCH immediately take up the issue of Community House, forestalling any unsightly disagreement or dissent. In the past, under the limber leadership of Poverty-Pesoteer Paul, CCH has abruptly terminated meetings, relocated them to private quarters (in the style of Sharin' Sherry Conable's

Darrell did report he was not foreclosing the possibility of relocating Community House if the City were willing to (a) find the property, (b) buy it, (c) clear it with the Red Cross and Lutheran Church that put up the original funding, and then (d) run the Open Air Shelter itself. *But neither he nor any other CCH member recognized the primary overriding importance of maintaining the Open Air Shelter if no alternate site is found.*<sup>7</sup> *Instead Community House was going to proceed at the expense of the only legal place to sleep in Santa Cruz!*

11/1 **LATE FLASH:** This morning under apparent orders from CCH "Clear 'em out before they get Comfortable" policy makers to make the area a "night-time only" shelter, campground staff demanded campers leave with all their belongings, under threat of camping tickets, subsequent ban from the campground, and possible trespass prosecution by 10 a.m. Trash problems, drug use, conditioning for an Armory schedule, and orders from above were some of the excuses monitors offered for the sudden clean-up.<sup>8</sup> Clients and critics suggested CCH convenience, obliviousness, and desire to disperse the houseless community were more likely reasons.

Ankle-Deep Anne, Badweather Bill, Squeakywheel Squirrel, and others held counsel with Operations Manager Roughwinter Ron, who praised "co-operation not capitulation." Ron emerged from a meeting with Pardonnez-Moi Paul to announce the day-time camp tents included could stay up during the day until the Armory opened December 1st.<sup>9</sup> Camper determination, belated staff common-sense, the appearance of outside media (**Free Radio Santa Cruz**<sup>10</sup>, **Community Perspectives, Santa Cruz Urinal**) apparently halted the homeless clean-out.<sup>11</sup> In the past camper solidarity had secured more frequent portapotty pickups, the right to keep up tents, and the right to be free from abusive searches and seizures. This time, it saved the campground itself.

But only for the moment. November may be the last month of life for the only open air shelter of its kind in the state if not the nation if campers and the larger community allow it to be replaced by ten modular trailers. One old-time activist called for a sleep-out at Drygulch Darrell's Bed-and-Breakfast hotel on Westcliffe Ave.; another suggested moving bedding into the County Building since the County hates outdoor shelters; others proposed methodically contacting the Lutheran Church and Red Cross (who put up \$350,000 for the property) and asking them to pull out. Still others said—call CCH members to expose what the poverty patriarchs are doing with donations, fight the Community House permit when it reaches City Council on appeal, and mobilize homeless rights supporters across the state to support the Santa Cruz homeless. And some sentimentalists even signed the place to begin was a petition to CCH asking them to commit themselves to the campground, so the Community can stand together against the frosty political winds whipping across the city & the nation.

11/5: **LATE LATE FLASH:** Ankle-Deep Anne reports from her frosty fieldsite that a second Tent Removal Operation may begin as early as Monday, November 6. Roughwinter Ron reports that the Armory has opened on a weather-dependent basis—though he suggested CCH management would try to close the field for 3-7 day blocks at a time to minimize dislocation. Meanwhile Monsoon Mike asks that those with weatherproof tents be allowed to remain in the field until December 1st and even after. Keep tuned to Free Radio Santa Cruz (96.3 FM) for updates. Another "field clean-up" may be imminent.

**Coalition for a Safe Place to Sleep**), and misinformed homeless people about their times and whereabouts in order to ensure an elite (i.e. non-homeless and/or non-radical) attendance.

<sup>7</sup> As of the end of October, the City Council's Open Air Shelter Subcommittee had despaired of any support from the County—which has long rejected the idea of any kind of campground, much less a significantly homeless-run one. Mayor Beiers announced that three sites were being considered—one behind St. Francis "no tie-dyes" Soup Kitchen, another near Pioneer House, and a third in Harvey West Park. Homeless camp activist Bubbah Brian Koepke, the only homeless person on the Subcommittee, suggested such sites were highly unlikely to be approved by the neighbors and mostly too small.

<sup>8</sup> One monitor-endorsed rumor had it that the City had issued no permit for the campground this year and that police and city officials were determined to clean up the "eyesore" during the day. Unless agreed to be daytime refugees, so this story went, police would shut it down at night. ["The police made us do it" was the line used by CCH in 1991 when they closed down the campground in mid-October, driving away two dozen and arresting No Shit Sheila, Teddybear Tim, and Bathrobespierre Robert.] Mayor Beiers later asserted that City Council supported the campground, though she wanted a cleaner more sightly campground with tents down during the day.

<sup>9</sup> Or possibly sooner if state and county officialdom allow the Armory to open in November if the weather is wet and/or cold.

<sup>10</sup> Catch Bathrobespierre's Broadides Monday and Friday 10 AM-1 PM on 96.3 FM. Call-in at 427-FRSC (3772), or show up at Taco Bell's on Pacific Avenue at 9:45 AM to be interviewed live on the air.

<sup>11</sup> Though not before well-over half of the campground packed up baggage and tents, discarding what could not be carried. Given that camp director Pardonnez-moi Paul had promised the November 2nd eviction would not happen, since the Armory was not open, the whole operation smacked of bureaucratic bungling and obliviousness ("let 'em leave early; it'll make 'em easier to control later; besides we can put a good face on for soliciting money later for Community House!")

# STREET SHEET

#151

February 26, 1996

Monday

10 cents or take the struggle downtown

The sparechangers are just as good at guilt tripping as your mother but they're a lot cheaper

You can't make people who love you go away for a quarter.

You can't make people who love you go away at all. And you can't make them come back either

"Before I changed," announce a thousand voices talking through the holes in the sparechanger's clothes

"I was the starving Chinese, I was the starving armenians, I was the starving Ethiopians

you wanted to send your vegetables to when your mother made you finish.

Now I'm the starving americans standing in front of you and where are those vegetables?

I need what you don't want but you're looking away just like your mother who said you'd understand

when you grew up. Are you grown up? Do you understand? I'm hungry.

It seemed so simple once, didn't it. I don't love you. I don't like you.

Spare a quarter? or tell me what you see when you look away."

—"The Sparechangers" from *Street Scenes* (1987) by Julia Vinograd

[Send your stuff to the **Street Shit Sheet** c/o 322 Maple St., Santa Cruz 95060 or call 423-4833]

## CCH CLOSES MEETINGS, BARS RECORDINGS ! MAYOR TO THROW MORE MONEY AT TRAILERS ? MARCH 15th SHELTER DEADLINE LOOMS !

On February 22nd, **Citizens Committee for the Homeless [CCH]** held a blacked-out Board of Director meeting which local television was forbidden to film and homeless activists barred from tape recording. The meeting was held at Garfield Park Church just five days before the public appeal of Dragonsheart Dan Hopkins, challenging CCH's million dollar "**Trailers Not Trolls**" **Community House** permits at the 7 PM session of Santa Cruz City Council on Tuesday February 27th. Hopkins, a homeless resident of CCH's Coral St. Open Air Shelter campground before becoming a **River St. Refugee**<sup>1</sup>, waited two hours to speak. CCH Board Chairman Paul Lee only let Hopkins speak at the end of the meeting, when there was no further time to discuss the issues he had raised.

Hopkins' appeal cites exclusion of homeless people from CCH meetings; violation of the November 29th contract with the **Coral St. Open Air Shelter** campground residents; precipitous closing of the campground with injury, property loss, and death following in its wake; abusive environmental conditions at the site making it unsuitable for long-term housing, incompetent management of the **Satellite Shelter** & campground programs, and various health and safety problems with CCH's design plan. Hopkins also asked whether it made any sense to close a campground<sup>2</sup> for 200-300 to put in a trailer project for 20-40 that will cost \$200-\$600 per resident.

Other activists echoed Hopkins concerns. CCH Board member '**Beggarbacker**' **Becky Johnson**, a video journalist involved with much homeless coverage on Channel 71, and a supporter of **Community House** in principle, noted that "when it comes to serving the needs of homeless people, we have to prioritize. Since the vast majority of homeless people have expressed to me that their needs are better met by campground, I believe we should the campground issue first in priority and **Community House** second." **Johnson** has faced increasing CCH pressure for her dissident views--supporting homeless access to meetings, membership on the Board, and CCH property

In November **Johnson** and '**Chucklin**' **Charlie Phillips** made "Campground", a half-hour video documenting the Coral St. controversy. In December **Johnson** brought a video crew to the monthly CCH Board meeting and filmed the session that ended with **Chairman Lee** closing the meeting rather than have the Board hear a 45 second segment of tape that documented the November 29th broken contract by CCH employees **Darling** and **Marceau**. In January prompted by **Lee** and **Darling**, the Board voted to arrest and exclude **Bathrobespierre Robert Norse** and called police twice to have the bearded activist removed for the crime of making an open audio recording of what had been billed as a public meeting. **Johnson** protested that exclusion, the exclusion of the media, and the policy of barring tape recordings. When **Daniel Hopkins** tried to tape record in January, he was threatened by **Darling**, who proposed to grab his tape recorder by force.

**On February 27th at 8:15 AM Mayor Mike Rotkin will hold Social Services Subcommittee** hearings in the City Manager's Conference Room at City Hall to throw more money at CCH's **Community**

<sup>1</sup> The **River St. Refugees**, now numbering around 20, are the survivors of the **Coral St. Campground** who stayed together after the **Rotkin/CCH** deportation of December 18th. Some campers were 'relocated' to **New Brighton Beach** in order to get them away from **Coral, St.**, and/or downtown, whether they had threatened to protest the promise-breaking CCH evictions.

<sup>2</sup> When the **Armory Winter Shelter** opened in early December, only 15 people of the hundreds at the **Coral St. Campground** chose to go indoors--showing the clear preference of homeless people. "They voted with their feet," commented **Becky Johnson**.

**House.** Though the Armory Winter Shelter will be closing March 15, sending another 100-150 people into illegal status at night, Rotkin is expected to dish out more dollars for the campground destroyers. \$47,000 is available, but groups like **Save Our Shelter! [SOS]**, the campers' rights group, and the **River St. Refugees, Coral St.** survivors that Rotkin drove out of town to stop further protest, aren't likely to get money—even though they are the homeless.

**CCH** moneymakers reportedly are on the eve of another fund-raising extravaganza "on behalf of the homeless" to fund a still insufficiently-financed **Community House**, whose first clients, Hopkins reports, will be members of the **Homeless Garden Project, ISSP monitors, and SSI recipients.** Johnson expressed discouragement that the Board spent its time discussing new vans, salaries, personnel, and grants instead of basic shelter issues; the one criteria that would not be sufficient for **Community House** residence was homelessness. Being in the 'clean and sober' category is apparently mandatory—a strange goal for a project set down right next to general homeless services like the Free Meal, open to all, including alcohol and drug users. So **Community House**, even if it eventually secures the funding it still lacks, may well be a recipe for failure, even on its own terms.

For nearly half a year, city councilmembers **Katherine 'Birdseed' Beiers** and **Celia 'Sandpaper' Scott**<sup>3</sup> have held meetings on an emergency campground. The Duckpond meetings ended in a promise by **Community House Director Darrell Darling**—that the **Coral St. Open Air Shelter** would stay open until 10 days after **Community House** permits were granted (until March 8th) unless renegotiated. **Darling and Marceau** broke that promise a scant month later, backed up by Mayor 'Robocop' Rotkin and Councilmember 'Shut 'em Down' Scott Kennedy.<sup>4</sup> Open Air Shelter subcommittee meetings have produced a vague interest in De Laviega Park as a potential site and some talk by Celia Scott that she would move for a reform of the Sleeping Ban if there were no emergency campground by March 15.

Meanwhile the key swing votes—Kennedy and Rotkin—dismissed emergency shelter concerns at Jan 23 Council meeting and refused to set aside any money for **SOS**.<sup>5</sup> For those interested in following the inner machinations of "Community House", **CCH** will be holding **weekly Friday discussions at their office at Garfield Park Church at Woodrow and California Sts.** Whether the **CCH** poverty overlords will block the public from attending is uncertain.

Out at site #23, Cowell State Park, the latest refuge for the River St. refugees, "Rolling Thunder" Michael Sheridan, "Schmoozin" Sherry Conable, and "Brimstone" Barbara Riverwomon and the rest of the campers are struggling to come up with a campground proposal that a broad coalition of community activists can support. And **HUFF (Homeless United for Friendship & Freedom)** has vowed to revive **Campquest Santa Cruz** demonstrations in search of an immediate campground—in downtown Santa Cruz on the sidewalk if necessary. Whether his appeal succeeds or fails, Dragonsheart Dan<sup>6</sup> says he'll be tabling at Cathcart and Pacific to organize a Springtime of Protest that will rock the chambers and corridors of the City Council and the Board of Supervisors and reassert the rights of the poor and the right of all to sleep at night unmolested.

**Coming Up in Future Street Shit Sheets: Tower Lodge--Poorhouse on the Hill ?, Peppergas for the Troublemakers: a New Solution for the Hosts Downtown?, The Jahva House Brouhaha--a Page Ended or a Chapter Begun?, Shutting Down the Media--CCH's Latest Blackout Policy, Campquest Rises Again--Taking the Struggle for a Campground Downtown..**

<sup>3</sup> Beiers got her nickname from her timidity on homeless issues. Scott was previously termed 'Saylitttle' for her lengthy silence on homeless issues (particularly the Sleeping Ban and the Downtown Ordinances--both of which she opposed in her election campaign). She has been rechristened 'Sandpaper' for her more outspoken stands since--in honor of her willingness to speak publicly & aggressively for the poor. On February 13, she and Beiers both broke out of their habitual silence with strong passionate statements opposing the fencing of the former Ford's parking lot at Hippie Corner. Their eloquence and anger were a part of the 4-3 victory--the lot stays open.

<sup>4</sup> 'Robocop' was on the bad end of the 4-3 fence-out-the-hippies vote and gets his name from similar antics at City Council in years past; 'Shut 'em Down' is Kennedy's well-deserved nickname for backing up camp destroyer Paul Marceau on December 12th.

Rotkin's most recent letter to **CCH** reportedly expresses little support for an emergency campground. **CCH** has declared it will not only refuse to run such a campground, but will not allow other service-providers, like Karen Gillette's **Homeless Community Resource Center** and **SOS** to do so on its property, *even if Community House is not yet being built.* (At a February 20th funding hearing, **CCH** was able to secure less than 1/3 of the city/federal funding it needed for **Community House.**)

<sup>5</sup> Rotkin and Kennedy complained that no one had presented any programs. But, comments **Housing Now Santa Cruz** activist 'Lighthouse' Linda Lemaster, "If the City of Santa Cruz were genuinely interested in helping to provide a camper's program for homeless folk, they would have by now moved a "Request for Proposals" stating the City's objectives with funding promised and thus opened up this dialogue to the larger community of service providers." In other words, it's business-as-usual with **CCH**, the Rotkin/Kennedy choice.

<sup>6</sup> Dan now has his own weekly call-in radio talk show 2 PM each Friday on 96.3 FM. Call him at 427-3772 or

# STREET SHIT SHEET

#152

November 25, 1996

Monday

haul out half a buck (50¢) or sing a song for the streets

## "The City"

The city wears a tight black dress with huge red roses grasping at her like rude sweaty hands.

The petals are callused. Roses that work in factories, on the docks,  
drunken roses with red swollen faces. Rage. Heat. Children wailing.

Roses that throw themselves like handgrenades against her cool hips.

The city goes to the finest restaurants but her dress is too tight for her to eat.

Hungry hands reach from the roses to steaming roasts but silken stitches tie the hands.

Strange the screams. The food is thrown away. The city wonders

if she'll have to use make-up to hide the roses' bruises again.

No one is satisfied. And she doesn't tip well either.

--from Speed of Dark (1996) by Julia Vinograd



[Send your stuff to the Street Shit Sheet c/o HUFF, 309 Maple St. Suite 14B, Santa Cruz 95060 or call 408-423-4833 to leave a voice article or news brief to go out over Free Radio Santa Cruz at 96.3 FM]

## SCREAMS FROM THE SIDEWALKS

•••• A Thicker Wire Barrier has replaced the twine fencing off the City's latest 'posies not people' program to drive street people away from Friendship Corner at Cathcart and Pacific. This follows the placement of jagged metalwork on city utility boxes to discourage sit-criminals. Regular police rousts for leaning against a bike rack, sitting, selling marijuana, and other pretexts for padlocking out the poor have saturated the street. Officer Marty Over's name can be found scrawled in obscenities on the city-mandated wooden wall now lined with scrawny shrubs. Officers Evelith & Over are mentioned in curses as most frequent civil rights offenders.

Even though Proposition 215 has supposedly decriminalized marijuana for medical use, cops use videocameras, snitches, decoys, grotesquely-dressed undercover agents, and hypocritical 'Hosts 'to set up dirt-poor grass dealers and sweep them off the streets. If you see someone being harassed, stop and watch, call some friends over, and let the public know what is going on. Then call Copwatch at 427-4523. The ass or grass you save may be your own. A special Street Shit Sheet salute to the first reader who identifies the stoolpidgeon squatting on the Metro Transit roof.

•••• Gathering more friends and force is the Revolutionary Coalition, a group of local activists who have been holding weekly forums, meetings, and marches. Since mid-summer, they gave substance, publicity, and crucial support to the City Hall Sleepers Protest, while it lived. Since then RevCo has maintained a strong voice against the Sleeping Ban, harassment of the homeless, and police abuse. Check out their meetings at What Is Art at 2044 N. Pacific 5-7 p.m. on Thursdays. Call them at 421-9250. RevCo members were prominent in the Sept. 10 City Council Lockdown, where 7 were arrested for peaceful but dramatic witness against the Sleeping Ban. Their next hearing is December 19th in Department 1 for discovery motions. Also check out their War on the Poor forum at the Vets Hall downtown December 8th at 7 p.m., featuring Lighthouse Linda Lemaster and other leftist luminaries.

•••• Sheriff's Sham may spark new protests. Last August, Peace and Freedom Party activist Bernard Klitzer called the County Sheriff's office to check out nasty rumors that lollygagging lawmen may be lying about the county camping law, or, to be generous, misinforming the poor about their right to sleep at night in the County. Though County Ordinance 10.16 clearly indicates there is no county-wide camping ban (and indeed specifically provides for roadside resting in vehicles--10.16.080), Klitzer was told that sleeping at night on county property was illegal except in designated campgrounds--a story repeated to Bathrobespierre Robert Norse when he called back. Sgt. Rich Ross claimed that sleeping in your car on more than an 'emergency basis' transformed that car into a 'recreational vehicle' or 'mobilehome'--specifically barred from 'overnight camping' by 9.70.620.

•••• San Quentin for Sleepcrime? The probable destination of "Mad Mike the Wonderdog", also known as Miguel Balderos, a fiery fighter for homeless rights, arrested in the last days of the City Hall Sleepers Protest. After being held for two weeks on a bogus assault charge, Mike was released, then re-arrested for misdemeanor napping at the Protest. Parole officer, Clark McPherson, shipped him off to Santa Rita, where he was caged for five more weeks, then returned to Santa Cruz--where he awaits a December 2nd parole violation hearing. Give a call to McPherson at 479-5915 to put in a good word for the notorious napper.

•••• Snared in a C-net Shakedown was the co-founder of the City Hall Sleepers Protest, Shitkicker Sean Alemi--who pressed on with the vigil after other major figures had retired in exhaustion. Sean, also a prominent member of Feed the People, is being held in Contra Costa County on \$100,000 bail in a bust for an ounce of speed--found by illegal search in someone else's car in some else's VCR. Sean reports that his bail was raised on the advice of an unnamed Santa Cruz police officer who declared him a 'flight risk.' Even Alemi's critics scoff at this claim, since Sean has made every court appearance in his fight to overturn the Sleeping Ban--even under threat of several years in jail if convicted in January of 'misdemeanor sleeping' along with Redtop Robert Flory, Sandpaper Sandra Roth, Peppertongue Pat Ring, Mooncat, and Nightwing Nikki--to name only a few so-charged. Write him in the lockup under his original name : Said Shahalami #96218816, West County Detention Center, 5535 Giant Highway, Richmond, CA

•••• Caught in the Courthouse Carousel are Skidmark Bob Duran and Phil (Frenecki) Free--each facing criminal charges for seditious singing downtown. Phil faces misdemeanor 'disturbing the peace' charges for his controversial "Have a Happy Fuckin' Day" song, performed at his usual spot in front of Woolworth's on downtown Pacific Avenue. Ask Phil when his early December pre-trial will be held--as you cough up a quarter.

Bob has racked up two infraction tickets for unreasonable noise-(MC9.36.020)-compliments of Ali Baba at his food kiosk near Host HQ on Pacific Ave. Bob plays across the street from Ali's kiosk and says he's waited until Ali's business is winding down around 8 p.m. Ali has filed complaints against Phil Free in the past--which were dropped in court.

Ali's relationship with Bob has grown warmer in the last year, surprising some cynics watching this latest turf war. Ali feels merchants have special privileges that come with their business location--because they pay for licenses; Skidmark Bob says music is *his* business. When not Copwatching or broadcasting Free Radio, Bob



does guitar gigs with the Just Kiddin' band and solo street engagements to feed his wife and young son. Will Bob sing all the way to Sing-Sing? Come to his arraignment on December 11th at 8:30 a.m. in Dept. 3.

Criminal body placement is another count against Bob on December 6th in Dept. 1 when he will answer charges of lying down on the sidewalk in the forbidden downtown shopping zone (MC 9.50.011)--an anti-homeless downtown ordinance, popular with the poverty police, passed by the Rotkin-Kennedy Council in 1994.

A third backswing against Bob comes in the form of a backdoor blitzkrieg from Dell Williams Jewelers, charging him with 'trespass' for playing music in their alcove--even though the store was closed at the time<sup>1</sup>. What happened to Mediation, the RCNV, or the Street Performers Guidelines?<sup>2</sup> Leave a message at 427-4523 to catch a tune or a tale from the two madcap musicians.

•••• Also Hopscotching through the Halls of Justice is "Rolling Thunder" Michael Sheridan, elder street statesman and River St. Refugee, who got trashed twice by Officer Ever-Awful Evelith. At the City Hall Sleepers Vigil, Sheridan was charged for having a "Legalize Sleep" sign leaning against the City Hall garden wall in one of a string of harassment episodes. In another, Sheridan was handcuffed for not putting out a cigarette on command. Officer Evelith himself then snuffed out the smoke on the ground and several days later charged Sheridan with 'littering' for putting out a cigarette on the ground at the same place in exactly the same manner. In a third ludicrous but typical encounter, since dismissed<sup>3</sup>, Sheridan was dragged into court for playing the radio in his car 'too loud' at the vigil. In none of the three cases were there any complaining parties other than the zealous Evelith and his trusty sidekick Officer "Out of Town!" Over.

•••• Stars versus the Poor in Palo Alto. Stars Restaurant has targeted the Palo Alto homeless in letters to the City Council there, seeking a new "sit on University Ave, pay a \$600 fine" ordinance--apparently to punish the 'unhoused locals' across the street in Cogswell Plaza Park. The sight of raggedy people in the park has been causing insufferable indigestion in the venerable bellies of the stretch-limo crowd as they quaff cognac and scarf down coq-au-vin. In response Food Not Bombs has moved one of its twice-a-week meals to the park and started a Wednesday night

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<sup>1</sup> A practice that is becoming a new police favorite--see Roused in the Rain, below.

<sup>2</sup> Mediation: in 1994 City Council appropriated \$10,000 to professional mediators Daniel Robin and Kim Hallinan to draw up a Downtown Code of Conduct. They did and dutifully presented it to Mike Rotkin who reportedly dismissed it as inapplicable to street and homeless people with 'anarchist mentalities.'

RCNV: the Resource Center for Non-Violence or watering hole and happytime hangout for Beggarbuster Scott Kennedy and his latest creation Horsewhip-the-Homeless Hernandez. RCNV, renowned for its concern with the Middle East Peace process and justice in Nicaragua, but has ignored local human rights abuses against the homeless, supporting co-founder Kennedy and more recently Hernandez.

Street Performers Guidelines: voluntary guidelines accepted by City Council, the street performers, and the merchants in 1980, in lieu of regulatory laws, which provide an alternate framework of resolving disputes. By consensus street performers spend only an hour at a spot and move on once a complaint is raised by either another performer or a merchant.

<sup>3</sup> Even Judge Meatgrinder Mulligan, the find -em and fine -em field marshal of Courtroom 11, had to laugh when he read that Sheridan had been cited for "illegal flight of an airplane from an unlicensed airport" in the 'Music at City Hall' case. There are no airports in Santa Cruz, though apparently plenty of airhead officers, particularly at homeless protests.

vigil there, asking that Palo Alto open up more than the current 15 beds available for the homeless, make public restrooms available at night, etc. Black East Palo Alto high school students recently joined the protest to the discomfiture of grub-happy gourmands at the posh eatery.

Katzenjammer Keith McHenry of San Francisco Food Not Bombs, newly returned from his European cook-about, has vowed to begin protests in San Francisco against Stars, demanding the downtown dinery donate food it doesn't use to the growing number of hungry on the streets. To support Palo Alto Food Not Bombs, call 415-843-0333, Box 3663; to support San Francisco Food Not Bombs, call 800-884-1136

•••• Irrepressible Xavier, Free Radio Santa Cruz activist, Green Party rep, and Community Perspectives Board member got a taste of curbside justice on the hill two months ago. Xavier usually avoids Scotts Valley because of the Fuhrmanesque fame of its fulsome flatfleet. Three Scotts Valley cops spotted Xavier returning a towbar to a local shop afterhours. Finding this behavior (or perhaps Xavier's long hair) 'suspicious' they followed the journalist to the top of the Highway 17 hill.

There they roused him from his car at gunpoint, slammed him against the squadcar, and injured his shoulders, back, and wrist as they cuffed him in what they later claimed was a case of 'mistaken identity.' Xavier subsequently called Scotts Valley Mayor Joe Miller to complain. The bruised but unbowed broadcaster quotes Miller as replying that Scotts Valley police have a *policy of infringing on the rights of certain undesirables*. Why? To avoid getting 'screwed up' like Santa Cruz.

•••• Roused in the Rain for 'lingering' in front of Logos Bookstore last Thursday were four hapless young people, according to Skidmark Bob and Dragonheart Dan, both amazed witnesses to this latest act of casual cop cruelty. Though the loitering laws were declared unconstitutional in the early 80s in the famous Larson case, Santa Cruz's 'sit-not-lest-you-be-cited' law has found a way to horseprod the hippies.

The latest roust-the-wretched tactic of bumbusting SCPD bluebellies is to use city municipal code 9.60.010 "trespassing under an alcove." Though there are no warning signs and no verbal warning was given, the four foot-felons were given \$162 tickets by hotshot hobohunters, hot to clear the streets of the poor and grungy during the upcoming holidays.

•••• Still Unsolved is the Murder of Martin Estrada, a homeless man knifed under the Soquel St. bridge October 1st, has been followed by the deaths of 8 more homeless people. The new deaths include Severo Garcia and Adam Propper (of alleged heroin overdoses), David Andress (in police custody after an incident up near Errett Circle) and Billy Trumble (a former River Street refugee who choked on his own vomit near Emeline St.). Two others also died of heroin overdoses. A typically brief obituary for a man found dead in Ben Lomond appeared in a recent Santa Cruz Sentinel. Estrada's killing received two short notices and a correction in last month's Sentinel<sup>4</sup>, raising fears of further 'trollbusting' last month.

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<sup>4</sup> aka the Santa Cruz Urinal, so-named for its sickly anti-homeless yellow journalism. City Council reporter Karen Clark earned a twisted fame among homeless activists in the last year for ignoring police abuse at the City Hall Sleepers Protest. She also was a faithful parrot of Mayor Rotkin's 'they want to sleep everywhere' distortion, which the Mayor used

Ironically, in a tragic incident, on November 20th, one homeless man with alcohol problems--Frank Lopez--reportedly fatally stabbed another--David Ray Frank.

Homeless activists Dragonheart Dan Hopkins and 'Rolling Thunder' Michael Sheridan predicted an upsurge in deaths from exposure, overdoses, and other forms of violence when Citizens Committee for the Homeless [CCH] Board employees Darrell Darling and Paul Marceau, using muscle from Council member Scott Kennedy and Mayor Mike Rotkin closed the Coral St. Open Air Shelter, which provided a protective community last December. In videotaped interviews aired on Community Perspectives, Sheridan publicly denounced the four for creating the conditions that produced the subsequent series of homeless deaths after the dispersal of the homeless community at 111 Coral St.<sup>5</sup>

••••• What's Brewing at the Citizens Committee to consume, contain, and control the Homeless [CCH],<sup>6</sup> the grim gravediggers of the homeless campground and the monopoly emergency shelter providers for the city? Well-stuffed with private, city, and federal funding for their half-way house 40-person \$2-million trailer project, Community House, CCH has yet to weigh in with any kind of recent opposition--symbolic or substantial to the anti-homeless City Sleeping Ban--though such a proposal has been rattling around in one of their

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to discredit activists at every opportunity. When Sgt. Andy Craine threw HIV-positive Council candidate David Minton Silva 11 feet into a stone pillar during the City Council "sleepcrime chaingang lockdown' protest in front of Clark's eyes, she suffered either memory loss or hysterical blindness. When confronted with video tapes and testimony disputing her lie that tenants resisting eviction 'poured urine' on the police in the August Campbell St. Demolition Case, she declined to correct it. Trial for the Campbell St. defendants begins December 16th at 9 a.m.

Throughout the 7 1/2 month City Hall Sleepers Protest and the 4 month City Council election campaign, Clark refused to air the basic Sleeping Ban issue in her 'news' columns. In conflict: a law prohibiting sleeping with 500-1500 homeless people vs. a maximum of 40 emergency sleeping spots in the summer & 200 in winter.

<sup>5</sup> 'To build Community House' was the perennial excuse for the destruction of the camp, ordered by Director Paul Merceau and Derrell Darling. Community House is a 40-person Cadillac fund-magnet project with little support in the homeless community. It is now estimated to cost around \$2 million in the first 3 years of operation. Originally consisting of 10 donated trailers from Stanford, the project has ballooned, thanks to building delays, new city requirements, and city council pressure.

CCH buried the Coral St. Open Air Shelter in blatant violation of a well-documented contract made with the campers through their bargaining agent, Save Our Shelters, in November of 1995. Darling gave his word as authorized negotiator for CCH that the Coral St. shelter (actually a campground) would remain open until ten days after permits for Community House were granted or Jan. 11, 1996--whichever was later. After a major windstorm, Darling and his confederates ignored their promise (which included renegotiation if weather conditions required it) and drove campers from Coral St. with the threat of arrests. By December 20th, the campground was closed. It has remained closed and locked--except for a few CCH employees--ever since.

<sup>6</sup> CCH, deceptively and more commonly known as the Citizens Committee for the Homeless, raises money in the name of the homeless in the community. Its donations are reportedly down this year with the Homeless Garden Project on City Council life support--a condition bureaucrats like to blame on homeless activists protesting unjust laws, but which we think may be a function of their sinkholing millions of bucks into questionable projects--like the Cadillac-style \$2 million Community House, which will serve only 40 people if that, a project that replaces the Coral St. Open Air Shelter, the homeless campground that provided space for 200-300 at its height.

subcommittees for months. Nor have we heard a protest from Paul Lee's patriarchs<sup>7</sup> against the holiday harassment of the young and the homeless downtown through no-sit laws, trespass ordinances, minor marijuana busts, & 'posies-not-people' zones.

•••• Still barren and barred to the homeless is the homeless property--the River St. Campground next to the Homeless Community Resource Center at Highway 1 and River St.--formerly the Coral St. Open Air Shelter. Controlled by CCH, the property is slated to remain empty through the winter until March or April because of funding and construction problems with CCH's 40-person, \$2 million Community House trailer project. With massive increases in homelessness predicted in the wake of AFDC cuts, SSI restrictions, and GA cutbacks, community activists are asking why CCH property has not been made available for emergency shelter use. It was originally purchased for homeless use by the City with federal homeless moneys back in 1987, then snatched by CCH (with hundreds of thousands panhandled from the Red Cross and other 'homeless helpers'), which has held it hostage ever since. Throughout 1994 and 1995 it was the only legal refuge from the City's \$162 fine Sleeping Ban in town and one of the few homeless campgrounds in the country.

•••• Why then did CCH refuse at its latest board meeting last Thursday (11/21) to even discuss reopening the Coral St. Open Air Shelter? Board Member Beggerbacker Becky Johnson made the motion to consider reopening the homeless campground at that site. Funding and weather problems have halted construction of the Community House project until next March or April, leaving the Coral St. site still vacant for the winter and so available for use by the many homeless in need of emergency shelter.

Situated right next to homeless medical, food, shower, and locker services, the site is well-placed for winter shelter for those unable or unwilling to use the Armory. This group includes couples, those with pets, those with alcohol and 'drug' problems, Vets with problems staying indoors, workers with late-night jobs, and young people fearful of harassment for petty warrants. Homeless Community Resource Center director Karen Gillette has reportedly agreed to 24-hour access to bathrooms provided staffing problems can be worked out.

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<sup>7</sup> Paul Lee, the perennial poverty panjandrum, who has run CCH like a private (white male) fief, more so since Page Smith's death last year. Lee and Smith manipulated meetings (by suspending them for six months) so that homeless people were excluded back in 1988 when Linda the Lark Edwards, Calamity Jane Imler, Raucous Rocky Stone, and other tenacious tentdwellers set up a homeless campground on the property CCH now owns (then owned by the city). Their duck-and-cover dance involved shifting meeting times, holding the gatherings in his own home, and suspending them all together to avoid having to be committed on the issue of publicly supporting the protesters--probably for fear of offending his City Council paymasters.

Lee also likes to play 'pass the buck' when CCH exposes the iron fist under its gardengreen gloves. When police roused campers from CCH property in the fall of 1991 allegedly to 'clear the ground for building Community House' Lee blamed the police, the Sentinel, and City Council--but it was a CCH no-trespass letter, secretly filed with the SCPD, that was used to drive CCH's clients into the bushes.

When Council members Rotkin and Kennedy provided the high-profile muscle to repeat that closing four years later in December 1995, Lee claimed it was the city cracking down, but actually neither City Council nor County Health had taken any action, but, for the last two years, left matters entirely up to their fair-haired shelter-provider, CCH, whom they shield and fund with little question. Thin-skinned Lee has also threw out media and critical activists like Bathrobespierre Robert Norse from CCH meetings.

The 1995 City Council-declared Shelter Emergency is still in effect. The need this year is significantly greater than last as the catastrophic GA, SSI, and AFDC cuts take hold. November has seen 1400 cut off Food Stamps in the County. More homeless people have died of heroin overdoses, alcoholism, and violence in the last month than were reported dead throughout last year. An emergency campground is urgently needed. The cost of such a winter 'Safe Haven' would be a fraction of Community House and would not interfere with its construction next year.

●●●● **Activists and authorities agree** the Coral St. site is physically wretched and undersized. Only 1/3 of an acre, it is located next to a highway, a rebar plant, traintracks, and a cement factory. Last February, homeless activist 'Dragonsheart' Dan Hopkins, who later led the 7 1/2 month-long City Hall Sleepers Protest to end the Sleeping Ban, publicly testified the site was a toxic one for any long-term use. Part of the Community House permit bars growing produce-for-consumption there. It grows muddy in the winter and would require winterized tents, wood chips on the ground, and pallets as tent-flooring.

But there are no other sites available. The city is unwilling to allow access to Harvey West Park, the San Lorenzo Benchlands, Lighthouse Field, or the Pogonip<sup>8</sup>. Indeed a six months of high-pressure searching by our finest City Council members on the Open Air Shelter subcommittee found no alternate site. Most important, the property was purchased with federal homeless moneys (back in 1987) when the City bought it from UCSC, and a condition of homeless use was retained when the property was transferred to CCH.

It should be the homeless who choose whether they want to sleep there. Last year, they hundreds chose to pitch a tent there—in a spot that provided a bit of protection, security, storage, privacy, and dignity, though hardly much comfort.<sup>9</sup>

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<sup>8</sup> City Council members have routinely dismissed Pogonip as a walk-in campground site, in spite of its hundreds of acres and its proximity to River St. social services. Council member Celia Scott claimed that environmental concerns and a Park and Recreation Dept. report found a campground an unacceptable risk. But deeper digging has revealed that the report actually concerns a trailer park campsite, rejecting it because the turnaround space required would remove too many trees--no problem at all with a homeless no-vehicle campground. Informed of this, Scott referred to a second report that puts Sycamore Grove out of bounds as a Riparian refuge for endangered birds.

On the other hand, the Sentinel claims Sycamore Grove has been excluded because of flooding and a city water in-take pipe downstream. The real reason may have more to do with bigoted opposition to a homeless campground--NIMBY nonsense and fears of the mythical 'magnet effect'.

Scott, to her credit, has been the most liberal Council member on homeless rights generally. But she has incurred the ire of activists. While she was simultaneously on the Council's Open Air Shelter Subcommittee and the CCH Board, she refused to pressure CCH into keeping Coral St. open last year or reopening it now--particularly since it has become clear that Community House is not happening this winter and homeless needs are significantly greater than last year. The Sycamore Grove section of Pogonip has been sought after by activists as far back as the Imler hunger strikes of the mid-80s, which established the first cold-and-rainy night shelter (the Cedar St. Shelter), but failed to get its other main objective: a low-income campground.

<sup>9</sup> Real mismanagement problems by CCH including staff thuggery, favoritism, inadequate restroom access (Gillette refused to open up her bathrooms at night and CCH's did not maintain its 3 portapotties), bureaucratic bungling (scores lost property when CCH announced a move-out-and-clean-up in November of '95), infrequent trash pickups, and bad-to-no communication with the campers. However the much-ballyhooed scare stories citing 'violence' and 'drug-dealing', as well as 'flooding' and 'no permits' used to justify closing the campground were disingenuous.

Instead of any discussion, the 'Safe Haven' plan to reopen Coral St. proposed by Board Member Becky Johnson was strangled in silence on the tabling motion of CCH Board Vice Chair Dr. Allen Bayer, MD...<sup>10</sup>--with only Johnson<sup>11</sup> dissenting.

●●●● Subtler minds suggest Safe Haven may not be dead. Bayer's tabling motion may not be the end of the matter according to homeless gadfly Michael Sheridan, who was on the scene. Sheridan noted that Paul Lee twice asked Johnson to pass on the proposal to CCH's Executive Committee, where it may get a friendlier reception. A more developed proposal, this reasoning goes, might receive a warmer reception from the frosty fraternity. Dream on, Sheridan!

However both the CCH upper brass and their City Council supporters are adamantly if irrationally opposed to Coral St. The only alternate site under discussion is the Swenson property near the Homeless Garden Project. Council member Beiers poopooed the notion as already proposed & rejected last spring by the property owners<sup>12</sup>.

●●●● Accusations of embezzlement and mismanagement of federal CDBG funds were firmly denied during the monthly CCH meeting. Johnson says the Board concluded that the new CCH accountant's charges to the city and county were unfounded. The accountant has reportedly charged former Community House<sup>13</sup> director Darrell Darling and current director Frank Pucelik with not documenting construction payments & improperly paying salaries.

The new CCH accountant went to city and county authorities with tales of cooked books which CCH board members rejected in a stormy session. When CCH patriarch Paul Pfothenauer piously led the Board in a prayer about "bearing false

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The 'miner's camp' atmosphere of Coral St. was primitive; the camp was loud, dirty, and unruly. But any 'violence' was minor next to that which has happened in its absence this year. The over-publicized problem of 'drug-dealing' (for which homeless people are endlessly scapegoated) goes with the territory--and has now moved downtown. The immediate excuse for driving the homeless into the bushes in December was 'flooding'--resolved within a day of the severe winter storm through pumping, sawdust and wood chips, and tents-on-pallets, but CCH moved to evict anyway. And 'no permits' was the cover story used by Mike Rotkin when he created the River St. Refugees--deporting more than 40 people to New Brighton State Beach for two weeks as his 'solution' to disappearing the problem. When CCH wanted Coral St. open, Rotkin and his Council had no problem keeping it open--though Coral St. had no permits since the fall of 1994. Clearly the permit issue was a ruse.

<sup>10</sup> Bayer is a part of the all-male all-white inner circle at CCH--the Executive Board, which makes many of CCH's real decisions at unannounced meetings other Board members know nothing about. Lee, Darling, Bayer, and Rev. Pfothenauer then roll their agenda through the Board. Naturally when someone like Johnson, (also a videojournalist & supporter of homeless protests) presents a plan actually based on homeless input, she is quickly throttled.--though assured by the Men-In-Charge that it all will be taken care of in Executive session.

<sup>11</sup> Johnson described it thus: "So it was that a medical doctor and a Lutheran minister (James Lapp) put the double whammy on any discussion of a homeless campground on our property."

<sup>12</sup> But the idea is not dead: see p. 10 "Jump the Fence and Pitch Your Tents"

<sup>13</sup> Community House is the 40-person Cadillac fund-magnet project that CCH used to bury the Coral St. Open Air Shelter in blatant violation of a well-documented contract made with the camper's through their bargaining agent, Save Our Shelters, in November of 1995. Darling gave his word as authorized negotiator for CCH that Coral St. would remain open until ten days after permits for Community House were granted or Jan. 1, 1996--whichever was later. After the a major windstorm, Darling and his confederates drove campers from Coral St. with threat of arrest and by December 20th, the campground was closed. It has remained closed ever since.

witness against thy neighbor" and the Board supported Frank Pucelik, the accountant reportedly stormed out in anger and resigned.

Critics of CCH are still withholding judgment on the issue of financial finagling, but say the jury's verdict is in on the basic campground question. Whatever CCH's internal problems may be, why must this smug and sanctimonious circle sparechange megabucks with one hand while driving away determined campers trying to salvage dignity and safety this winter? Instead of reducing them to River St. refugees and sleepcriminals-on-the-run, CCH would do well to reclaim its original advocacy message. Why not press Councilmembers publicly to back up election-eve speeches in which 5 out of 7 supported 'a well-managed campground' with action.

Even the liberal Council member (and former CCH Boardster) Celia Scott hasn't expressed great enthusiasm for reopening the campground, even though she well knows there is no other site.<sup>14</sup> Celia seemed more concerned about too many campers clustering and refusing to leave in the Spring than the inevitable homeless deaths that will follow this winter in the absence of a campground community, according to one CCH member.

•••• Back warming the same City Council Chairs are 'Roust the Wretched' Rotkin, 'Birdseed' Beiers, and 'Mamamouchi' Matthews as well as the addition of 'Humdudgeon' Hernandez regarded by many as the newest catspaw of Council member 'Campground Killer' Kennedy.<sup>15</sup> They will be officially enshrined Tuesday November 26, almost a year after the Council declared an official Shelter Emergency in the City, then turned its back on a homeless campground, revealing their true solution: police and rangers citing sleepers in the Pogonip and 'Hosts' harassing the young and the poor downtown. Mamamouchi Matthews--soon to be new Mayor--may be worse than Rotkin, given her record of votes in favor of criminalizing the poor in public for sitting, sparechanging, and sleeping.

•••• Out of power, but not out of ideas are losing Council candidates Kristin Anderson and David Minton Silva, defeated by a combination of no money and establishment freeze out. Silva and Anderson were the only two candidates to forthrightly promise abolition of the city Sleeping Ban along with other radical changes impacting the poor. Hernandez somehow found

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<sup>14</sup> Scott repeatedly blocked any discussion of City Council or private pressure on CCH to keep its promises to campers to allowing them to remain at Coral St. over the winter of 1995-6. Rather in the City Council Open Air Shelter Subcommittee, instead pursuing fantasies of other sites. At CCH Board meetings, she declined to raise the issue of CCH's primary emergency shelter responsibility--instead quietly going along with the multi-million dollar Community House boondoggle. She has never spoken a word of criticism of CCH's Community House-Uber-Alles policy and has taken no public initiative to open a winter campground.

<sup>15</sup> Rotkin's title stems from his determined opposition to any modification of the Santa Cruz City Sleeping Ban when his key vote could have made the difference, perhaps saving the life of Martin Estrada and others.

Beiers refused to call for a vote on the ban this fall when it might have had a significant impact on the election debate.

Matthews' nickname means 'someone with a pompous-sounding though bogus Turkish title,'--a commentary on how she comports herself, declining to return phone calls from critics.

A 'humdudgeon' is one who loudly complains about an imaginary illness or pain, as Hernandez did with his plan to set up a mobile instateller to criminalize homeless sitting up and down Pacific Ave.

Kennedy appeared the day after last December's windstorm to lend his authority to the treacherous closing of the Coral St. Open Air Shelter--which displaced 200-300 homeless people. It was never reopened.

his election door hangers distributed 30,000-strong--compliments of SCAN workers--though SCAN never endorsed him.<sup>16</sup>

Silva supporters are still suspicious of the extremely low turn out in certain precincts where Silva campaigned heavily and has announced the opening of his 1998 City Council campaign. Supporters plan a recount in one precinct & a phone survey in others to see if ballots wandered away in the mist. In spite of the November 26th Hernandez 'coronation', results are not final until Dec. 2, according to Silva.<sup>17</sup>

●●●● **Merry-go-round March to Nowhere** has been the solution of the City Council to the Emergency Shelter problem. Last December it sanctioned the Rotkin-Kennedy closing of Coral St. in silence and let Rotkin create the River St. Deportees, bused out of town and out of sight to New Brighton Beach (several of whom have died since). Its 'unofficial' Open Air Subcommittee spent six months eliminating every possible site for a campground. In April, Council buckled under bigot bleating and banned funding for a figleaf State Parks program. In July Council gave no support to Marini's Holy Cross campground.

But hundreds of thousands were funneled to CCH for its Cadillac Community House boondoggle--being built on the bones of the old campground. In September, CCH first commissioned and then buried a Safe Haven campground plan. The opening of the Armory Winter Shelter and the winter ISSP shelter program has historically been inadequate--with no provision for those with alcohol and drug problems, pet-owners, couples, late-night workers, & vets-who-need-to-sleep-outdoors.

●●●● **"Jump the Fence and Pitch Your Tents"** may become the course of last resort out at the Coral St. campground. The 7 1/2 month City Hall Sleepers Protest ended in mid-October from exhaustion, exposure, and internal conflicts. A proposed occupation of a campsite, either in the Pogonip or in the San Lorenzo Benchlands, proposed by 'Chucklin' Charlie Phillips has devolved into a long-term discussion group about an Eco-Campground. (More Info ring up the rumblin roughrider at 454-9933.

There were prospects at presstime that a piece of Swenson-owned piece of property on SC's Westside may be a real prospect for a Safe Haven/Eco-Campground site, in conjunction with Homeless Garden Project use. Swenson, one knowledgeable source claims, tried four years ago and again two years ago to interest the community in an Eco-Campground--to no avail. With few residences near by, eleven acres to play with, and no flooding problems (like the bane of the 1/3 acre Coral St. campsite) the Swenson site may be the answer. If homeless people and advocates can get past CCH mismanagement and City Council defensiveness.

Coming Up Next Time: Victory in Arcata: the Green Majority Crushes the City's Attack on Food-Not-Bombs; Shooting at Citizens and Pepper Spray Policy--two issues our Citizens Police Review Board won't touch; + your stuff too!

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<sup>16</sup> In 1992 Lighthouse Linda Lemaster was in a similar position and ran neck in neck with Jane Yokoyama and Cynthia Matthews--none of them received the SCAN endorsement. Like Hernandez, she was not endorsed. Unlike Hernandez, she did not have connections or money like endorsement--and so did not get the help of SCAN workers.

<sup>17</sup> Much of Silva's election campaign was conducted in a haze of pain--after the Craine injury (see footnote 1). was thrown 11' into a stone pillar by Sgt. Andy Craine, zealously intent on carrying out the 'clear the chambers' orders of Mayor Mike "socialism but no sleep" Rotkin during the Sept. 10 City Council Lockdown, where 7 were arrested for peaceful but dramatic witness against the Sleeping Ban. Their next hearing is December 19th in Department 1 for discovery motions.



"It's time to face the music, Eugene. Camping<sup>1</sup> is a fact of life."  
--Danielle Rose Smith, 5-year Eugene van-dweller with 6 'camping' tickets

[Send your news, views, letters, complaints, poetry to the *Street Shit Sheet* c/o *HUFF-Eugene*, P.O. Box 3789, Eugene 97403 or call 541-688-3432 ]<sup>2</sup>

## HATE FLIERS APPEAR IN WEST UNIVERSITY AREA UNIVERSITY COPS TARGET HOMELESS LOCALS IN NEW ATTACKS

"PutUp-or-ShutUp"<sup>3</sup> Peggy Thomas got bad news big time yesterday from Ramon the Peacemaker, who reported new anti-homeless hate posters publicly pasted on telephone polls near Franklin Boulevard. "Citizens of Eugene awake! Call the Police, Do Not Give Food or Money, [and] Practice Zero Tolerance" advises the bigoted broadside. Without using the word 'homeless', it is clear the flier is targeting poor people on the streets, concluding "Using someone else's lawn as a lavatory is not a 'life-style'. it is the act of an animal."<sup>4</sup>

The author of this balmy bilge calls himself "Citizens for a Safe City" and "The Alliance to Take Back the Streets." Anyone seeing this creep posting his hate-scrawls should call the **Street Shit Sheet** with more info. Hate-scrawling recently made the front-page--when victims were more upscale.<sup>5</sup>

<sup>1</sup> MC 4.825 is actually a sleeping ban but often misdescribed as a 'camping ban'--when it, combined with local zoning laws, actually bars the act of life-preserving sleep at night--on both public and private property. The 13-year old 'camping ban' law was modeled after Portland's law, which was concocted to remove one homeless man from his park bench in front of the library (city hall) back in 1983 after an earlier anti-homeless law was embroiled in court challenges. The crafty designers of the Portland hate law wanted to be careful to protect the camping rights of middle and upper class Rose Parade rubberneckers who traditionally set up their blankets and bags days before the yearly April event.

<sup>2</sup> *Homeless United for Friendship & Freedom (HUFF)* is a Santa Cruz California homeless rights newsletter centered in Santa Cruz, CA which has just opened its first Oregon chapter in Eugene. To contact *HUFF* in Santa Cruz, call 408-423-HUFF or fax 408-429-8529 or write *HUFF*, 309 Cedar St. #14B, Santa Cruz 95060 CA.

<sup>3</sup> *Street Shit Sheet* calls Peggy "PutUp-or-ShutUp" because of her uncompromising outrage at hypocrisy and half-measures. Whether she is denouncing those she regards as coverup artists in the shelter scam Board of Directors, control freaks in the local poverty bureaucracy, male manipulators in the homeless rights racket, or patronizing patriarchs in the poverty pimp palace, Peggy shouts first and worries later when she feels the dignity, needs, or rights of the homeless are being threatened.

Peggy is on the Housing Policy Board, the HPB Rules and Development Subcommittees, Intergovernmental Human Services Basic Needs Subcommittee, FEMA Board, Oregon Human Rights Coalition, Oregon Shelter Network and National Coalition for the Homeless Survey Subcommittee. Former office manager for the Homeless Action Coalition (HAC), "Put Up or Shut Up" now puts up with traveling homeless activists who roam from city-to-city sniffing out news and views--such as your *Street Shit Sheet* editor, Bathrobespierre Robert Norse.

<sup>4</sup> Speaking of animals, the henheads down at City Council have trouble understanding homeless plumbing. Bathrooms at the Washington-Jefferson St. Park are frequently closed as part of the War on Drugs. Several years ago "PutUp-or-ShutUp" personally distributed a "You Can't Hold it Forever" flier about the crapola crisis with the home phone numbers of City Council members helpfully attached. Was Peggy trying to get politicians to set up their own personal Head Start for Eugene?

This year when the city failed to authorize expansion or even reopening of the successful 3-winter carcamp program, Human Rights Commissioner Ron Chase pressured City Council to address the Homelessness Crisis last spring. In response, City Council ignored a host of recommendations in its April 24th work session including reducing the penalties of the camping ban, allowing greater leeway for camping on private property, funding a housing plan or creating 'safe zones' where homeless could sleep. Instead the 'snooze, you lose' sleepslayers established a toilet task force, reasoning that camping complaints would drop if there were a place for the poor to poopoo.

The result? Whether as symbolic token or bad joke, the City placed one (1) portapotty outside the Project Recover offices in October as its 'solution'. Dumphill Doug--a Whittaker neighborhood property owner, anally-challenged locals, the local cop shop were offended by the sight of the primitive peepie post and complained. In response, the ill-fated outhouse was removed, leaving the street people the ever convenient option of gutters, lawns, and bushes.

<sup>5</sup> "Church hit with racist vandalism" reads the above-the-fold headline of Eugene's *Register-Guard* (12/4). A swastika and the initials "KKK" were spray-painted on the front and side wall of the Bethel Temple Church, a Pentecostal black church. It was the second such attack on the church in a year, which suffered similar racial epithets, shatter fixtures and walls, and a vandalized altar, at its former home on Beulah St. in Glenwood in November 1995, according to the newspaper. Eugene's Human Rights Commission tallied 55 hate crimes in Eugene, with 27 related to race or national origin in 1995; this year, to toll is 32 with 17 race or nationality-oriented. track of anti-homeless hate fliers as well. or

Ramon also reports that University of Oregon security scags are now running homeless people off of university property, along the river where they camp against the cold. Previously city cops left poor people pretty much alone in that area, Peggy notes. Now the University is gentrifying its property with police patrols and no-trespass orders.

The Eugene-Springfield metropolitan area has 1000-1200 beds for 5000 homeless. There is no winter carcamp this year, hence no legal place for homeless people to either tent or sleep in their vehicles. City Council thus far has ignored the pleas of its own Human Rights Commission. With worsening winter storms blustering, many homeless folks huddle in their vehicles and under bridges<sup>6</sup>

If the "snooze-you-lose" sleepbuster squads have targeted your body and blankets, give a call to 687-5177, the Eugene Human Rights Commission or, if you want to go public fast, call "PutUp-or-ShutUp" Peggy at 688-3432.

## FEISTY FREE SPIRIT FIGHTS FLATFOOT FASCISTS

Though the 1992 ticket-only-on-complaint policy was annulled in 1994, Eugene police have supposedly adopted a more humanitarian policy by resuming the "no complaint, no ticket" approach. Darkwatcher Danielle Smith, who has crashed in her vehicle for half a decade, angrily points out that one's basic right to life (i.e. to shelter oneself and sleep unmolested) should not be a function of the whim of a passerby who dislikes the sight of a parked van. In fact, Danielle tells us, state law 2482 mandates a warning & a 24-hour delay before a \$95-\$150 camping ticket can be issued.<sup>7</sup>

Perhaps because she is clear and uncompromising in telling the police her rights, Danielle has been the lucky recipient of six camping tickets in the last year. Three are on appeal and will reach **District Court at 9 a.m. on January 7th**. One has been dismissed. The other two were not appealed in time resulting in a \$140+ fine, which she has not paid. In November she was mercilessly grilled and convicted of "contempt of court" for a payment of \$5 last summer [on appeal]. The judge and prosecutor claimed the \$5 payment--rather than demonstrating sincerity showed she had the 'ability to pay' and thus was deliberately thwarting the state's slumbertax. Since then she has gotten threatening letters from the court & more nighttime visits from cops.

On Tuesday she was back in court for her sleepcrimes and even forked over \$1 to keep the bailiffs at bay. Want to support Darkwatcher Danielle's downhome donnybrook? Call PutUp-or-ShutUp to help crush the camping ban.

*Coming:* **Quest for Carcamp:** the City plays dumb; **Sheltersham:** Local Lane County Sheltercrats shove it to their 'clients'; **Free Radio Eugene--Rockin' the Rednecks!**; **Copwatch:** Help the hunters who keep an eye & a camera on the silly sleepbusters!; "To Park Or Not to Park--That Is the Question!": poetry for impoverished pedestrians.

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is that violence treated as invisible--as invisible as the homeless community is supposed to be? Are bigotry bulletins against the poor simply seen as Americanism Eugene-style? Do city authorities regard these pamphlets of prejudice as seen as more "good buddy" support for the standard sleepmashing police patrols they pay to rob those who live outdoors of their health and dignity on a nightly basis?

<sup>6</sup> When not roused by police. In 1994, a SWAT team raided the Glenwood bridge homeless community, allegedly looking for a hotshop car ring. Cops seized instead on the innocent, who had sought shelter there, and ran them out.

<sup>7</sup> 'Camping' or being alive at night--if you're homeless-- within City limit has a \$95 fine. Doing so in a city park after closing (after dark or after 11 PM, depending) will cost you \$150. A trespass ticket will earn you an arrest and a possible \$1000 fine and a 6 months in jail vacation spree--at taxpayer expense. of course.

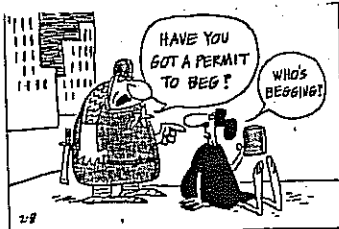
pass on a dime

or

commit sitcrime

**"A sleepless night is the worst punishment"**

"A nacht on shlof iz di gresteh shtrof." --Old Yiddish Proverb

Send your stuff to the *Street Shit Sheet* c/o HUFF, 309 Cedar St. Suite 14B, Santa Cruz 95060 or call 408-423-4833 to leave a voice article!

Courthouse Lawn Next Sleepout Target?

## Judge Kelly Bans Homeless Nighttime Sleep

Muni Court Department 1 saw a memorable Black Friday July 24th when Tom "Kangaroo" Kelly<sup>1</sup> found 'Dragonsheart' Dan Hopkins guilty of violating all three sections of the Santa Cruz Camping Ban. Facing three separate charges from the March-to-October City Hall Sleepers Protest vigil of 1996, Hopkins was convicted of sleeping outside after 11 PM (MC6.36a), covering up with blankets at night (MC6.36b), and setting up a campsite (MC6.36c).

Defending sleep for the sleepless was attorney 'Catnip' Kate Wells, who resumed the Hopkins' trial which had begun in February. Catnip countered assistant City Attorney "Cast off the Poor" Condotti's prosecution with a lengthy list of constitutional concerns: Hopkins sleep protest was symbolic speech; it was a matter of necessity; it was done when no alternate shelter was available; it was done to raise essential issues of safety under the California constitution. The Ban as applied and as written violates the US. Constitution's guarantees of the right to travel, due process, equal protection of the laws, & the cruel & unusual punishment provision. The Ban is overly broad & vague ("when is someone asleep?") & so intrinsically prone to selective enforcement. In practice, the Ban was selectively enforced. Protest leaders were targeted. Protesters were ticketed while non-protesting homeless sleepers across the street in the bushes at the public library, while equally visible, were generally ignored.

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Cosner and Lighthouse Linda Lemaster were grilled by agents, apparently on information from Reynolds, who returned and fled again. Last week, a federal Public Defender in Las Cruces, New Mexico told Bathrobespierre Robert Norse that Reynolds is being held in jail without bail pending psychiatric evaluation and grand jury indictment. The charges? Federal felony counts of methamphetamine possession & falsely reporting that a load of explosives was being trucked to Albuquerque--another grandiose Reynolds fabrication.

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Kennedy regularly and bitterly denounces homeless activists from his City Council seat, for challenging glaring contradictions in the Rotkins-Matthews Criminalize-the-Homeless policies. When they attempt to respond, Kennedy calls for them to be silenced or arrested, hence his nickname, "Clampdown". The non-violent guru brooks no challenges of archetypal hypocrisy: Human Rights Abroad, Homeless Repression at Home. The Resource Center for Non-Violence Regent also earned clampdown points for ripping down a "Legalize Sleep" sign from the City Hall Sleepers Protest (6/96), voting for a draconian Injunction against homeless protesters at City Hall (5/96), wrapping up a Homeless Special Council Session report with no mention of the Sleeping Ban or the emergency need for increased shelter space (5/97), & his recent rush to criminalize young people out after 11 PM with a Youth Curfew without soliciting youth or homeless input, nor allowing a "parental permission" or "alternate adult escort" amendment (7/97).

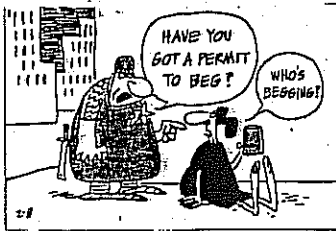
<sup>11</sup> Point-woman for the California Homeless Civil Rights Action Network

<sup>12</sup> "Evaginater": One who causes body parts to turn inside out. Evelith's intimidating presence has turned the stomach of many a happy hobo, just as his testimony in court turns truth inside-out and upside down.

Recently Evelith ticketed Shitkicker Sean Alemi to punish the "Feed the People" soupslinger for his high profile informal Cathcart Copwatch during a four-officer foray in one of the innumerable and overkill crackdowns of youth and hippies on Friendship Corner at Cathcart and Pacific last month. Only this time--in response to an able defense from local human rights attorney "Trialmaster" Tony Bole--Judge "Kangaroo" Kelly tossed out the "sitting on a stake" citation that Evelith had slapped Sean with after visiting the scene himself.

"A sleepless night is the worst punishment"

"A nacht on shlof iz di gresteh shtrof." —Old Yiddish Proverb



[Send your stuff to the Street Shit Sheet c/o HUFF, 309 Cedar St. Suite 14B, Santa Cruz 95060 or call 408-423-4833 to leave a voice article]

Courthouse Lawn Next Sleepout Target?

## Judge Kelly Bans Homeless Nighttime Sleep

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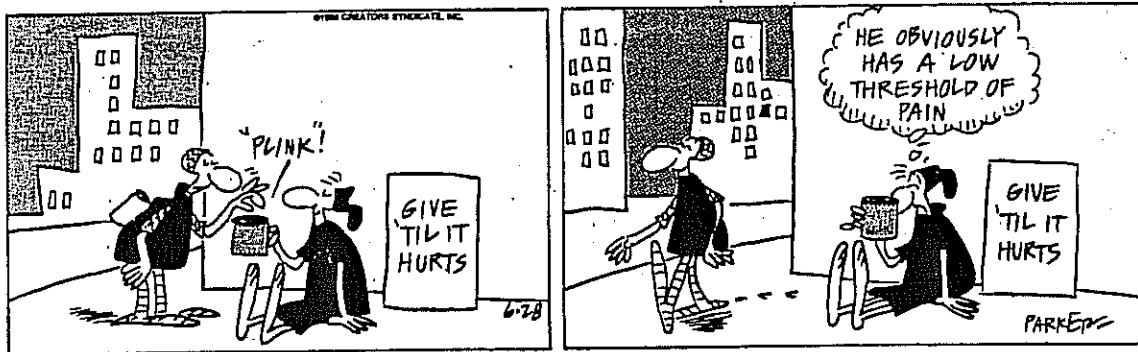
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COMING UP IN STREET SHIT SHEETS AHEAD: "Scribner Statue" Chaz Wright Beats Back "First Attack" Boardwalk Bullies; Challenging the Teen Curfew With After Hours Demos in San Diego; Santa Cruz's Youth Curfew: Where Do Homeless Youth Go When They're Told To Go Home?; Cat 'N Canary vs. Rickey Prim: False Arrest in Tinseltown?; Shitkicker Sean Goes to Jury Trial for Sleepcrime: Bad News from Behind Bars: the Balderos Report; and more...



track down the burglar the police couldn't find? When Clandestine Ken publicly confronted Kennedy at Council meeting, the former civil libertarian still refused to amend his trial-without-jury of Balderos.

Kennedy regularly and bitterly denounces homeless activists from his City Council seat, for challenging glaring contradictions in the Rotkins-Matthews Criminalize-the-Homeless policies. When they attempt to respond, Kennedy calls for them to be silenced or arrested, hence his nickname, "Clampdown". The non-violent guru brooks no challenges of archetypal hypocrisy: Human Rights Abroad, Homeless Repression at Home The Resource Center for Non-Violence Regent also earned clampdown points for ripping down a "Legalize Sleep" sign from the City Hall Sleepers Protest (6/96), voting for a draconian Injunction against homeless protesters at City Hall (5/96), wrapping up a Homeless Special Council Session report with no mention of the Sleeping Ban or the emergency need for increased shelter space (5/97), & his recent rush to criminalize young people out after 11 PM with a Youth Curfew without soliciting youth or homeless input, nor allowing a "parental permission" or "alternate adult escort" amendment (7/97).

<sup>11</sup> Point-woman for the California Homeless Civil Rights Action Network

<sup>12</sup> "Evaginater": One who causes body parts to turn inside out. Evelith's intimidating presence has turned the stomach of many a happy hobo, just as his testimony in court turns truth inside-out and upside down.

Recently Evelith ticketed Shitkicker Sean Alemi to punish the "Feed the People" soupslinger for his high profile informal Cathcart Copwatch during a four-officer foray in one of the innumerable and overkill crackdowns of youth and hippies on Friendship Corner at Cathcart and Pacific last month. Only this time—in response to an able defense from local human rights attorney "Trialmaster" Tony Bole—Judge "Kangaroo" Kelly visited Pacific Avenue himself and tossed out Evelith's "sitting on a stake" harassment ticket.

This Street Shit Sheet was revised on 8/18/97 when reprinted as a second edition (154a).

Don't look at the dying, you'll only encourage them.  
 The homeless, the hungry, the hurting They're not really there and it's not polite to stare.  
 You're driving your wallet on the rushhour freeway, so don't stop to empty your pockets  
 or slow down to look at accidents or the boogey man will get you.

Pretty soon the cops will chase them all away, anyway, and your eyes will be safe

And when you're dying--oh, yes, you will!--no one will look.

--"Don't Look at the Dying" from *Dead People Laughing* (forthcoming) by Julia Vinograd

San Jose Spiritual Walk: STOP POLICE SWEEPS, A SAFE PLACE TO SLEEP, & AFFORDABLE HOUSING Tuesday August 19 11AM 80 S. 5th St. at 1st Christian Church

SLEEPING BAN HUSTERS Every Tuesday 12:30 PM 1019 N. Branciforte St. S.C. Put the Santa Cruz City Sleeping Ban on the November 1998 Ballot!

PROTEST WELFARE DEFORM Friday August 22 5 PM Courthouse 701 Ocean St. S.C.

OUT IN THE COLD? Call the Shelter Project of the Community Action Board at 457-9754 X 555 if you've been turned away or stopped looking for shelter.  
 NOT A RAVE BUT A SAVE! Freesproken Ed Frey plans a noon to midnight indoor political festival at the Vet's Hall Sunday August 31st Info: 479-8911

Send your writings, poems, stories, and exposes to *Street Shit Sheet* c/o HUFF, 309 Cedar St. Suite 14B, Santa Cruz 95060; call 408-423-4833 to leave a voice article.

**Kids in Custody Commences early September** when the Kennedy-Hernandez Teen Curfew goes into effect throughout Santa Cruz if you're under 16 (or look under 16). "Tarrying" after 11 PM is now a ticketable offense--punishable by warnings, citations, compulsory transport back home, police station detention, juvenile hall incarceration, and/or sheer harassment if you're homeless.<sup>1</sup>

The Council passed this wholesale transfer of power from parents to the police by a 6-1 vote in late July, refusing to add a Sunset Clause that would have made the law expire unless explicitly renewed.<sup>2</sup> Santa Cruz Chief of Police and Curfewbacker Steve Belcher told Council the law would not criminalize, and then, ten minutes later, drove a young teenager who testified against the law to tears by telling him that, yes, the law would make him a criminal if he were out after 11 p.m.

<sup>1</sup> Exceptions: if you're out with a parent (or an appointed adult), going or coming from a scheduled organized event or job (but not necessarily being at one), hanging out in front of your own house (best to be born wealthy), or on a specific errand at parental direction "without delay"

Past HUFF (*Homeless United for Friendship & Freedom*) flyers mistakenly claimed that only the parent or legal guardian could legalize a teen at night. The language of the curfew does provide that "a person who is at least 18 years of age and authorized by a parent to have the care and custody of a child" can legalize a teen's being out after 11 PM. This wording does allow an older sister or brother, a friend, or an appointed adult to accompany a teenager and ward off police harassment. The obvious question is still--why aren't such matters left to the parents? and is criminalizing youth out at night fair, enforceable, or a sensible use of community resources? Aren't youth better served by other less punitive programs?

<sup>2</sup> San Francisco's curfew allowed parents to give written permission to their children to be out late. Santa Cruz's curfew does not have this provision [see the Southard Exception below]. Even the more liberal S.F. curfew was found too oppressive and/or unnecessary by their Board of Supervisors, who allowed it to Sunset in 1996. The curfew was widely perceived as an election eve effort by Mayor Frank "Juggernaut" Jordan that was better left dead. Oakland rejected a teen curfew when Teens on Target presented statistics showing that peak crime rates were during daytime hours where money could be better spent on other programs.

The Council had no answer for where homeless youth would go. They also refused to take up the Southard Exception<sup>3</sup> and other liberalizing amendments, instead sending these to Public Safety Committee [PSC], which originally rammed through the Curfew without public hearings.

Be on board to contest the curfew and demand amendments. Call Siobhan (pronounced "shi-von") at 429-3550 to get the time and place of the next PSC meeting. Down in San Diego, Libertarian Party activist David Doctor has been throwing regular midnight curfew rallies to contest their youth curfew. If you think selective ID checks, capricious harassment of bicyclists and skateboarders, sitting on the sidewalk citations, and "go to sleep, go to court" tickets were bad enough, have a gander as the Evelith's<sup>4</sup> Avengers start warehousing "loitering youth" downtown each night.

**Besieged by Boardwalk Rent-a-Thugs?** That's what happened to Hapless Harry<sup>5</sup> last June 24th. Seeing a large sign to the left of the Casino entrance that warned his bicycle could be confiscated by Canfield company cops for 72 hours, Harry politely asked a nearby Seaside Company security guard what that meant.

"If you use this equipment here," a guard replied, "we can hold it for 72 hours, or you can take it immediately and receive a trespass warning preventing you from returning for the rest of the calendar year." When the discussion continued, a second guard named Merritt demanded that Harry leave immediately--without his bike--or go to jail for trespass. A moment later, Harry reported he was thrown to the ground, dragged along, ripping his knee, tearing away his trousers, handcuffed, and charged with trespass--disrupting business.

Luckily four witnesses heard Harry's cries of shock & pain. At court the misdemeanor ticket disappeared; his Seaside Company assailants didn't show up; and any police report evaporated. Harry ruefully reported he lost thousands of dollars in income because he was unable to attend two business functions in the days that followed. His shoulder has developed complications. It also appears the spot where the Seaside Goon Squad took him down may be city and not Canfield<sup>6</sup> property.

Attorney "Catnip" Kate Wells has taken his case. Even Charles Canfield took a call from him & suggested they work things out--without lawyers. Watch out Harry, take a friend with you, and keep a mouthpiece on tap! Have you felt the shoe leather of Boardwalk Bigfeet? Call SPAN (Stop Police Abuse Now!) - 475-2012.

**COMING UP IN THE STREET SHIT SHEET:** Howls from the Homeless Community Resource Center--a disgruntled refugee names names; Bitter Nights in Buena Park--Rev. Wiley Drake--Sentenced for Housing the Homeless in his Church; Keeping Tabs on Lousy Landlords: Donna Deiss and the Santa Cruz Tenant's Union Prowls the Courts; TufLuv Tucker Takes on the Povertypimps; Balderos & the ReynoldsRap Update...

<sup>3</sup> Allowing parents to do what the San Francisco curfew allowed--be out with written permission. So named after Alex Southard, the teenager who asked City Council if parental consent to be out late would free him from the prospect of police custody for simply being the wrong age at night. Council said: no.

<sup>4</sup> Officer Mark "Evaginater" Evelith has gained fame city-wide as a dedicated hobohunter. The first-ever homeless complaint upheld by the Citizens Police Review Board was against Evelith--for misuse of the notorious Conduct on Public Property ordinance ["standing, sitting, or lying on public property not designed or customarily used for that purpose"], one of The Evaginater's favorite toys. Peppertongue Pat Ring won a rare vindication from the CPRB, only to have his complaint overturned by Evelith's boss: Chief "Bronze Age" Belcher. For logophiliacs, an Evaginater is one who causes body parts to turn inside out.

<sup>5</sup> Not our hero's real name: he requested anonymity while he beats back charges, prepares a civil rights lawsuit, and repairs the damage done to his life by Canfield's Wannabe Cops. Sharp-eyed regular readers will know his name from past issues.

<sup>6</sup> Canfield is the Boardwalk Boss, a pitifully low wage payer and low-income housing destroyer.

# STREET

#156

November 28 1997

# SHEET

Friday

lay down a dime

or

fight police crime

"They [the poor] have to labor in face of the majestic equality of the law, which forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread."

--Anatole France (1844-1924) *Le Lys Rouge*

## CLEAR AWAY THE COVER-UP!

Starting FRIDAY NOVEMBER 28th at 11 AM *Santa Cruzans for Full Disclosure* will staff a table downtown to gather support for a full independent investigation into the "Happy John" killing. The day after Thanksgiving is the biggest shopping day of the year. Shoppers and merchants will be asked to join us in a "No Business As Usual" Campaign until the Police Report, the D.A.'s Report, and Autopsy are available to the public and an independent investigation is under way. Since Justice has taken a Holiday from downtown, we are also suggesting that shoppers should do likewise. We are also calling for an Independent Tribunal made up of civil rights advocates including houseless people, presided over by an experienced investigator from out of town to hold public hearings.

*Santa Cruzans for Full Disclosure* meets 7 PM Monday Dec 1 at 263 Water St.

Speak to Supervisor Wormhoudt 5 PM December 1 at Java Junction at Seabright Ave. & Eastcliffe Dr.

## TIRED OF SEEING FOLKS HASSLED FOR BEING OUT IN THE COLD?

The Campaign to Repeal the Sleeping Ban filed its Initiative November 13th. In early December it will begin gathering signatures to put the repeal on the November 1998 election ballot. Call 457-9754 X182 to help!

Send your writings, poems, stories, and exposes to *Street Shit Sheet* c/o HUFF, 309 Cedar St. Suite 14B, Santa Cruz 95060; call 408-423-4833 to leave a voice article.

## DOWNTOWN SLAMS LID ON HAPPY JOHN SLAYING "NO GUN VISIBLE" SAY ALL NON-POLICE WITNESSES

"Case closed" was the speedy verdict of Chief "Bumblaster" Belcher, District Attorney Art "Drumhead" Danner, and the *Santa Cruz County Urinal*<sup>1</sup> after police gunned down "Happy

<sup>1</sup> Belcher's colorful *nomme de press*. We noted Belcher's aggressive attitude as assistant Chief back in 1994 when he kicked protester Robert Flory as Flory lay sleeping at the 1994 Valentine's Day Sleepcrime Protest Vigil. We commented on Belcher's creative reshaping of law and police department policy in 1995 when *Citizens Police Review Board* member John Malkin brought up the fact that the SCPD was violating city law and its own C-7 directive by labeling various complaints "inquiries" and refusing to forward them to the CPRB. (Belcher simply changed the policy retroactively and ignored the law). We gagged when "Bumblaster" lied about the number of blankets stolen from the City Hall Sleepers Vigil in 1996. We watched numbly when he justified the new under-16 youth curfew—which is slated to go into effect in December—as "helping to get them into the system."

"Drumhead" Danner could give no specifics when asked by reporter Beggarbacker Becky Johnson at a recent CPRB meeting what percentage of his jailhouse trophies are homeless, and what percentage are made homeless by his Drug War "prosecute and jail" policies. He did admit that over 90% of those taken to trial are poor enough to qualify for public defenders, showing the violent class bias of his policies.

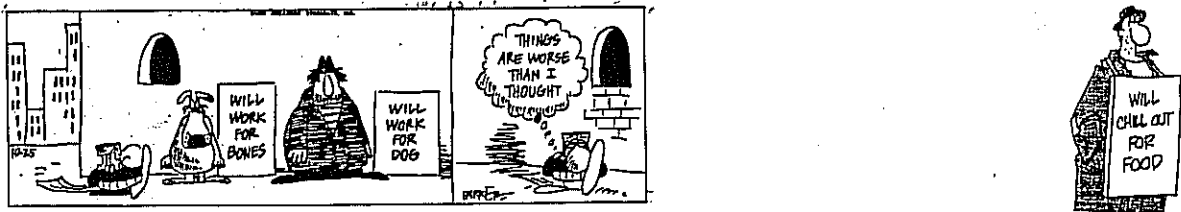
The *Urinal*, also known to local innocents as the *Sentinel*, is a systematic supporter of arresting the poor for sleeping outside, driving them from public spaces, and generally cheerleading the police/merchant/City Council campaign downtown to cleanse Santa Cruz of "undesirables". A monopoly paper—part of the *Wall St. Journal* chain, it regularly manipulates and suppresses debate—even in letters

John" Dine Wednesday evening November 12th. The *Urinal* faithfully parroted the police/D.A. picture of Dine as a (toy)gun-toting mentally-disturbed loony unknown to the cops who provoked the "tragic incident." Belcher released that Official Story less than four hours after the slaying and repeated it for selected media the next day with Danner at his side—adding that Happy John had taken "a combat stance." Ten days later the book was closed with an official thump, though the autopsy report discredited the "combat stance" contention, according to *Urinal* reporter Bob "Grovel 'til you Gag" Gammon.

According to *Santa Cruzans for Full Disclosure* videographer "Beggabacker"<sup>2</sup> Becky Johnson, four eyewitnesses to the shooting testified on video tape that Happy John had no weapon in his hand, made no threatening gestures, and pointed nothing at the police. Two more witness speaking on audio tape confirmed the absence of a weapon. Another three, reporting through second parties, agreed there was nothing in his hands. The only witnesses whose names have been released that support the police story were the bring-along witness and complainant in the back of the police car (Catalyst bouncer Ben Newman) and the two police officers involved. Two more witnesses claim police themselves pulled a toy gun from Happy John's pack or body and dropped it at the scene. *Santa Cruzans for Full Disclosure* needs funds and space for regular video showings of the discounted witnesses. The group demandis public access to the police, D.A., and autopsy reports.

Newly-crowned Mayor 'Soft-spoken"<sup>3</sup> Celia Scott had little to say about the Dine slaying after her 4-3 electoral victory other than calling for the banning of toy guns.<sup>4</sup> Scott also said she'd support a *Citizens Police Review Board [CPRB]* independent investigation if asked, but she issued no call for strengthening the *CPRB* or calling for an emergency meeting in light of the police killing. Bathrobespierre Robert Norse scoffed, "If Celia can't call for basic human rights for the homeless and a full investigation in the face of a police killing when she's at the height of her powers, with supporters packing the chambers, how can we expect her to hold the line in the votes against her to come?" Duskrider David Silva of the Committee to Repeal the Sleeping Ban suggested a "wait and see" attitude: "Keep your eyes on who our real opponents are and give Mayor Scott a chance to get the ball rolling."

COMING UP NEXT TIME: Dealing with the Devil--Merger talk between the "closed campground" *Citizens Committee for the Homeless* and the "closed Board meetings" *Homeless Community Resource Center?*, Holiday Squatting in San Jose, Curfew for Castaways on the Levy?, Criminal Leaning on Pacific Avenue--Bathrobespierre Goes to Court; Locked out of the ISSP?; How Many Cops Does it Take To Remove a Mumia Poster?, Free Radio Santa Cruz Faces the Fuzz, and more...



to the editor. Readers were hard-pressed to find any public debate on the youth curfew-ramroded through in July and not a word from an enraged and anguished community after the "Happy John" Dine killing.

<sup>2</sup> Johnson regularly fights for expanded homeless services on the Board of the *Citizens Committee for the Homeless*—which meets the fourth Thursday of every month at 4 PM at Saint Stephen's Church, 2500 Soquel Ave. Beggabacker puts out Alerts for the California Homeless Civil Rights Action Network, writes for *Street Spirit*, and has fought to reopen the Coral St. Open Air Shelter Campground, to establish a Safe Haven, and to get the new more conservative *CCH* Board to endorse the new Initiative repealing the Sleeping Ban. Inevitably, she is consistently outvoted at *CCH*.

<sup>3</sup> Formerly christened 'SayLittle' Celia for her silence on the *CCH* Board in the closing and fencing off of the Coral St. campground. Celia has nonetheless spoken up more frequently than her Council peers on homeless right issues and raised the roof when the Kennedy-Matthews mob tried to rip off the Mayorship. Does she have the stomach to be on the losing end of Council votes and in so doing expose and hopefully recall the majority? We'll see.

<sup>4</sup> A call immediately taken up by the *Urinal* [editorial 11/28]—all worked up about toy guns, but undisturbed by toy justice. Remarked one Happy John companion, "toy guns don't kill people, toy policemen do."

spare a dime

or

draw the line

50¢ Donation

"Some mosques (as the Azhar, for instance, the principal mosque of Cairo) remain open all night; and many houseless persons sleep in them, upon the matting which covers the paved floor. Men are also seen, at other times, but not at the hours of prayer, lounging, eating, or working, in the mosques; such practices not being deemed inconsistent with the high respect which Muslims pay to these buildings."

—from "The Story of the Humpback", The Arabian Nights Entertainment or 1001 Nights,

Send your writings, poems, stories, and exposes to *Street Shit Sheet* c/o HUFF, 309 Cedar St. Suite 14B, Santa Cruz 95060; call 831-423-4833 to leave a voice article. Got a beef with our facts and feelings? Send us a letter. We'll print it.

### Politicians On Parade: Upcoming Election Antics

Friday Sept 25th 7 PM Chamber of Commerce Candidate Forum City Hall  
 Friday Sept 25th "Stand Up and Applaud for Pat Clark" at the Chamber  
 Saturday Sept 26th "Fighting" Tim Fitzmaurice Kickoff Loudon Nelson Center  
 Sunday Sept 27th 3:30 5:30 PM Dinner/Silent Auction for Pat Clark 415 Seabright  
 Sunday Sept 27th 3-6 PM Sugar/Fitzmaurice/Krohn Benefit 135 Gharkey St.  
 Thursday Oct 1st 7 PM Seaside Sell-Out: last Public Comment Civic Auditorium

UCSC Campus at the Baytree Bookstore/Student Center: Make \$2.50/voter registering voters: grab your clipboards & head for the Hill!

*Late Flash:* On Thursday night (9/24) *The People's Democratic Club* repudiated Shadow Mayor Mike Rotkin, who directed a mailing to PDC members to slant the nomination away from Sugar, Krohn, and Fitzmaurice to the pro-Canfield candidates Steinau, Walton, and Quartararo. Election results showed a complete repudiation of the old-line Rotkin machine. Sugar (48 votes) and Krohn (46) got the endorsement; Fitzmaurice(34)—though the PDC refused to allow him to speak or be nominated—beat out Steinau(33). Steinau got too few votes to get the endorsement even though a third spot was open. Walton (24) & Quartararo (16) trailed.

### Council Insurgents Blast Sleeping Ban in TV Forum! But Cops, Courts, & Churches Still Slumberbusting

"Take Back Our Council" candidates Tim Fitzmaurice and Chris Krohn joined Pat Clark and Keith Sugar to declare they would amend the Sleeping sections of the City's Camping Ban Ordinance 6.36 if elected to replace the Canfield City Council<sup>1</sup> in November. This marks the first time in Santa Cruz City history that every Progressive candidate has declared open opposition to the Sleeping Ban. It is also the first time a majority of all the candidates running favor repealing or amending it.<sup>2</sup>

In front of live tv cameras on Channel 71, Fitzmaurice declared:  
 "...it shouldn't be criminal behavior to put a blanket on in the middle of the night. [It can cause]...the arrest of women and her child sleeping in a van on the street. I think the notion that it needs to be

<sup>1</sup> The Matthews-Rotkin-Hernandez-Kennedy-Campbell majority has voted to fast forward Beach Boardwalk Boss Charlie Canfield's agenda in the face of overwhelming neighborhood and public opposition. Campbell, Kennedy, and Mayor Scott end their terms in November with pro-Canfield candidates Linda Steinau, Ron Quartararo, and Jane Walton waiting in the wings to back up the Boardwalk Buccaneers. The Canfield Cabal needs only one election victory—one out of the three seats open in November—to maintain control at City Hall & rubberstamp the Runaway Ridemaster's Redevelopment Ripoff. Steinau is that vote.

<sup>2</sup> There are 7 candidates running to fill 3 seats. The Progressive 4—Fitzmaurice, Krohn, Clark, & Sugar—have denounced the Sleeping Ban; the Canfield 3—Steinau, Walton, and Quartararo support it. Rodent, briefly the 8th candidate withdrew from the race when he showed up 20 minutes after the *Voices from the Village* forum was over. Often self-styled as the "formerly homeless" candidate, Rodent has been regularly denounced in the *Street Shit Sheet* as a KSCO/Metro SC-groupie and Uncle Tom-style opportunist who exploits the homeless label, but abandoned the homeless civil rights struggle long ago.

amended...makes absolute sense." Said Krohn: "I feel...the current camping ordinance does make it a crime to sleep. I do support amending that ordinance."<sup>3</sup> The new Compassion Consensus<sup>4</sup> to dump the Sleeping and Blanket Bans even flooded the NIMBY (Not-in-My-Backyard) boats of candidates Ron Quartararo and Jane Walton. The two veered sharply away from explicitly backing a law that arrests poor people for sleeping—lest they look mean or moronic.<sup>5</sup>

Meanwhile reports of abusive and selective Sleeping Ban enforcement ripple noxiously through the city like unprocessed sewage. Veteran and retired engineer Lloyd Lawrence reported a night-time "gunshot volume" hammering on his van at 6:30 a.m. September 6th. Lawrence, an older man with extended family in Santa Cruz and San Jose, needs to drain his bladder by catheter from a prone position. He was doing this when Officer "No Naps" Northrup dented his back van door with loud "gun shot volume" hammering that badly frightened the ailing man. In response to Northrup's threats to tow his vehicle, Lawrence disengaged the catheter and came to the window. Northrup then refused to clearly identify himself as a cop by coming to the window.

The callous cop gave no warning, produced no complaint, and refused to acknowledge Lawrence's medical condition—leaving the disabled vet whose truck carries clearly visible disabled license plates wondering what kind of vicious village he was visiting. How could the government gunman know Lawrence was sleeping when all his windows were sealed and the doors closed? Gestapo break-ins apparently are okay if they only impact the poor and transient and don't disturb the beautysleep of Rotkin's<sup>6</sup> West-side well-to-do. The feisty grandfather declared he would never pay the \$272 ticket<sup>7</sup>, and might file a class-action lawsuit against the Sleeping Ban in the future. He was also incensed that Sgt. "Why Me?"<sup>8</sup> Varner declined to take strong remedial action, but passed off the dumbfounded and enraged vet's concern by sticking a complaint form in his hand.

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<sup>3</sup> By contrast, Walton contented herself with reading the ordinance aloud "for clarification" and ducking the question—the second time she has done this in a public forum. At the Peace & Freedom Party Forum on 9/20, Walton falsely claimed that repealing the Sleeping Ban would legalize sleeping on private lawns without permission of the owner. Actually this last year's Sleeping Ban Repeal Initiative would allow residential neighborhoods to compell sidewalk and vehicular sleepers to move on, but return to residents the right to sleep on their own front yard and/or have a sleeper in a vehicle parked in their driveway.

Quartararo painted a menacing picture of "going to pick up my children...and finding who knows who rolled up in a blanket and sleeping." Such sinister slumber, Quartararo cautioned, might somehow lure the public into "ignoring" the homeless problem. Is he saying that supporting the basic human right to sleep at night might offend the local bigots? Take a deep breath and come into the 20th century, Ron

<sup>4</sup> Fitzmaurice, Krohn, and Sugar all spoke of the need to guarantee and stabilize funding for homeless services. Krohn went so far as to say he'd talk with people accused of unlawfully loud music in a vehicle before calling the cops.

Civil rights candidate Pat Clark has been even more outspoken against the Sleeping Ban. He MCed the Vet's Hall fundraiser for the Initiative to Repeal the Sleeping Ban last May. Clark has been ignored by political insiders and media in the Beach Flats Brouhaha, but his position is arguably the strongest in support of homeless civil rights. He alone regularly refers to his own previous homelessness.

<sup>5</sup> At the SCAN candidate forum two weeks before, the three conservative candidates had called the tune with only Sugar and Clark declaring unqualified support for ending the Sleeping Ban.

<sup>6</sup> Shadowmayor Rotkin is the Granddaddy of the Sleeping Ban on the City Council; his vote not only keeps the Ban in place, but set up its harsh misdemeanor provision nineteen years ago. 6.36.050 prescribes 6-months-in-jail-\$1000-fine penalties for two instances of sleeping or covering up with blankets within 48 hours. As mayor in 1996, he reaffirmed support for this absurdity. This provision is used by police to jail protesters and hated undesirables; charges are then dropped in court; what jury would convict?

<sup>7</sup> \$162 is the standard extortion exacted by MC6.36.010. But if you want to pay before trial, the price goes up. That's what our dumbfounded and enraged vandweller discovered. after Sgt. Warner declined to act to dismiss the ticket administratively.

<sup>8</sup> Warner gets credits for quick response, sympathetic ear, and amiable manner. He declined however to take the issue directly to Northrup's superior, who had the authority to overturn the ticket. Even as Lawrence spoke with Warner it was past 11 PM. Did the "See Ya Later" Sergeant not catch on or just not care that Lawrence faced another night under the shadow of Northrup—wondering when the nightstalker with his flashlight, billy club, and ticket book would burst on the scene?



Even churches—whose parking lots are supposed to be a tiny legal sanctuary from police predators<sup>9</sup>—aren't safe. "Kansas City" Casey turns in a failing report card for groundskeeper "Alaska Dave" of Garfield Church at Errett Circle. Dave, Casey says, has taken to confronting vehicular sleepers on church property with a polaroid camera in the face and threats of cutting off church social services. "Misrepresenting himself as a police officer, weekend before last, David threatened to hunt me down at night and cut me off from all church social services", notes Casey. A stiff slap for unsanctified sleep on Christian cement. "No camping" signs, says Casey, now adorn the windows of the hallowed House of God.

Others have also felt the Wrath of Rotkin's No-Rest<sup>10</sup> law. Find-Me-Not Fred reports frequent complaints from fellow vandwellers. Longsuffering Larry decries downtown Sleeping Ban harassment from —Officer "Picador-of-the-Poor"<sup>11</sup> Perry. Roadweary Ron, who works over the hill in a San Jose computer firm, reports he got the rude rush from a Camping Ban Cop for sleepcrime in his vehicle and is filing a complaint with the CPRB.<sup>12</sup> Castaway Carrie with *Feed the People* remembers a recent Lighthouse Field roust at 8:27 a.m.—3 minutes before sleeping becomes legal—by a cop who gave her no warning and apparently didn't ticket others sleeping there—instead selecting her for the \$162 ticket.

Sleepcrime cases scar court calendars daily, along with endless "failures to appear" charges. There are still legal sleeping spaces for only 30 homeless people (out of a known population of 500-1500 in the city alone). Local courts have slavishly followed Downtown Association dicta by upholding the Sleeping Ban; the issue has never reached the federal court in this jurisdiction. <sup>13</sup>

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<sup>9</sup> Section 6.36.020 of the Camping Ban provides an exception for churches, allowing them to permit up to three vehicles to stay overnight in a parking lot with people sleeping inside. Less than a handful of the local Christian pretenders permit the poor to use their empty lots at night—fewer still invite them.

<sup>10</sup> Riot-Act Rotkin, fabled for his savy smile and mile-a-minute monologue, used to amuse himself by intimidating critics at City Council with threats of arrest for exceeding the 3 minute oral communications limit and/or shouting out in frustration at his endless denatured doubletalk. Too smug to crosscheck his 'facts' ("if we let people sleep, everyone will come to town"), Rotkin relies on rapid repetition of rationalizations, distortions, and crowd-pleasers, leading some to suggest he be renamed Recycled Rotkin.

<sup>11</sup> Also known to his victims as "Robocop". A picador, is the horseman in Spanish bullfights who lances the bull in preparation for the matador's killing blow. Perry is notorious for pursuing homeless people he dislikes with a cold mechanical precision (hence "Robocop"). Though Perry is one of the few black cops on the SCPD, he apparently has no interest in civil rights for the poor and recently directed Larry to "get out of my town." Another older houseless traveller reports regular van rousts from Perry, who seems to take pleasure in pressing his police pincers into the unarmed and the isolated. Sadistic sport or surplus of spare time? You tell us. On Tuesday morning 9/15, Perry picked as prey some homeless recyclers near the Morrissey Avenue Safeway, forcing them to empty their shopping carts of the large bags of cans and bottles "to reclaim shopping carts". The peculiar thing is that the homeless group was bringing their carts back to the Safeway recycling station. Onlooker Grinning Ray Glock-Grueneich said that recycling was a service not a crime. Does Picador Perry prefer theft to trash retrieval for homeless survival?

<sup>12</sup> The Chummy Police Rubberstamp Bunch, or Citizen Police Review Board [CPRB], as it calls itself. It's still important to file complaints with them at 429-3262, (or go in personally M-Th 9 AM-1 PM) to put the incident on record. But don't expect any kind of advocacy, action, justice, or even fairness from them. The CPRB has upheld only one homeless complaint in its entire 3-year history. It disgracefully buried the Happy John Dine slaying with no public hearings or independent investigation. It threatened to arrest critic Bathrobespierre Robert Norse, while lauding Police Officers Association [POA] spokeswoman Barbara Williams for identical behavior in early April. It called for no early investigation of Hennig, Zemeneck, Barry, and Guerrasio—the four Blasters who sprayed the Button St. neighborhood with bullets last March, ignoring nearby children and infants.

<sup>13</sup> In Miami, the long-standing [1992] *Pottinger* decision required homeless-shy cities to set aside "safe zones" for sleepers. Ft. Lauderdale has had a city-funded Tent City for 6 years. Santa Cruz politicians, on the other hand, favor "creaming"—costly psuedo-services for a few (the \$2.3 million Community House and the River St. Mini-Shelter). At the same time they reject essential emergency needs, such as a campground, carpark, or Sleeping Ban repeal—which would serve the many.

Povertypimp-preening patter like "Santa Cruz is doing lots, but more should be done" should activate bullshit-detectors among activists. This is the line of those who have stonewalled providing broadly-based services that all homeless people can use and who want to channel funding into conservative control-the-kids service providers like Day Center Duchess Karen Gillette.

# Affordable Housing vs. N.I.M.B.Y.

by Lighthouse Linda

There are differences between Santa Cruz County and the various cities within. But I'm concerned with something all these places have in common. Affordable housing for blue collar workers, disabled people, and underpaid families can't be had without (1) a long wait and demoralizing search, (2) a compromise with landlords, (3) substandard dwellings, (4) overcrowding, (5) unreasonable deposits, and (6) worse of all: NIMBY attitudes.

NIMBY (Not In My Back Yard) runs unchecked throughout the land. It is more obvious in areas like Santa Cruz with ever-expanding real estate prices (which I consider legalized yet immoral gambling). I first noticed this NIMBY thing long ago when Twin Lakes Baptist Church moved away from Twin Lakes Beach. They left behind a lovely beachside building which Mama Dawson and others wished to turn into much needed half-way housing for recovering drug and alcohol users.

In reaction, the East Side Live Oak neighborhoods vociferously organized, hoping to avert the supported housing plan. Their amazing accomplishment was the collective yet inaccurate stereotyping of its would-be residents. They assumed their neighborhood would become overrun with thieves and unmentionably shady characters.

Twenty years ago, such boogeyman bigotry might have been more excusable. People back then didn't understand what is hopefully more obvious today. People in a clean-and-sober facilities are obliged to live much more stringent, structured, cooperative and neighborly lifestyles. Or they get evicted and lose their support system abruptly.

I feel there is no excuse for this head-in-the-sand attitude today. Most of us have relatives or friends who are or once were in a half-way house, hospital, board 'n care home, or mental hospital for observation. We all know those who have doubled up to afford child-care or rent, or who live in a "co-op" or school. And we all know people who felt they had to lie in order to rent or buy a place to live ( How many children do you have? income? how many students will live here?)

The NIMBY problem is not only alive and well, but it could even be said in some places that official housing and land use policies are dictated by rampant, unstated NIMBY assumptions. Sadly, our electeds, department bosses, policy makers, consultants and so-called activists share these fears with their snooty neighbors.

After a certain point, "Not-in-my-backyard" translates into the more blunt "I've got mine, so fuck you." For me, every neighborhood should include a few half-way houses, a "safe" house for runaways and violence victims, and a starting-over facility which one can voluntarily enter as opposed to the current lock-down system where those on probation or in jail always get top priority for too few beds. People of all ages leaving a hospital need care in homes that are near family and friends--some for just a day, some for longer, as we learned when this winter's storm abruptly crushed a Felton Board-and-Care home. Each neighborhood should also have half a dozen humble units provided to single groundskeepers, firemen, motel housekeepers, and other service workers who maintain the neighborhood. Providing such facilities--like

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"Creaming"--serving only the least needy and most photogenic of the homeless--does rake in government funds (for social workers and such) and gives the illusion of caring. The rest of the poor can then be ignored, dismissed, or slandered as drunks, druggies, crazies, and bums. Instead of throwing more money at keep-'em-quiet-out-of-sight-and-out-of-downtown palliatives, people need community-run switchboard, crafts market, workshops, and other renaissance projects.

those given some priests and UCSC brass--would help compensate for the gap between incomes and rents.

There should also be neighborhood transitioning houses, where indigent and lower-income people who are traveling through can connect efficiently. They would be like the hostels but open more hours; with computer terminals, clean socks, lockers, dry blankets, bus tokens, coffee, maps, and reasonable rates. This vision contrasts with our hard-to-manage crowded ghetto-building --a No Parking epidemic waiting to happen. (Not to mention the total negligence and abuse throughout the rest of the County!)

I just don't understand why we can't provide housing for all the people we need working here as a way to improve our tourist-based economy. The "service jobs" that make tourism viable don't pay enough for our existing housing. Would it be so hard for cities and the County to correlate things better? Granted, they might have to ignore a few bribes and threats for two to five years, but our collective humanity is at stake and the results would be well worth it.

(Next time Linda tackles bureaucratic distinctions between "affordable", "low-income", and "very low-income" housing and what exists in Santa Cruz City and County. Got housing questions or answers? Call her at Housing NOW! in Santa Cruz at 423-HOME! e-mail: hearth8@hotmail.com)

## Feed the People Foodserver Buffeted in Bogus Busts Twice-Weekly Sandwich Giveaway Again Targeted

### Distempered Deputy Punishes Pumpernickel Pusher for Sitting in a Courtroom

Hungerslayer<sup>14</sup> Sean Alemi sat in a jail cell twice in the last three weeks in chilling but common examples of capricious police state power. On Friday September 5th Judge Barricuda<sup>15</sup> Barton's Brownshirt Bailiff, Deputy Vallenzuela seized the

<sup>14</sup> A name reflected Sean's passion for getting out grub to the grubby. His "peanut butter-jelly-and-luv" tummy ticklers are curbside sandwiches his street chefs slap together and pass out every Monday and Tuesday afternoon at 5:30 in front of Logos books on Pacific Avenue. Along with Odwalla juice, pastries, fruits, and brazenly friendly banter, Sean and his grinning gang provide a warm, free, and public watering hole where the street community gathers to meet, eat, chat, and share the sunshine. The young, the excluded, anyone with an empty belly is welcome. *Feed the People* can be reached at 831-425-FEED.

We've also called the hearty hungerhater Shitkicker Sean for his refusal to kowtow to judicial arrogance, blueshirt bulldozing expeditions, and merchant meddling. Sean's shitkicking has been boisterous but not brutal--alarming few and elating many. After a short-lived stint with *Food Not Bombs*, in 1995, Shitkicker Sean set up his own free food extravaganza--*Feed the People*, which served in the heart of the downtown at Friendship Corner (aka Hippie Corner) for three years, prompting howls of protest from merchant princes and nearby restaurants. (*Food Not Bombs* discretely retired to the more distant Town Clock, where it continues to serve Wednesday at 4 PM and Saturdays/Sundays at 1 PM)

<sup>15</sup> 'Barricuda' Barton, formerly one of Drumhead Art Danner's local D.A.'s, got bumped up to blackrobe bully as part of the Danner machine. Barricuda originally earned his name back in 1992 by his repeat rubberstamping of the Alan Brady search warrant--where half a dozen cops roused a peaceful hempseed activist at midnight in 1992. At a Preliminary Hearing earlier this year, he refused to open up the files on Officer Guerrasio and other cops who gunned down Brian Andrus at Button Street in mid-March.

In 1996 Sean patiently and persistently defended himself before the baleful blackrobe after being jailed for days to divorce him from the City Hall Sleepers Vigil with fabricated--and ultimately unprosecuted) misdemeanor ("sleep twice in 48 hours and do up to 6 months in jail"--charges.

In that case baffled Barricuda barked that Sean was making a "mockery of the System." Sean beamed back, "The System doesn't need me to do that, your Honor; it's doing a pretty good job making a mockery of itself." In a classic moment of candor, Barton growled, "Get him the fuck out of my courtroom!" The smiling sloganeer was immediately removed. Sean was subsequently held for a month, fasted for 13 days, & never got a jury trial or restitution for the bogus busts. Blackmouth Barton is still on the bench earning \$100,000+/year.

robust rainbow chef outside Department 6, sadistically savaging his wrists with some Barton-backed brutality. Vallenzuela then hitched up the handcuffs on the bewildered breadmaster's wrists to notch five;<sup>16</sup> producing bruises, pain, and damage to Sean's thick wrists. What prompted this outburst of courtside craziness?

When Sean entered Barton's Badlands during a supposedly open-to-the-public murder trial<sup>17</sup> and seated himself in the back row. Vallenzuela looked over the chunky snackmaster, then ordered him over and demanded his business. "I'm here to see my attorney," whispered Sean, pointing to Sean Gallagher, defense counsel in the trial. "Why?" persisted the curious court constable. "None of your business", advised the Sean-seeking Sean.<sup>18</sup>

Wrong answer for "My way or the highway" Vallenzuela, who then ordered the closed-mouthed mealmaker out into the hallway and banned him from the court, further directing him to leave the courthouse. Would Sean bend to the bullying bailiff's bluster?

The blackballed bagelgiver reminded Vallenzuela that the courtrooms were public places, that he was there on legitimate legal business, and that "I pay your salary." This apparently provoked the tin-star timeserver beyond endurance. He seized and paincuffed Sean, then hauled him away. Suitably subdued, the stunned sandwichman asked what the charges were. Quipped Vallenzuela, "I'll figure them out and let you know."

Hours later Sean got the word he was charged with a mystifying 166.3--disturbing court business. Replaying the incident later, *Street Shit Sheet* afteraction analysts suggest that the cuff-loving Vallenzuela has broken novel legal ground in what might be called the Alice-in-Wonderland school of false imprisonment.

Under this bold theory, refusing to broadcast confidential communications intended for your lawyer is grounds for (a) eviction from the courtroom, (b) banishment from the courthouse, and (c) criminal charges punishable by up to 6 months in jail/\$1000 fine [which Sean now faces]. Is Visionary Vallenzuela getting behind-the-scenes backing from Barricuda Barton for this far-sighted and forceful plan to bring Santa Cruz County into the future? Let the *Street Shit Sheet* know how you've fared in Barton's Badlands (or adjacent baronies). Neither Barton nor County Sheriff "Mastadon" Mark Tracy<sup>19</sup> keep very close tabs on the colorful conduct of these creative constables. Detained or drubbed by distempered deputies? Contact SPAN (Stop Police Abuse Now!) at 475-2012 for aid and comfort.

### Blueshirt Bullies Bash Breadman for Friendly Foot on Planter Curb

Four days after Vallenzuela's vendetta, Shitkicker Sean again found himself cuffed and jailed--complements of SCPD Hippiehacker Officer "Everworse" Eveleth. Sean's crime? Resting his foot on one of the inch-high square cement curbs that enclose the scraggly trees passing for foliage on the New Improved downtown mall. Eveleth has regularly harassed Sean's grub-gobbling greenhorns in the past. When it happened this time, Sean took a high-profile posture to reassure the ranks that it was okay to "just say no" to Eveleth's low-intensity warfare. In response the lowblow lawman charged the proud picnicker with the classically vague "[mis]conduct on public property" (MC 9.50.020). Smiling sourly at so blatant a harassment tactic, Sean then refused to sign the ticket. Eveleth manacled and marched the merry munchkateer off to jail for "obstructing an officer"--followed by a crowd

<sup>16</sup> Notch one, Sean tells us, is what local cops have learned is suitable to use on him.

<sup>17</sup> By law open to the public. Try telling that to Judge 'Artichoke-Heart' Atack--who ejected *Street Spirit* reporter Beggarbacker Becky Johnson from the Button Street Shooting trial on September 23rd for first laughing, then whispering to courtwatcher 'Artichoke-Heart' got his name back in 1989 when he gave "Slyshoes" Sandy Loranger 45 days jail for feeding the homeless free food downtown.

<sup>18</sup> Sharkstooth Sean Gallagher, Alemi's lunchloving lawyer, felt the whole affair was a tempest in a teapot, but did act to secure Sean's early release after Vallenzuela had him jailed. He denied Sean had acted badly but also defended Vallenzuela (apparently not the regular bailiff) as by the book, but not brutal.

<sup>19</sup> Sheriff Tracy, Vallenzuela's boss, has failed to hold his brownshirts in check. 18 months ago Deputy "Frame-Up" Fitzgerald assaulted a 59-year old woman at the court metal detector, then seized her ID and medical marijuana; and finally charged HER with three misdemeanors. Deputy "Third Degree" Thurber is a repeat offender, who has pursued and assaulted homeless activists, concocted bogus charges against others and abused young people in Aptos. In a recent move rivaling in absurdity the 1992 promotion and Man-of-the-Year Award for SCPD's "Sticky Fingers" Butchie Baker, Thurber has been appointed head of the County Hate Crimes unit. Complaints against these Thurbert, Fitzgerald have disappeared in "Mastadon" Mark's revolving file.

of shocked and angry *Feed the People* clients. Jail deputies rolled their eyes at Eveleth's unseemly antics amusing released Sean without bail.

Why the return of "Everworse" and his sidekicks Marty "Overcharge" Over and "Hedgehog" Headley?<sup>20</sup> Another expedition to rid the downtown of unsightly associations of low-income layabouts? The Gruesome threesome pursued a group of Rainbow family tourists up and down the mall on Sunday the 6th, driving them to publicly complain at the microphone before City Council. They said they were harassed eight times for such 'crimes' as lying down (when a young woman in their group became ill). Two of them were jailed for "insufficient ID" and ticketed for selling tie-dyes.

In the last few months, Evelith has also ticketed Sean's munch-mobile even though time was still left on the parking meter. Who will rid the force, or at least the mall, of these lumbering lawsuits-about-to-happen?

### Health Department Developing Unhealthy Interest in Criminal Sandwiches?

Alongside these senseless citations, Chowchucker Sean has been weathering new bureaucratic blasts. Waiting in the wings: the County Health Department--apparently summoned by anxious inquiries from downtown merchants. Is this Round 3<sup>21</sup> of the City's decade-long assault on poor folks feeding poor folks in public spaces? Sean's circle of smiling sandwichslingers has traditionally trashed by DTA<sup>22</sup> dingdongs as "ruining business downtown", "creating an unhealthy scene", "acting as a magnet to the undesirable", and "impeding the redevelopment effort." *Feed the People's* new location is near Gone Lane's<sup>23</sup> Double Rainbow ice creamery. It provides a twice-weekly focus for urban nomads as they merrily make and distribute peanut butter and jelly sandwiches to dozens of eager takers.

Several Tuesdays ago, 'Dark Side' Doug, a County Health Department inspector, approached unshakeable Sean and informed him he was under investigation. Dark Side sampled the temperature of his Odwalla drinks (cold) and noted the texture of the sandwiches (sticky). Sean suggested that nearby merchants--such as Logos' owner John Livingston--may be behind the latest "health concerns". The stakes were raised Tuesday afternoon when a cameraman from Logos took snapshots of the "crime scene", focusing on popcorn spilled on the sidewalk. When the food-phobic photographer refused to respond to Sean's inquiries,

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20 "Everworse" and "Overcharge" because these badgeheavy bullies routinely harass the poor and knowingly misinform them, using false threats to "cattleherd" the young as well as citing people under ridiculous ordinances that have no bearing on public safety. Ticketing someone for sitting on the sidewalk or trading a tie-die t-shirt for a donation is petty viciousness. "Hedgehog" because Headley, while not usually as aggressive as Everworse and Overcharge, plays along with this gangrenous game.

21 Under Mayors "Whiplash" Wormhoudt (1988-89) and "Neo Goonery" (aka Neal Coonerty) (1993) the City and County made themselves ridiculous with police raids, court orders, and food seizures against SWAP (Soup Without a Permit) and FNB (Food Not Bombs). The Soup Wars only made the grubgivers more popular and exposed the "gentrification at all costs" agenda of some merchants and their Council confreres.

22 DTA: the Santa Cruz Downtown Association--a closed clique of "develope now, regret now" sidewalk-stealers, whose past achievements include the "Sit Near a Shop, Go to Jail" laws, the snitchhappy Hosts, and the removal of benches to "discourage deadheads". Somewhat suicidal in their paranoia, they are now pushing the Seaside Company Sell-Out through their stalking horses: Quartararo, Steinua, and Walton.

23 "Gone Lane", whose public persona is "Don Lane", is one of the wearisome but persistent panjandrums in the formerly Progressive clique that controls City Council and also "manages" the homeless community. Mayor and one-time Councilman (1988-92) Lightweight Lane runs Double Rainbow, a Pacific Avenue ice creamery, near which *Feed the People* doles out delicacies twice a week. Lane himself firmly denies any Health Department snitching. Observers agree he has given cups to FtP, and let them use outdoor cafe chairs. In recent years (1997), Lane has backed closed meetings of the *Homeless Community Resource Center*, (1997) and refused to support the recent Sleeping Ban Repeal Initiative (1998). A self-proclaimed Youth advocate, Lane backed the Kennedy-inspired nighttime youth & River curfews.

A few months ago, he trashed Beach Flats activist "Back 'em Down" Phil Baer in a letter to the *Metro Santa Cruz*. There he supported the Kennedy-Hernandez clique in a slimey race-card smear against Baer, which was promptly exposed as bogus. Lane, a former mayor, most recently fudged by not joining 8 other former Santa Cruz mayors in their "Let's Be Clear" letter (9/17/98 *Epicenter*) asking for considered Community Consensus rather than Rotkin-fueled Redevelopment Rubberstamping of the Beach Flats Boondoggle.

the poor man's peanutbutterpusher became irate and accused Logos of masterminding a new war against those with wee wallets and empty bellies'.<sup>24</sup>

More seasoned noses sniff the scent of Linda Steinau's DTA and the SCPD behind this latest flurry of flak against the fruitjuice felon. Police have apparently informed Livingston and Logos employees that attack is the best defense against the boulevard's breadlovers. Fishing in troubled waters, the food-phobic fuzz advised Livingston to escalate with an injunction against Sean. But no dice. After last Monday's peace talks, "Live and Let Live" Livingston' moved to rescind Sean's "stay away" order from Logos and normalize the scene.

Next month Shitkicker Sean goes back to court in a larger war to retain his liberty and clear his reputation. The friendly foodlover will beat back an on-going multiple-felony prosecution in "dope and fondle" charges against minors. This trumped-up "sex and drugs" diversion seems to be only the latest<sup>25</sup> chapter in the police-initiated taxpayer-funded battle against the bellowing<sup>26</sup> breadgiver.<sup>27</sup>

Want to sell Street Shit Sheet or Street Spirit ? Call John at 457-9754 X685 !

**TIRED OF SEEING FOLKS HASSLED FOR BEING OUT IN THE COLD?**

Coming Up in late September: DON'T SLEEP TONIGHT NIGHT #4

More info about the STATE SLEEPING BAN SUMMIT: 429-5284

Put out your own story and update on the California Homeless Civil Rights Home Page; the main library has free computer time! <http://www.cruzio.com/~chhc/hcr.html> !

**Coming Up Next Issues!** Curfews: Do the Kennedy-Belcher Youth & River Curfews Cut Back Crime?  
Who Buried the Yellow Bike Plan: Catching up with Portland's Free Bikes for a Free People !  
Using Probation To Banish the Poor from Downtown: the DTA's Latest Backroom Brainchild!  
Crossroads Chris Brozda: Jailed, Isolated, Committed, Drugged and Conserved: the Salazar Treatment.  
Sacramento Shelter Shellgame: New Rules and Time Limits To Exclude the Needy.  
Deepfreeze Doug Bogs Down the BAWG: Can the Community Combine to Can the Canfield Council?  
Belcher's Blueshirt Button Street Blasters in Court: the *Street Shit Sheet* Chronicles the Lies!  
Salinas Panhandling Ban Held Unconstitutional ! Poverty Pimping in Santa Cruz--Where the \$\$ Goes  
CCH Poverypimpsters Settle Pucelik Lawsuit; Campground Advocate Still in Court with City.  
Civil Rights Update from Around the State! POST: (Papers On the Street Together) Breaks Ground!

<sup>24</sup> At presstime, peace broke out between Sean and John in Pizza My Heart. In their first heart-to-heart sitdown, Livingston proposed a mobile messhall, which moved up and down the mall, spreading the supposed burden as well as the peanut butter. Sean, for his part, insisted that he was only looking for a permanent indoor kitchen and feeding area like the Vet's Hall. The two agreed to continue the Peanut Butter Peptalks.

<sup>25</sup> Sean was jailed for a month "awaiting trial" on misdemeanor Sleeping Ban charges for his peaceful protest activity at the City Hall Sleepers Protest Vigil, which he co-founded, in the spring of 1996. Later that year, he was held for 7 months in jail on bogus drug unproven charges before being released.

<sup>26</sup> Shitkicker Sean, who insists he is "not political" and still bills himself as "the Bitch", can be heard half a block away hawking his curbside canapes, heartily hailing passersby with favorable comments on their smiles ("keep America beautiful"), & asking all to share his "peanutbutterlujelly" concoctions.

<sup>27</sup> The street chef's suppers used to be more frequent (5 nights a week) and full-bodied (hot meals). Last January he was jailed on what Sean called perjured testimony from two former *Feed the People* nymphettes. Sean faces 12 felonies and conceivably a death sentence back in his native Iran if deported after conviction. His bail is an unbelievable \$25,000 [a sum covered by a friend of the poor who believes in Sean's work]. He languished in jail a month in jail; his trial has been repeatedly delayed. Though his attorney warned him that police could re-jaill him on trivia if he went back to feeding the poor downtown, Sean did just that, though this time without hot food, as he'd lost his apartment and kitchen. Now, it seems, the Downtown Association—which pressured *New Leaf* and other food donors to kill soup-serving on Pacific Avenue a few years ago—may be cracking down on sandwich distribution.

*Food Not Bombs* still serves hot tasty vegetarian vittles Wednesdays 4 PM, Saturdays/Sundays 1 PM at the Town Clock. Recent "official-sounding" questions from a visit, one *FNBer* reports, may mean the grasping gentification gonzos are also gunning for *FNB*. Call 425-3345 to donate, cook, or serve.

change the times

or

stop police crime

10¢ Donation

"The beret means I give you a break." --rookie cop to Stickman Bruce

"Don't give me any breaks, just read your Bill of Rights, and follow it." --Stickman Bruce to rookie cop

Send your writings, poems, stories, and exposes to *Street Shit Sheet* c/o HUFF, 309 Cedar St. Suite 14B, Santa Cruz 95060; call 831-423-4833 to leave a voice article.

Contact us by e-mail at [wmnofstl@cruzio.com](mailto:wmnofstl@cruzio.com)

Want to sell Street Spirit or the Street Shit Sheet? Make \$\$! It's legal!

Look for Jobfinder John down at Pacific and Locust or Call him at 457-9754 X685 !

## Stop the Seaside Company Sell-Out !

The Canfield Company and Its City Council Plan to Destroy Beach Flats

Weekend Protest Along Beach Street: In front of the Casino! Call 426-0644.

**Sleep Out at the Post Office?** Berkeley Billy's put out the word he's setting down his sleeping gear at Front & Water Streets on Saturday night (10/3) to challenge the City's Sleeping Ban on federal property. Join him?

### Registration Deadline Midnight Monday ! : Dead On David Silva Sez:

Democratic Party Coincasters will pay \$2.50 per signature for each person you reregister! Only a fraction of the 4000+ returning students have been registered at their new addresses--so zip up to the Bay Tree Book Store, Kresge-Porter Cafeteria, and West Side Safeway to drum up some dollars for yourself and some votes for the anti-Sleeping Ban City Council candidates. More info: 429-8529

### ●●●●●SHORT SHAFTS FROM THE SHIT SHEET●●●●●

●●●●●Bigot bashes panhandler at Westside Safeway on Thursday. Shadowwatcher Shannon got a call from a softspoken sparechanging friend that he'd be late getting together with her. Seems a bullyboy bigot kicked him in the stomach and punched him twice after he asked for spare change that afternoon in the parking lot. Time for Council candidates to look into hate crimes and other discrimination against those who live outside. Perhaps a city Homeless Commission--with real homeless activists and houseless people who have a real stake and real experience with this kind of hate crime? Talk it up!

●●●●●Banish 'em from Downtown : a new plan the baleful brains of the Downtown Association, the D.A.'s Office, the SCPD, and (by default) the Canfield City Council. Drunks, political activists, "crazies", dealers, and unwanted young people are harassed and picked up on repeat trivial charges (sitting on the sidewalk, panhandling, foot on a planter curb, youth in possession of tobacco). Two infractions (like sleeping twice within 48 hours, sitting near a store window twice within a month, or sparechanging twice after dark within 6 months) can make a misdemeanor under the 1994 Kennedy-Rotkin-Matthews Downtown Ordinances. Public Defenders have no time to provide adequate defense and operate their standard plea-bargaining bazaar. They urge clients to abandon their rights or be content with a five-minute pre-trial peptalk--in some cases after rotting in jail under prohibitive bail well beyond the reach of the poor.

Step 2: Judge "So Sorry" Salazar or one of his even more jumpy judicial jugheads snaps out the "Squeeze 'em till they scam" shortcut: take probation or go to jail. And probation has a special Chamber-of-Commere endorsed banishment from Pacific Avenue. The anxious defendant eagerly agrees. Presto: an unconstitutional banishment process becomes business-as-usual without the benefit of a real restraining order. Even easier after someone has accepted probation for a life-sustaining<sup>1</sup> misdemeanor Linda Steinau's<sup>2</sup> Downtown

<sup>1</sup> How ACLU attorneys like Howard Simon in Florida describe such frequently proscribed behavior as sleeping, serving food, sitting down, etc. in so-called "quality of life" anti-homeless laws like Santa Cruz's Downtown Ordinances and Sleeping Ban. The proposed settlement stemming from the federal 1992 Potting decision by US

Association agenda goosesteps forward--with Pacific Avenue purged of disharmonious voices. Will Krohn, Fitzmaurice, Sugar, and Clark--the four insurgent Progressives extend their "Compassion Consensus" to restore rights for those trashed by the Steinau storeowners?

●●●●● **Rogue Cop Rampage** down on Pacific Avenue? That's what "Call 'em Out" Oscar reports from his bayside bike route. Seems Officer Mark "Everworse" Eveleth has been stalking him with gun and ticket book--responsible for the majority of six bike tickets in the last few months for such crimes as "biking the wrong way", "biking on the sidewalk", etc. Sgt. "Amiable" Andy Crain<sup>3</sup> confirmed that sitting on your bike with any motion whatsoever on the sidewalk is considered pernicious "propulsion" punishable by ticket-bearing tapeworms, such as infest the downtown under the bilious banner of Chief "Bumblaster"<sup>4</sup> Belcher. Other seedy stuff: searches without probable cause, ID checks, etc.

●●●●● **Belcher's Blasters Rebuked!** That's how some of us read the late September verdict in the Button Street shooting of Bryan Andrus: after less than two days of deliberation, the jury found itself hopelessly divided 10-2 (for conviction). Judge "Not Too Many Defense Witnesses, Please" Atack declared a mistrial in the case of the cops who broke into Andrus's home last March without search warrant or probable cause. Chief Belcher and his City Council cronies later moved to dismiss the 8-10 bullets sprayed about the neighborhood as necessary to deal with "domestic violence"--but the jury didn't buy the cover story. Either Belcher's Blueshirts were confronted with an emergency (then why not an earlier entry?) or they blundered badly by not using less violent means to talk to Andrus family. 'Drumhead' Danner's D.A.s drag Andrus back to court on November 16th for retrial to immunize the guilty parties (Belcher and the City) from a hefty lawsuit.

●●●●● **New Eviction Action Against TRUSC** [Tenant's Rights Union of Santa Cruz] and Rights Rebuilder Donna Deiss--whose apartment houses TRUSC headquarters. After she successfully fought two previous eviction efforts<sup>5</sup> by "no activists, thanks" landlords, Deadline<sup>6</sup> Donna came home Friday night to find yet another 30-day notice tacked to her door--though the rent wasn't due until the 5th. Conscientious, sensitive to neighbors, painfully careful about not stuffing the apartment with needy homeless people, and never late with her rent in 4 1/2 years, Donna's struggle never seems to end. Donna sent back a certified letter immediately and is readying to go to court--this time in support of herself. Want to help her or get help from TRUSC? call 426-0644.

**Coming Up!** Beach Flats Barks Back! Demos at the Boardwalk? Squatting the Flats? The Community Considers Its Next Move as the Canfield City Council Sells Out. LA and Salinas Panhandling Bans Overturned: But What Will the California Supreme Court Say? Stay Tuned to Free Radio: 96.3 FM for BATHROBESPIERRE'S BROADSIDES (Civil Rights for the Poor) Thursdays 6-8PM, Sundays:11AM-1:30PM!

District Judge Clyde Atkins which led to "safe zones" and city-sponsored Tent Cities there involves requiring the cops to offer a bed and other programs before folks could be charged with loitering, bathing, pissing, etc. "There are certain things homeless people can't help but commit. The city was, in effect, arresting them for being homeless," U of Miami law professor Stephen Schanbly said. Why such greedhead busts? To buff up the city's public image at Orange Bowl time.. Sounds like Santa Cruz's up-and-spending City Council candidate "Stacked Deck" Steinau' and her Santa Cruz Downtown Association. Money-loving minds think alike!

<sup>2</sup> "Stacked Deck" Steinau, previously head of the notorious Downtown Association [DTA], is an amiable & pleasant woman--one of the Gruesome Threesome running for City Council this November. Backed by DTA dollars and Canfield Company connen, she is a the most likely of the conservative cops claws running to stop the vital Progressive sweep needed to bust the Sleeping Ban and break the Beach Boardwalk boondoggle.

<sup>3</sup> Crain himself, along with Shadowmayor Mike Rotkin, and the City of Santa Cruz is still the subject of an active lawsuit by Dead On David Silva. At Rotkin's direction, Crain threw him into a concrete pillar September 10, 1996 to snuff out a Sleeping Ban demonstration at City Council. Crain and "Riot Act" Rotkin were never charged for their violence.. Silva, a man with AIDS, had his City Council election campaign cut short by this assault.

<sup>4</sup> So named for his swift certification of such brutal episodes as the Carey killing of "Happy John" Dine on November 15, 1997 and the Hennig-Barry-Zemeneck shooting of Brian Andrus on March 15, 1998. Belcher may be "the Chief" to his kissin- cousins on the Citizens Police Review Board, but his name is shame on the streets.

<sup>5</sup> In January 1997, after sleazy managers tried to oust her for organizing a tenant's union, Donna won a retaliatory eviction trial, guaranteeing her six months of free lodging. In September 1997, she beat back a second eviction notice by persuading the landlord to withdraw it and avoid another defeat in court.

<sup>6</sup> A people's powerhouse at the local courts, Donna has sent out hundreds of postcards to eviction victims, inviting them to contact TRUSC for help. Unpaid, unrecognized, and unrewarded, Donna and her crew of slumlord slayers know the whens, whys, and wherefores of court--hence Deadline Donna.



change the day

or

take Black Mary's<sup>1</sup> way

10¢ Donation

"These days we've got one eye out/ for a door with wings/ as all other doors close in on our faces. Even lighthouses won't let us in,/ dumpsters are locked and guarded,/ eviction notices politely push us

Into the street and religions use/ gravestones to shut up the sky.

We're looking for a door/ that isn't there most of the time/ but at least it can't be forbidden....

A door with wings when there's no way out/ and no telling what it's like on the other side."

—from Julia Vinograd A Door With Wings (1997)

Send your writings, poems, stories, and exposes to *Street Shit Sheet* c/o HUFF, 309 Cedar St. Suite 14B, Santa Cruz 95060; e-mail at [wmnofstl@cruzio.com](mailto:wmnofstl@cruzio.com) call 831-423-4833 to leave a voice article or report —dictate it into the phone

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Thursday October 22 is National Day of Protest Call Lennox at 408-257-9424  
**To Stop Police Brutality, Repression, and the Criminalization of a Generation**  
 Meet in San Jose to Caravan to San Francisco : Corner of Alma & Hiway 87 11:30 AM  
**WEAR BLACK! SPEAK OUT! MARCH IN SAN FRANCISCO 24th and Mission 2 PM**

\*\*\*\*\* **Gangbanged by a Judge with a Grudge**...that's the verdict of shellshocked observers in the case of Miguel Gutierrez, a local Beach Area man with a reputation in his community for warning youth away from gangs. Month before last, Jaundiced Judge "Artichoke Heart" Attack<sup>2</sup> sentenced the 24-year-old Latino local to 8 years in state prison (5 for assault, 3 for "gang associations"). Miguel, son of outspoken Beach Flats activist Maria Gutierrez, tried to break up a fight between drunken associates and ended up defending himself in Beach Hill last year. Gutierrez struck back with the nearest thing at hand—a golf club—against violent white assailants. He then spent the last 8 months in jail. 2 Pass-the-Buck Public Defenders gave him up to the wolves with a "no contest" plea instead of a trial. "Artichoke Heart" sealed the sell-out on Aug 31st in a particularly nasty performance.

Attack, apparently enraged with the packed courtroom of well-dressed community Gutierrez defenders, threw the book at the youth, who had no police record of arrests for prior violence, nor any jail record. Attack extended Gutierrez's ordeal by three years for tenuous "gang associations" because of 3 red baseball caps (seized from a collection of 20 others), a maroon shirt, a younger brother's science project (a "spud gun"), and other 'incriminating' evidence. Attack repeatedly and contemptuously interrupted Standfast Simba Kenyatta, an African-American community leader and one of the two witnesses permitted to speak for Gutierrez at his sentencing hearing. Gutierrez's family hopes an appeal will succeed before the yong man is irretrievably scarred by San Quentin. For info call: 429-8529

\*\*\*\*\* **Sleeping Ban Repeal Supporters Slipslopping?** Homeless civil rights seekers in other cities have asked Amnesty International and the UN to oppose human rights abuses locally—where homeless people are harassed or arrested for life-sustaining activities like sleeping, eating, sitting, or eliminating waste. The Santa Cruz Sleeping Ban seemed a good first target with local endorsers of last year's Repeal Initiative<sup>3</sup> including most Progressive political organizations.<sup>4</sup>

<sup>1</sup> "Black Mary" Fields, 19th Century African-American pioneer of the West who started a restaurant that went broke because she insisted on feeding penniless travellers, and when bill collectors came, she knocked them flat into the streets when she was in her 70s. The second womyn to drive a U.S. Mail coach (at the age of 50), she single-handedly fought off a pack of wolves and shot a man who insulted her. She stood 6' tall, and weighed 200 pounds, and often had a revolver at her hip. Source: 1998 *Sheroes* clander by ORSSASM (Organization of Revolutionary Socialist Sisters and Some Men)

<sup>2</sup> Another Attack Attack was his ruling in the recent Bryan Andrus case that police forcing entry to the home without warrant or probable cause does not give rise to a self-defense claim. The jury didn't believe the trigger-happy cops anyway. Nov 16 is the retrial.

<sup>3</sup> Which would decriminalized sleeping and covering up with blankets (now illegal after 11 PM, everywhere in Santa Cruz outside or in a vehicle). The City Council could still have regulated sleeping in ocean front recreational, beach commercial, or residential zoning districts. In May, the campaign fell short of the 3900 votes needed because of weather problems, petition circulator illness, theft of petitions, and insufficient funds. Supporters found wide-spread support for the Initiative. A 2nd Repeal Campaign needs \$4000 up front, sez "Dead On" David Silva.

<sup>4</sup> A partial list includes Santa Cruz Action Network [SCAN], Women's International League for Peace & Freedom [WILPF], the Peace and Freedom Party, the Green Party, Community Action Board [CAB], the UN Association, the UCSC Rascals, Housing NOW! in Santa Cruz, the S.C. Alliance for Democracy, and SC Food Not Bombs, The Downtown Association [DTA] remained neutral. The only group expressing reservations about the Repeal Initiative was the Santa Cruz Police Department.

Everyone expected the nastier neolithic City Council candidates to insist on "no sleep for the homeless"—the present policy. And they did. Linda "Stacked Deck"<sup>5</sup> Steinau first told "Don't Sleep Tonight" Co-Ordinator<sup>6</sup> David<sup>7</sup> Silva that she agreed that "sleeping" should be removed as a definition of "camping" but a week later slipped back into stolid "sleeping is a crime" stagnation at the Downtown Association [DTA] forum. Rod "Canfield's Cashier"<sup>8</sup> Quartararo warned of future prostitution, and pimping should the "Camping Ban"<sup>9</sup> be lifted, citing 'authoritative' source HCRC Czarina Karen Gillette<sup>10</sup> as another Fan of the Ban. Jane "Whoopsadaisy"<sup>11</sup> Walton, praised penthouses on Pacific and warned that sleepsupporters were just using a "salami" approach to overturn the sacred Camping Ban.

More disheartening than this expected election-eve ugliness from cul-de-sac conservatives was bilious back-pedaling from the melodious mouths of the "sweetness and light" slate of Krohn, Sugar, and Fitzmaurice.<sup>12</sup> In the wake of the Repeal Initiative's successful educational campaign exposing the elementary injustice of arresting people for sleep,<sup>13</sup> these three publicly endorsed ending the Sleeping Ban several months ago at the SCAN forum or soon after.

Now none of them seem willing to call for simply adopting the language of the Sleeping Ban Repeal when elected. Without pressure or prompting from opponents—less than three weeks before the election—Krohn tells the homeless to "get a constituency", offering only "to look at the language of the Ban." Sugar's indignation about sleepcrime is now muted in favor of vintage Rotkin tommyrot about "more beds and services."<sup>14</sup> Fitzmaurice talks about "building a community consensus," but since three out of four Santa Cruzans now favor ending the Ban, what's needed is action, not more delay and dialoguing. Perhaps this is all simply prudent posturing for the voters and homeless-ophobic Westside constituents<sup>15</sup>. If they pull off a Progressive victory, let's hope this standard social service slush reverts to the firm human rights commitment that these three made in August.

**COMING UP: Slipping Backstage with the Sleeping Ban Diplomats; Jobfinder John's "Bitch of the Week" Banishment for Brozda: the DTA's Bellybutts the Constitution; Victory in Albany—the East Bay Homeless Go Public!; Using Bucks & Badges to Squelch Street Singers Downtown; November 12th—A Year Since the "Happy John" Dine Slaying; Shitkicker Sean, Starkraving Steve, & Justman Jim Back in Court!...and more....**

<sup>5</sup> So named because of her ominously prearranged anti-homeless agenda as front woman for the DTA, which she headed for much of the decade. Steinau's DTA backed "out of sight, out of mind" "disappear the disreputable" pogroms such as the notorious "Let Them Eat Paper" yellow-cards-to-panhandlers "Real Change Not Spare Change" [RCNSC] program of two years ago. RCNSC which asked tourists, residents, and merchants to freeze out spare changers, and refer them instead to full-up or closed social services.. Her DTA also successfully pressured Food Not Bombs to move off Pacific Avenue, and has recently been talking potshots at Feed the People [see *Street Shit Sheet #157*]. Either blind or arrogant Steinau actually took credit for the same Wednesday Farmer's Market that her DTA tried to snuff out. At the DTA Steinau declared war on the vital downtown Drop-In Center as part of her "more police, less Constitution" Drug War mentality. Needle-exchange, apparently, is the target.

<sup>6</sup> The last night of every month has been designated "Don't Sleep Tonight Night" by HUFF (Homeless United for Friendship & Freedom) and other foes of the Sleeping Ban. Silva is also seeking to organize a state Sleeping Ban Summit to compare notes on anti-homeless laws and mobilize opposition. Call him to help at 429-5284

<sup>7</sup> Also known as "Dead On" David for his insight into local politics & loud strong voice on local human rights issues.

<sup>8</sup> Quartararo works at Coast Commercial bank—heavily used by Boardwalk baron Charles Canfield. He also sits on the Planning Commission, which ruled on Canfield's "Bulldoze the Beach Flats" Bonanza. He did not disqualify himself, raising some eyebrows. Instead Quartararo okayed the 3rd Street Realignment, the Boardwalk Expansion, & the Commercial Development—all ultimately put on hold by City Council 10/7.

<sup>9</sup> The Sleeping Ban, a sub-section of the Camping Ban, is and has been the human rights abuse issue of the last year. The Camping Ban, which bars tents, campsites, and camping equipment, is the irrelevant red herring raised by rightwingers like Quartararo, Walton, Steinau, the Sentinel, and the DTA to confuse the issue. Unfortunately even Krohn, Fitzmaurice and Sugar did not make clear that sleeping is not camping.

<sup>10</sup> Homeless Community Resource Center Director Karen Gillette has been the City's crowned homeless-management mistress since 1990 when she snatched the Free Meal (then called Calamity's Cupboard) (1990) out from under Jane Imler—who succeeded in legalizing free food serving after a year of busts and blockade, complements of then Mayor Mardi Wormhoudt (1989). Gillette, Steinau, and the DTA have become uncomfortably chummy as Gillette has sought private funding for her HCRC. For years, Steinau and Gillette presided over closed meetings of the HCRC, which the DTA funded ["keep the homeless anywhere but downtown!"].

Gillette's support of Steinau's "panhandler purge" [see footnote 5 above] prompted Steinau's support of Gillette's "poor people's purge" on the Board of her HCRC when it merged with CCH last summer. Gillette demanded removal of the only formerly homeless woman (Tufluv Laura Tucker) and the only outspoken pro-homeless journalist (Beggabacker Becky Johnson) as the price of her participation.

<sup>11</sup> So-called because fast flip-flop on arresting the poor for sleeping at night, as well as her notorious public gaffs, such as her "no rent control needed" notions at the De Anza Neighborhood Association Candidate Forum 10/14. A few weeks ago Walton told Phoneline Foxhound that "it really is a human rights issue" and she'd be willing to pass a changed law at City Council; six days later, after a morning jog past a dirty campsite, Whoopsadaisy quickly decided "unseemly behavior by the tressel" meant that homeless removal was more important than homeless survival. The only question is whether she is simply a NIMBY or a full-fledged NOPE. NIMBY (Not-in-my-Backyard) NOPE (Nowhere-on-Planet-Earth). At the 10/15 DTA forum, Walton suggested the homeless move to distant cities—perhaps Modesto—to sleep. Solving the problem!—Whoopsadaisy Walton style!

<sup>12</sup> Pat Clark, the fourth Progressive, and once-homeless himself, was also reportedly making discriminatory distinctions between the "worthy" and the "unworthy" homeless at the De Anza Neighborhood Association Forum.

<sup>13</sup> Particularly when less than 30 can sleep legally for most of the year out of a total houseless population of 500-1500—a figure not disputed by any of the candidates, conservative or "Progressive".

<sup>14</sup> At the Fitzmaurice kickoff rally, Sugar backtracked, saying he would not himself initiate such a change in the Sleeping Ban—though as the only attorney running, he would be the most qualified. Though expanding emergency services is always welcome, it has been used as a perennial election-eve evasion by pseudo-Progressive candidates from Jane Yokoyama in 1988 to Mike Rotkin in 1996. When asked about civil rights, switch the issue to services. Is Sugar buying into Shadowmayor Rotkin's "Magnet Theory" Myth promising increased restrictions and requirements for services—sounding suspiciously like Clinton's Welfare Deform program. Sugar needs more education on the issue—as when he separates the homeless into "80% with problems" and "20% kids on a lark"—the latter group to be dealt with by "outreach and the firm hand of the police."

<sup>15</sup> Could it be that the Progressives are listening too closely to West-side homeless-ophobic environmentalists who seem to want to banish the poor as well as the developers from their side of town. Also telling: the fact that none of the candidates have attacked the senseless Drug War.

# STREET

# SHEET

#160

November 2, 1998

Monday

vote your heart with your feet

or

fork over a quarter

"If the homeless were organized, if they received some heavy leadership, you might have social unrest. You might have an uprising."  
—Harry de Ryter, Director of Social Services for the Salvation Army *S.F. Chronicle* 10/31/88

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**Gelia Scott for D.A.!** **Hedley Hits Hackeysackers!**  
**New Street Spirit Bust!** --Stories on Page 4-6

## Kennedy Snubs Sleeping Ban Talks; Silva Charges Sabotage; Police Crackdown Downtown; Fast, Protests in Wind

In mid-May, when the Sleeping Ban Repeal Initiative appeared to be falling short of the 3900 City voter signatures needed to put it on the November ballot, Repeal Outreach coordinator "Dead On"<sup>1</sup> David Silva called on downtown merchant and youth counselor Don Lane<sup>2</sup>, who in turn went to Councilmember Scott Kennedy<sup>3</sup>. Kennedy has repeatedly described himself as one who "opposes the entire Camping Ban."<sup>4</sup> The former Progressive brought in Homeless Services Center director Karen Gillette to find an acceptable compromise that would free homeless Santa Cruzans from midnight wake-ups and unsafe sleeping spots this fall and winter.

Throughout the summer, Kennedy's crew along with Silva, Shelter Project Director Paul Brindel, formerly homeless Mom Laura Tucker, and WILPF Community activist Charlotte Spitzer hammered out a preliminary understanding that would essentially remove "sleeping" as a definition of "camping" from the current Camping Law<sup>5</sup>. Suddenly, Kennedy disappeared, didn't return e-mails, and didn't show at the last two meetings. Without Kennedy keeping his promise to bring in police and park rangers, the deal was in limbo if not dead.<sup>6</sup>

<sup>1</sup> So named for his fiery determination to finish tasks he's committed himself to as well as for his clear insight into murky local politics. Silva has been doggedly pursuing justice in federal court after being thrown into a concrete pillar at City Hall by Sgt. Andy Crain two years ago at a City Council meeting, thus effectively ending Silva's bid for City Council that year. Silva has had AIDS for two decades and his friends worry that a fast to end the Sleeping Ban would be life-endangering. His response: "It has to be, in order to be effective." He committed himself last year to spending twelve months organizing to end this harsh local human rights abuse and has not backed off.

<sup>2</sup> A liberal mayor of the early 90s, who largely abandoned active reform efforts around the Sleeping Ban, after being rebuffed by the Council majority in 1989, Lane was mocked by activists as "Gone Lame." He declined to support the Sleeping Ban Repeal Initiative, and teamed up with Kennedy and Steinau politically. However, Silva praised Lane's cut-to-the-core style where Lane kept the agenda on track focusing on decriminalizing sleeping, not solving all the city's social service problems.

<sup>3</sup> When he sold out on Police Review, the Downtown Ordinances, the Youth Curfew, and Closing the San Lorenzo Riverbed—only homeless advocates noticed. When he sold out on the Pelton St., homeless garden, Mayor Scott's right to her mayoralty, the Gateway disaster, RCNV-supported police snitching, and—most outrageously—the Beach South of Laurel Plan, the entire Progressive Community got wise.

<sup>4</sup> MC 6.36 is the Camping Ban. It includes the Sleeping and Blanket Bans (MC 6.36.010)—sub-sections of the broader Camping Ban. The Sentinel and its pet candidates: Steinau, Walton, and Quartararo have generally used "Camping Ban" for "Sleeping Ban" and refused to clarify—presumably because jail for sleeping sounds both dumb and cruel, while ticketing campers is just business-as-usual.

Hard-core homeless activists have always called for repeal of the entire Camping Ban, since simply allowing people to sleep without protective tents or cooking equipment is a sad joke during winter weather when a blanket is not enough. Silva's Sleeping Ban Repeal activists, however, pressed the human rights issue (and absurdity) of criminalizing sleeping at night itself. Silva notes that under 6.36.020 of the Camping Ban, the Camping Permitted section, the City Council can already authorize camping (though it almost never has). Another road to suspending the Sleeping Ban this winter might be through this section.

<sup>5</sup> Kennedy initially booked the library meeting room where the first two closed meetings took place. He involved City Staff and the City Attorney in printing up the final version of the "compromise". He even expanded the agreement to include allowing camping in driveways and in industrial zones by expanding the Camping Permitted (MC 6.36.020) section of the Camping Ban—which went behind Silva's original "the right to sleep is a human right" concern into broader entitlements. In the end, Silva said, "it must have all a sham—which Kennedy planned from the first."

<sup>6</sup> Others involved in the negotiations disputed Silva's bitter assessment. Another view was that illness, accident, and the elections had postponed, but not permanently crippled the Sleeping Ban Repeal Proposal.

"Kennedy used the negotiations for political campaign reasons...to benefit Linda Steinau," charged Silva in a speech<sup>7</sup> delivered on his behalf to City Council on 10/27. By toning down and deflecting the whole sleeping ban debate,<sup>8</sup> Kennedy shielded Steinau from controversy and vulnerability. Kennedy's "team" (all of them Steinau endorsers) insisted on "closed door negotiations" around the Ban, that committed all parties to silence<sup>9</sup>. Energy was deflected from traditional protest into the Kennedy talks as activists waited and hoped. "We were had," Silva concludes. "We let Kennedy remove the issue from the election debate to the benefit of Steinau" In the end it all turned out to be another<sup>10</sup> Kennedy cancellation scam. And in the three days before the election, the Sentinel unleashed a flurry of "anti-Camping Ban" letters.<sup>11</sup>

Other options for Sleeping Ban foes included: pressure on the new City Council (in the hope that the entire Krohn-Fitzmaurice-Sugar slate would be arrested), a federal court action<sup>12</sup>, a well-planned daytime sleepout downtown during the Thanksgiving-Xmas shopping season to put maximum pressure on the Rotkin Council, a new better-funded Sleeping Ban Repeal Initiative, or a serious fast. UCSC human rights advocates planned a November 12th memorial to publicize the uninvestigated police slaying of homeless advocate "Happy" John Dine with a broader focus on police violence against the poor. In Santa Monica and San Francisco, on the 50th anniversary of the UN Declaration of Human Rights, the poor were taking their case to the UN and to Amnesty International--in hopes of spotlighting hate crimes against the homeless.

Stepped up "hackesack" harassment on the mall by Officer Hedley and his Blue Bruisers, a crackdown on previously-tolerated homeless sleepers all around the city (ranging from the freeway to the Harvey West to the West Side), and successful short-term sleepout protests (like the week-long sleepout of Berkeley Billy on the steps of the downtown post office) are all straws in the wind--which may be blowing in a winter of resistance in Santa Cruz.

The Sleeping Ban debate that didn't happen between City Council candidates could have been a hot and telling one. On one side was virtually every Progressive organization, an estimated 60% of the Community, and all 4 Progressive candidates<sup>13</sup>--favoring repeal of the Sleeping and Blanket Bans. On the other side were "Stacked Deck" Linda Steinau, "Canfield's Banker" Rod Quartararo, and "Whoopsadaisy!"<sup>14</sup> Jane Walton--arguing that sleeping and covering up with blankets should be kept a crime.

The key to the election is one conservative seat. "Riot Act"<sup>15</sup> Rotkin's majority on City Council includes Hernandez, Matthews, Kennedy, and Campbell. Since the last two aren't running for reelection, Rotkin needs at least one vote from Steinau, Walton, or Quartararo to keep his majority. That majority voted

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<sup>7</sup> Entitled And May You Have A Good Night's Sleep.

<sup>8</sup> Had Steinau been forced to defend the indefensible Ban, either her "compassionate" cover or her Downtown Association [DTA] credentials might have been blown.

<sup>9</sup> Particularly mentioned as "unauthorized listener" was Street Shit Sheet editor Bathrobesierre Robert Norse "This was a spring-loaded trap," added Silva, "because we also had to go back to our constituents to discuss the proposal, & that it included Bathrobesierre."

<sup>10</sup> Kennedy repeatedly promised to debate the Beach Flats issue with environmental activist Keith Sugar over Free Radio Santa Cruz earlier this summer, then (three times) stood up the station.

<sup>11</sup> Leading insiders to suggest that had Krohn, Fitzmaurice, and Sugar clearly discussed the proposed Sleeping Ban Repeal earlier, they could have served their own campaigns as well as the public interest by educating the public on an issue they were going to be trashed over anyway.

<sup>12</sup> A challenge to the Ban's constitutionality failed in state courts at the local level last year in the "no sleep for the seedy" courtroom of Municipal Judge "Kangaroo" Tom Kelly. A facial challenge to Santa Ana's camping ban was dismissed by the state Supreme Court in 1995 though the word "sleep" does not appear in that law. On the other hand, the Florida federal court put Miami and Fort Lauderdale Sleeping Bans (and other anti-homeless laws) on hold in 1992 in the Pottinger decision.

<sup>13</sup> Fitzmaurice, Krohn, Sugar, and Clark- have all agreed in principle that sleeping per se should not be a crime in Santa Cruz. The first three have declined to give a specific commitment and set a definite timetable for repealing the Bans. Clark, the first to publicly come out (and actually work to repeal the Ban), is by far the best on the issue.

<sup>14</sup> *The Street Shit Sheet* christened these three business-backed bête-noires. "Stacked Deck" because: those who favor civil rights the poor on Pacific must hurdle her Downtown Association-dictated anti-homeless, anti-hippie agenda--no easy task; "Canfield's Banker" because Quartararo works in Canfield's Coast Commercial Bank and supported his Beach Boardwalk boondoggle on the Planning Commission, when he should have disqualified himself; "Whoopsadaisy" because of Walton's frenzied flipflopping on issues like the Sleeping Ban, rent control for De Anza, and Beach Boardwalk. For more details on Steinau see "Steinau & Kennedy: A Marriage Made in Canfield's Office?", [9/8], "More Closed Doors with Steinau?" [9/16] and "4 More Years of War Against the Poor" [10/7] as well as Street Shit Sheets ##157-9. Available through HUFF Publications at 423-4833.

<sup>15</sup> In 1996, Rotkin made one act of falling asleep at City Hall a misdemeanor punishable by up to 6 months in jail/\$1000 fine to drive away the City Hall Sleepers Protest. Soon after, foreshadowing his recent "sign-removal" rampage, Rotkin personally and physically removing a large display sign from the sidewalk in front of City Hall which read "You do not have to put up with abuse. --Mike RotKKKin" [Five days before, Kennedy ripped down a "Legalize Sleep!" sign from a lamppost at City Hall, and watching approvingly as the sign owner was handcuffed and taken to jail.]

On September 10th, Rotkin ordered police to attack peaceful (but vocal) protesters during a City Council meeting where they chained themselves to fixtures in the Lock-Down Protest. For Sgt. Andy Crain assault on bystander David Silva, see footnote 1 above. Silva's lawsuit against Crain, Rotkin, and the City is now in 9th Circuit Court.

to give away the River front to Canfield's Seaside company, bulldoze the Beach Flats poor, impose the youth and river front curfews, and supplant the Pelton St. Homeless Garden Project with ritzy homes—a series of arrogant actions that has created a de facto alliance between traditional homeless rights advocates and formerly faithful Progressives who have finally had enough of the Kennedy treatment.

The Steinau slate is trying to divert voter attention from "community control" and "social justice" issues to a narrow politics of "skin color and gender."<sup>16</sup> "Diversity" or "da-worse-city"? is a joke making the rounds Steinau is known for her "pack up the panhandlers" program of 1996, her "drive away the Drop-In Center" plan<sup>17</sup> of 1998, her "freeze out the Farmer's Market" flimflam back in 1995, her "closed meetings"<sup>18</sup> policies, and her recent flipflop on the Beach Flats.<sup>19</sup> Equally repellent, though apparently not backed by as many downtown dollars, is "Whoopsadaisy!" Walton, who wants to make it harder for poor people to run for City Council by repealing indigent fee waivers and is terminally confused on both rent control and the Sleeping Ban. Whoopsadaisy! is also a sure vote for the Drug War—whose first victims are the property and privacy of homeless people as police use "suspicion of drug use or sales" to suspend the Bill of Rights on the street<sup>20</sup>.

Will "Birdseed" Beiers<sup>21</sup> be persuaded to introduce Sleeping Ban reform at the November 10th Council meeting—so that there will at least be a formal chance of a moratorium on the harassment of the homeless this winter? Since there is only one meeting in December and changing the law requires two council sessions, it is up to her to act. With her and her Dream Team of Fitzmaurice-Krohn-and-Sugar avoiding any commitment and timetable, chances are that little will happen without a powerful push from the streets.

### ●●●●●BRIEF BLASTS FROM THE BUSHES●●●●●

●●●●●"Take Me to a Magistrate" flyers and instruction will soon be widely available according to people's paperpusher Catnip Kate Wells—low-income lawyer for the law-ridden. According to Catnip and local lawslinger RoughRoads Richard Quigley<sup>22</sup> instead of having to hang tough and go to jail for a week's abuse if you refuse to sign your ticket and ask to be taken to a magistrate, you have a new option. If the cop is writing you out a ticket, ask "will you take me to a magistrate if I don't sign this ticket—as required by law— or are you instead going to take me to jail?" If he says he'll take you to jail, simply sign the ticket, then go to court the next day and have the signature rescinded as signed under duress. Since the cop has shown himself ignorant of the law or a willful lawbreaker, no point in provoking him. So say Wells and Quigley. For more info call HUFF at 423-HUFF.

<sup>16</sup> Ads in City on a Hill and Fish Wrap Live trumpeting Steinau, Walton, and Clark as the "candidates of diversity" have sickened many. It's particularly sad that African-American formerly homeless Pat Clark has lent himself to this phony coalition. If his "diversity" ticket wins, the well-intentioned but ill-advised Clark won't be able to help the homeless at all—since Rotkin will have his new majority and Kennedy is new proxies on the Council. Kennedy and Rotkin—who have both endorsed Clark—are trying to split the Progressive vote away from Fitzmaurice, Krohn, and Sugar. Oh, Pat, don't make us call you Patsy!

<sup>17</sup> Steinau and her DTA in collusion with the SCPD's Sgt. McMinn pressed Needle Exchange workers not to distribute straight-talking literature to needle users. After the death of a young heroin user, Steinau jumped on the dangerously misguided Drug War bandwagon to blame the very staff that was helping to stop the spread of HIV and hepatitis through needle exchange—proven effective in national studies.

<sup>18</sup> Steinau's closed DTA and closed Homeless Community Resource Center [HCRC] meetings may be the way business people do things—but hardly makes for accessibility and open process—a key issue since the Kennedy-Rotkin mob took over. 4 years a member of the HCRC, Steinau has presided over a closed commercial clique—entangling Day Center Duchess Karen Gillette with the same Downtown Dinosaurs that have been attacking the homeless, the Farmer's Market, Food Not Bombs, Feed the People, etc.

By seeking her financial backing from them, Gillette has thrown in with Steinau—purging her Board of Directors of all the remaining homeless advocates [see *Street Shit Sheet #159*]. Gillette's tailing of Scott Kennedy in the failed Sleeping Ban talks and her electoral alliance with Kennedy and Steinau, show she harkens more to business and police counsel than homeless voices: a bad deal considering \$70,000 in homeless moneys is going to pay for her upscale life style and new car.

<sup>19</sup> Steinau seems to have sunk to bald-faced bullshitting in the October 22nd UCSC Student Forum, when she City Council's 10/7 Beach Flats compromise vote as "brilliant". Your prolific and caustic editor, "Bathrobespierre" Robert Norse, invites you to follow the wretched record of Rotkin's Redevelopment Renegades on the Beach Flats issue in a series of flyers: including "Another Meeting—Another Betrayal: the Canfield Council Returns" (9/6), "Beach Flats Betrayal: The Final Act" (9/15), "Beach Flats Baloney: How Can the Community Fight Back?" (9/17), "Sordid Sunset for the Canfield City Council" (9/22), "The Canfield Council's Closed Door Deal: Beyond October 6th: What Can the Community Do?" (10/1), "Mobilize to Stop City's Land Giveaway!" (10/6), "Ripping Off the Riverbank & Trading Away the Tidelands: the Canfield City Council Strikes Again!" (10/6), "Take Back Our Tidelands" (10/10), "The Canfield Council's Beach Flats Bluff; Bushwhacking the Voters at Election Time" (10/13), "Rushing to Gift Wrap the Beach Boardwalk's Bonanza: The Canfield Council's Final Race to Seal the Deal" (10/27), "Rotkin's Final rush Job: Last Darkness Before the Dawn?" (10/27). Street Spirit writer Becky Johnson has also covered the issue extensively in the October Street Spirit, "Bulldozing Low-Cost Housing in Beach Flats: Santa Cruz Plans Demolitions & Evictions to Expand the Boardwalk". She and Norse have also written an update for the November issue.

<sup>20</sup> Unfortunately all the other candidates are also heaping praise on the SCPD and taking an utterly uncritical line towards the corrupt and vicious Drug War—which 75% of Santa Cruz opposes. This deafening silence is one of the most frightening phenomena of the campaign.

<sup>21</sup> Councilwoman Beier's song can be sweet, but on homeless rights issues, she is remains timid—in spite of flashes of courage. She voted for all but one of the Downtown Ordinances in 1994 (the Sitting Ban), has never introduced a change in the Sleeping Ban, declined to come out in support of the Sleeping Ban Repeal Initiative, and remains silent on whether she'll introduce Repeal—even if the reformers win on November 3rd.

<sup>22</sup> Using techniques tried and perfected by common law freedom fighter B.E. Smith of Trinity County.

••••• **Street Spirits Ripped Off By Reality-Challenged Ranger** That's the report from homeless vendor Frank Ross in his first day of hawking the homeless monthly yesterday at Ocean and Plymouth near the freeway. Parks & Recreation Ranger D. Olson (Badge #351), perhaps at a loss and out of sorts at having no homeless campers to harass, turned his ticket book towards the downscale news distributor. Olson detailed Frank for 15 minutes, running his driver's license for warrants, finally issuing him a \$162 ticket under SCMC 5.04.090. "I just don't want to be frightened in my own country for selling a newspaper," explained Frank afterwards. The rattled but unrepentant paperpusher kept selling after Olson moved on. Frank will fight the ticket in court if Lang doesn't dump the ticket. "I just don't want to be frightened in my own country for selling a newspaper," he concluded.

Apparently the Jim "Lebensraum" Lang's P & R doesn't talk with the SCPD. In late September Officer "Everworse" Eveleth ticketed and robbed *Street Spirit* vendor Anthony Douglas of 8 papers. Chief Belcher responded swiftly to Beggarbacker Becky Johnson's letter of complaint to Mayor Scott with a letter of apology and a cancellation of the ticket. Newspaper vendors, he explained, are exempted from getting a business license under SCMC 5.43.<sup>23</sup> More time in the library boning up on the Bill of Rights, boys?

### ••••• **Hedley vs. the Hackeysackers: New Spectator Sport Downtown?:**

Hackeysacking--Threat or Menace? Maybe both is the answer for "Harass-'em-till-it-Hurts"<sup>24</sup> Hedley--who initiated at least 12 tickets for "blocking the sidewalk" at Lincoln and Pacific a week ago (October 26-28) against homeless & young hackeysackers. Apparently determined to "clean up" the 'Hippie Planter' area, he and his fellow flik "Bums Away" Bayani have been creating confrontations nightly on their Sunday-Wednesday beat. Hedley has heated up the cultural war against the street community at the plaza-like area near New Leaf Market and Juice World in what seems a new attempt--perhaps motivated by beat Sergeant "Hobohunter" Bob Hennig.<sup>25</sup>

On October 26, Hedley arrested a skateboarder and gave out at least five "obstructing the sidewalk" tickets to disperse the late afternoon players. Witnesses agreed that the scraggly but smiling circle of sackers took up less than 1/3 of the sidewalk, but Hennig's hitman wrote out \$162 tickets anyway--perhaps as part of the Downtown Association's eternal dispersal-the-deadheads agenda.<sup>26</sup> On October 27, his continued presence drew a hostile crowd. On October 28, he blocked the sidewalk for fifteen minutes himself by issuing another six "obstructing" tickets--these were issued without warning (Hedley claimed he'd warned an earlier group and that was sufficient). Hedley's harebrained homeless hounddogging is nothing new, but activists had blamed beatwalking with a bad bunch (the notorious Eveleth and Over).<sup>27</sup> Could be just bad influence, but Hedley was also spotted on Halloween evening as part of Team Sanders hitting homeless targets of opportunity, specifically breaking up three drum circles, well before the 10 PM "unnecessary noise" curfew. Those who want to observe Hedley at work should check out *Feed the People*, still serving Mondays and Tuesday at 5:30 PM near Logos and Double Rainbow on Pacific, or join HedleyWatch at the forbidden hackeysack-free zone at Lincoln and Pacific North of new Leaf Market.<sup>28</sup>

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<sup>23</sup> For more details see *Street Spirit* (11/98), Johnson's original letter to Mayor Cella Scott (9/22), and Belcher's letter of apology (9/22) All available from hUFF.

<sup>24</sup> Previously known as "Hedyehog" Hedley, the happy-to-harass-you hackeysack-hater has earned a new name. The *Street Shit Sheet* announces a contest for the most fitting name for Pacific Avenue's newest smalltime pavement pounder "Penny Ante" Hedley, "Perty-time" Hedley, "Hoof-n-mouth" Hedley, and "Humbug" Hedley have all been suggested. "Horseshit" Hedley has been rejected as undignified and "Hair Trigger" Hedley as too romantic. Submit your own street name for the curmudgeonly cop and get the next five issues of the SSS free.

<sup>25</sup> Hennig has a checkered history--dating back to the Code Blue period of the late 70s. Code Blue was a brutal conspiracy inside the SCPD, to beat up homeless people. The scandal resulted in firings and trials as well as the hasty "retirement" of then-Chief Gino Pini and the recruitment of Chief Jack Bassett--which Hennig tenaciously fought. Could the cold cruel skeletons of this dirty little war against the poor have Hennig's assault of the homeless Mike Hobson in 1990 sparked protests downtown. In the same year the old-time sergeant proposed "cattleherding" the homeless to an approving DTA audience. Hennig has never been promoted beyond sergeant. Is Hennig's Halloween Spirit of haunting town in the form of the hapless Hedley? Concerned citizens should get ready for a public exorcism in the near future. Waving complaint forms and a copy of the Constitution might be a good start.

<sup>26</sup> The upcoming Thanksgiving-Christmas holiday season is a holy time for merchant money-worshippers, who brook no interference with their conversion of public spaces into a homeless and hippie-free private shopping mall. For that reason, protests that dramatize police and merchant harassment of the poor is most effective during this upcoming period.

<sup>27</sup> Hedley's harebrained was even observed with an actual measuring tape, calculating the number of feet between the B of A ATM next to Ali Baba's Kiosk and the planter that the community uses to sit on and socialize. He was trying to enforce the Rotkin-Matthews "no sitting within 50' of a change-dispensing machine" Downtown Ordinance--until someone informed him that the law only referred to sitting on the sidewalk, disappointing the devoted Hedley--apparently eager to try out a new tool to "move along" undesirable folks.

<sup>28</sup> For more details on this incident, as well as a long list of proposed responses see "*Dial 911--It's a Hackeysack Game! Police Target Poor on Pacific Avenue*" (10/30). FILE A COMPLAINT with the generally useless Citizens Police Review Board at 915 Cedar St. M-Th 9am-1pm.

We're also concerned that all the candidates have pretty much swallowed an unthinking pro-police line and taken no stand against the Drug Prohibition War and the damage it will do corrupting the police, sidetracking real treatment of drug problems, and shredding the Constitution.

Fitzmaurice has spoken out against the 'criminalization of the young' but hasn't specifically gone after the Kennedy-created Riverside and youth curfews, joke Police Review Board, "sit on the sidewalk, go to jail" laws, or the police/DTA/judicial policy of getting Banning orders downtown—to name only a few issues. Sugar seems to have swallowed special-interest service provider rhetoric whole as he talks about using "the firm hand of the police" to deal with downtown youth and homeless who don't want to go into programs. Sugar's offer to "think about" a Sleeping Ban moratorium while houseless people shiver outside was not very reassuring. Krohn fought to keep the Homeless Garden Project intact, but has few concrete proposals to deal with the current climate of criminalization (sitting, sleeping, sparechanging) downtown.

A classic strategy of Progressive-sounding sell-outs in the past has been to laud social services and ignore civil rights. Kennedy and Rotkin are masters of this. Past candidates ranging from Mo Reich to Cynthia Matthews did the same. In this campaign Steinau is repeating the same tired rhetoric. Sugar, Krohn, and Fitzmaurice have privately assured us they will go for both beds and civil rights. Why can't they take specific public stands? Again it may be a campaign strategy to soft-pedal civil liberties issues in hopes of doing more once in power. It's hard for homeless advocates betrayed too many times by "consensus-seeking" Progressives to give credibility to that kind of talk.

Part of the blame for this situation must be laid our own door—for not pushing early and hard for specific answers from the candidates on issues of specific significant reforms for the Citizens Police Review Board, replacement of the Downtown Ordinances with a Voluntary Downtown Conduct Code (similar to the Street Performers Guidelines), and seeking a Homeless Bill of Rights endorsement from the candidates. Vote with your bedroll when demonstrations begin in November.

## Raise Your Voices: End Hate Crime Against the Homeless

The upcoming memorial to "Happy John Dine" on November 12th which begins at 5:30 PM at the Town Clock is a most appropriate kick-off point. Dine was a gutsy supporter of the 1996 7 1/2-month long City Hall Sleepers Vigil in 1996. He wore black and marched against police violence a month before Officer Connor Carey shot him dead at Front and Pacific Avenue—since known as "Happy Corner." Santa Cruzans for Full Disclosure old-timers will be walking from the Town Clock to Happy Corner. At 8 PM there will be a forum at UCSC at Kreske College on police violence. Info: call Marla at 421-9263 or Ben at 335-8069

### Current Talk Shows on Free Radio Santa Cruz (96.3 FM)

| SUNDAY                                                                                           | MONDAY                                                                                       | TUESDAY | WEDNESDAY                                  | THURSDAY                                                                 | FRIDAY                                          | SATURDAY                                                                             |
|--------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|---------|--------------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------|--------------------------------------------------------------------------------------|
| 11AM-1:30 AM<br>Bathrobespierre's<br>BroadSides: Civil<br>Rights for the Poor<br>w/ Robert Norse | 8AM-10AM<br>Skidmark Bob w/<br>Making Contact at<br>9 AM                                     |         | 9AM-10AM<br>Counterspin                    | 1PM-3PM<br>Liberation News<br>w/Steve Argue                              | noon-2PM<br>Rockin' the<br>Boat w/ the<br>V-Man | 9PM-midnite<br>All You<br>Can Eat                                                    |
| 4PM-6 PM<br>Loafer's Glory: hobo<br>jungles of the mind<br>with Utah Phillips                    | 7:30PM-9PM<br>Resist Locally w/<br>Phil Free: news<br>with a flair for<br>dissident factions |         | 3PM-6PM<br>Audio Cranium<br>music, comedy  | 6PM-8PM<br>Bathrobespierre's<br>BroadSides: Civil<br>Rights for the Poor | 8:30-9PM<br>Counterspin                         | 9PM--777<br>Independent<br>Landscapes &<br>Soiled Under-<br>Wear w/Skid-<br>Mark Bob |
| 7PM-midnight<br>Clatterbox                                                                       |                                                                                              |         | 8PM-9PM<br>Making Contact                  | 8PM-10PM<br>Earth First w/<br>Uncle Dennis                               | 10PM-midnite<br>Talkin' Shit w/<br>Sista Snatch |                                                                                      |
|                                                                                                  |                                                                                              |         | 11PM--on<br>Rockin the Boat<br>w/the V Man |                                                                          |                                                 |                                                                                      |

Call-In Line: 427-3772 Voice Mail: 427-4523 Leave Us a Public Service Announcement. FREE RADIO broadcasts 24 Hours Per Day. This Community Service Needs Your Support It is still under attack by the FCC and NAB. Call the Voice Mail to help.

**Coming Next Issue:** Jobhunter John's **Bitch of the Week**: Harassing the Homeless under the awnings in front of vacant stores, Grass Busts in Berkeley to Disappear the Poor, 3 Sips & Your out in S.F...& more!

●●●●●Celia Scott for D.A.? : That's the vision of some disappointed downtowners after Mayor Scott declined to run for a second term. Skuttlebutt from Backroom Boris is that Judge Bill Kelsay is resigning and D.A. Art Danner being "considered" for his judgeship. In what appears to be a general housecleaning, Chief Deputy D.A.s Jon Hopkins and Dave Genochio are apparently leaving the department That leaves Borland-bozo Kate Canlis<sup>29</sup> as probable acting D.A., pending a special election early next year.

After six terms of "Drumhead" Art Danner, the County is gagging for breath. Hey, Celia, whatdya say?

## ENDORSEMENTS FOR CITY COUNCIL

**The Committee to Repeal the Sleeping Ban** suggests 3 of 4: Clark, Fitzmaurice, Sugar, and/or Krohn--all of whom have expressed reservations about the City's medieval sleeping ban. Though the last three running have a slate and persuasively argue that now is not the time to split the vote, the CRSP feels that Clark may be more likely to act to end anti-homeless laws like the Sleeping Ban and the Downtown Ordinances. Clark also weighed in early to fund-raise for the Repeal effort and MC-ed the Veteran's Hall Benefit in early May. Additionally he has been homeless and a blue collar African-American who has shown himself to be a strong community organizer.

*Sentinel* writer Darrel Cole in his 11/2 story on Clark actually used the words "Sleeping Ban" (usually banned from the *Sentinel* in favor of the inaccurate and prejudicial "Camping Ban"). We really wish Clark hadn't thrown in with the business bumbusters "homeless-get-lost" Steinau and Walton. But he speaks most directly to the Sleeping Ban issue. **Vote For One of the Progressive Four!**

**HUFF (Homeless United for Friendship & Freedom)** recommends Krohn, Sugar, and Fitzmaurice in spite of their bashful backpedaling. Simply because this slate has the best chance of capturing all three seats. Clark is better on the Sleeping Ban and came out against it earlier than any of the Gleesome Threesome [see above], but his programs are generally vague and his background with the conservative NAACP (with a record of ignoring poor people in their fight against these anti-homeless laws) is troubling. Far worse is his teaming up with Walton and Steinau as part of the Rotkin-Kennedy strategy to split the vote and elect a conservative to keep Rotkin's anti-homeless pro-development majority on City Council. Clark is better on the Ban than anyone else, but his public endorsement came out around the same time he decided to run for City Council.

In order to shift Council control from Shadowmayor "Riot Act" Rotkin, real Progressives need all three open Council seats. Recently Kennedy & Rotkin have endorsed Clark (and Steinau) with to split the Progressives and get the pro-development and anti-homeless Steinau on the Council. Clark can't win. He's a pawn in this process. We hope he will be with us on the streets as we challenge the new Council to stop the Ban and other hate crimes against the homeless. **Vote for Krohn, Sugar, and Fitzmaurice!**

**The Street Shit Sheet** is unhappy with all of the City Council candidates. In the privacy of the voting booth, do what you think will get the job done. In public, HUFF suggests you vote with your feet, your butt, your blanket, and your heart to launch high-profile protests against the Sleeping Ban and the Downtown Ordinances in the coming Thanksgiving-Xmas shopping season. None of the candidates have been willing to come out strongly and specifically to support repealing the Sleeping Ban or a timetable for accomplishing that. Why such timidity when every progressive organization in town has supported the Repeal? In the last decade, though hundreds have gone to jail to challenge the city's discriminatory policies, these four candidates--until 1998--have publicly said or done nothing on the issue. The campaign has generally been marked by silence on homeless issues. "Human rights" are not just an election-eve slogan, but a full-time job; how about it, candidates?

Some will say they are "biding their time" not to give Steinau, Rotkin, Kennedy, etc. an issue. And that later, once they get elected, THEN, they'll come out for specific solutions to human rights abuses. 'Stealth' human rights solutions, however, seem to contradict the accessibility and open process that these candidates claim to be supporting. It's also dumb politicks since we all knew the *Sentinel* would use "the Camping Ban" issue anyway, so why not educate the public and clarify the issue at the same time?

<sup>29</sup> The Borland "trade secrets theft" Case was thrown out by the California Supreme Court after lead prosecutor Canlis refused to acknowledge a conflict of interest after Danner's DAs took \$13,000 from Borland. Within days after the grand jury handed down the indictment, Canlis's key investigator went to work for Borland.



"We have found there's a lot of different ways to approach the issues, but nothing really gets the attention like a pie in the face."

-Rahula Janowski of the Biotic Bakery Brigade who plastered San Francisco Mayor "Whitewash" Willie Brown with a cherry, pumpkin, and tofu cream pies as he gave a speech last weekend. Brown has increased ticketing and harassment of homeless people threefold since 1995. Rahula faces battery and assault on an official charges.

Send your writings, poems, stories, and exposes to *Street Shit Sheet* c/o HUFF, 309 Cedar St. Suite 14B, Santa Cruz 95060; e-mail at [wmnofstl@cruzio.com](mailto:wmnofstl@cruzio.com) call 831-423-4833 to leave a voice article or report—dictate it into the phone

Want to sell *Street Spirit*, *Street Shit Sheet*, or *Starstruck*? Make \$\$! It's legal! Look for Jobfinder John down at Pacific and Locust or Call John at 457-9754 X685!

## Violent Illegal Arrest For Selling A Newspaper 'Happy John' Memorial Organizer Tackled, Jailed

A crowd of angry onlookers watched Officer "Grimrip" Garner, Officer "Masher" Malate, and several other cops drag homeless activist Strongheart Steve Argue to a squadcar and jail Friday afternoon. His crime? "Selling a newspaper without a license", confirmed Garner two hours later. Garner accosted Argue near the New Leaf Market at mid-afternoon where the long-haired paperpusher was selling *Street Spirit*, a monthly newspaper, in a legal location. Homeless vendors have selling it downtown the last year. Reached later in his holding cell in jail (where he still had not been booked four hours later), Argue described the case. "He asked me if I had a license. I said I didn't need one & wouldn't sign any ticket.<sup>1</sup>"

"Stay right there," growled Garner, "You're going to jail." Grimrip then called for backup, grabbed Argue's hand, and flung the nettlesome newsdistributor to the ground. Other officers from double-parked squadcars on Pacific Avenue joined in as Argue's "they're arresting me for selling a newspaper" cry drew a larger and larger crowd. Once in jail, Steve reports, deputies photographed his bruises and scrapes but then threw him into solitary because he couldn't remember his social security number. He was denied food and as of 8:30 p.m. had not been booked. The "selling without a license" charge also disappeared en route to the jail and was replaced by PC 148 (obstructing an officer), and PC 69 (terrorist threats<sup>2</sup>). Bail was set at \$5000. Argue is not expected to see daylight until Monday morning at the earliest. Argue's ordeal was outrageous for several reasons. The newspaper exemption of city law [MC 5.43.030] states "[Required licenses for vending]...shall not apply to the display of newspapers periodicals or other literature, when the person so displaying such newspapers, periodicals or other literature holds them in his or her personal possession for public view."

This exemption was confirmed by Police Chief Steve Belcher in a September 24th letter of apology to Anthony Douglas for a similar citation by Officer "Everworse" Eveleth<sup>3</sup>, who confiscated papers in late

<sup>1</sup> Several activists including "Naughty" Nina and Fidget-Fondler Shaws have refused to sign their tickets, instead asking the officer to "Take Me To A Magistrate". This strategy to preserve civil rights and throw a monkey wrench into police harassment was pioneered by Trinity County Constitutionalist BE Smith. For more info call The CommonLaw Group at 831-429-9170 e-mail: [nina@employee.org](mailto:nina@employee.org) Meetings: every 2nd and 4th Tuesday. The next one is November 24th 7:30 PM at the Jahva House.

There is a new wrinkle in this strategy—for those who don't want to do hard time in jail (by not signing anything and then instead getting a writ of habeas corpus). If presented with a citation to sign, ask the officer: "If I refuse to sign this, will you take me to a magistrate—which is what I would request you to do—or book me in jail?" If the cop says he'll jail you, then sign the ticket and go to the courthouse soon after to have your signature rescinded as given "under duress". Demand that the D.A. or City Attorney file a real verified complaint (tickets are not complaints). Be advised: THIS SYSTEM HAS NOT BEEN CONCLUSIVELY TESTED IN SANTA CRUZ COUNTY. Though Roughrider Richard Quigley has had his charges dismissed after using this system. The next step is to sue the County/City and police for violating PC145.

<sup>2</sup> Threats, strangely enough, heard only by the police officers and not by those watching—if they were made at all. If the original arrest is unjustified, a person has the right to use adequate force to resist an unlawful arrest. The subsequent piling on of charges is a favorite tactic of Belcher's Blueshirts and DA "Drumhead" Art Danner's prosecutors. It does tie up the victim in jail, subsequent court proceedings, and then working to pay off attorneys fees.

<sup>3</sup> When Eveleth again attempted to harass Douglas in the days that followed, "Diss-me-not" Douglas held the pugnacious patrolman at bay with a copy of Belcher's letter, —which Douglas thrust forward reflecting the rays of the sunshine. The dejected Dick Tracy shrank back to his doubleparked police car and drove away.

September near the Cinema 9. Though other vendors were harassed by other agencies<sup>4</sup>, the SCPD has followed Belcher's order—confirmed by City Attorney John Barlione, who dismissed Douglas's ticket.

Also ominous was the fact that Strongheart Steve was also the high-profile organizer of the November 11th rally against police violence in memory of slain homeless activist "Happy John" Dine, shot dead a year ago at Soquel and Front Street by (still-on-the-streets) Officer Connor Carey. On the same day that Garner chose to tackle and cuff Steve for Use of the First Amendment without Police Permission, the Santa Cruz Sentinel ran a large photo of Steve standing next to Council members Krohn and Sugar at the "Stolen Lives" display of the Happy John memorial at the Town Clock. Retaliatory arrest for Steve?

When *Street Spirit* editor Bathrobespierre Robert Norse went to the "Hosts" center, to file a complaint about the case and ask a few questions, he found Grimrip Garner grazing there with his greenshirted go-betweens, the Hosts, as protective cover. Garner got shy when Bathrobespierre's tape recorder appeared, but he did indicate MC 5.42 was the law he'd used to arrest Steve—a charge mysteriously disappeared en route to jail.

In response, Bathrobespierre<sup>5</sup> picked up a handful of *Street Spirits* and began hawking them on the street in front of Officer Garner, suggesting that if selling papers without a license is violating the law, Garner should do his job and write him a ticket too. Though the Constitution-clubbing constable had no other urgent duties, he declined to evenly enforce "the law" and ignored the aging activist. "It would just give more fuel to the fire," remarked Garner, as he got in his squadcar and drove away.

By presstime, outgoing Mayor Celia Scott and in-coming Mayor Katherine Beiers had been notified of Strongheart's new riverfront jail residence, but no one had yet offered to pony up the \$5000 ransom being charged by Chief Belcher's ChronicleCrushers as the price of releasing the organizer who set up the spotlight on the "Happy John" Dine scandal, a year after his still uninvestigated slaying.

## NEW COUNCIL FACES 11/24 SLEEPING BAN DEADLINE 11/25 "Shame the Shopkeepers" DEMOS PLANNED

The unexpected November 3rd Progressive sweep of the City Council elections on leaves insurgent Progressives on the City Council with a 4-3 majority. The Krohn-Fitzmaurice-Sugar slate won 61% of the votes. Together with mildmannered matriarch and holdover Council member Katherine Beiers (who is expected to be elected Mayor), they now "have the votes" to end the current Sleeping and Blanket Bans.<sup>6</sup>

Two officially-declared Shelter Emergencies (1990 and 1995) have been reinforced by a specific Council finding on 11/10 that acknowledged the city has less than 1/4 the number of shelter "beds" (i.e. floor spaces) for homeless sleepers—even in winter with the Armory Winter Shelter open. Cold and wet winter weather is ahead. Reports of a San Francisco anti-homeless slasher terrorizing the poor are in the papers. Local homelessness is on the rise as rents skyrocket and welfare assistance plummets. Reports of police harassment of out-of-the-way sleepers (as well as downtown urban migrants near Hippie planter) pour in. Folks in vans report midnight knocks and illegal orders to move on from County cops.

The Council must act on November 24, at the very meeting that its new members are seated, or there will be no change in the law until January at earliest.<sup>7</sup> Otherwise, hundreds of people in their cars and in the bushes will be subject to "search-and-scumper" expeditions by armed sleepbusters—who seem to have little respect for homeless sleepers and/or papervendors. The rush to act on November 24th does put pressure on the new Council but the organizations that endorsed the incoming three have all endorsed repealing the Ban. Now they need to keep their promises.<sup>8</sup>

Activists at a November 10th protest in honor of fallen foodserver Sean Alemi<sup>9</sup> told City Council that if Sleeping Ban Repeal were not on the agenda for November 24th, they would be on the streets of Pacific Avenue downtown on November 25th to begin a Thanksgiving-to-Xmas "Shame the Shopkeepers" Celebration-and-Protest in order to reestablish the human right to sleep at night for those outside.

<sup>4</sup> "Fast Lane" Frank Ross got identical harassment tickets from Parks and Rec ranger Olden (quickly rescinded by 'Lebensraum' Lang, the cheerful 15-year Park Patriarch) and from CHP tramprasher TL Bogard (still pending) for selling *Street Spirit* just off Ocean Street.

<sup>5</sup> Bathrobespierre writes for *Street Spirit*—a monthly homeless paper which has recently given front-page coverage to the Rodkin-Matthews Council's Beach Boardwalk Bulldozing plan to uproot poor Latinos. Bathrobespierre also does a twice-weekly show on Free Radio Santa Cruz at 96.3 FM Thursdays at 6 PM and Sundays at 11 AM on civil rights on the street.

<sup>6</sup> Citations for these Bans appear daily in local courts. The Bans unleash police to harry the houseless with \$162 citations for sleeping outside and/or covering up with blankets.

<sup>7</sup> Since the Council meets only once in December, it has to act on November 24th at the evening session. An old City Council member must put the issue on the 11/24 agenda, and the new Council can then take a first vote on it during the evening session. Supporters are urged to call Council's 24-hour hotline at 429-3550 to ask Beiers or Scott to put it on the agenda.

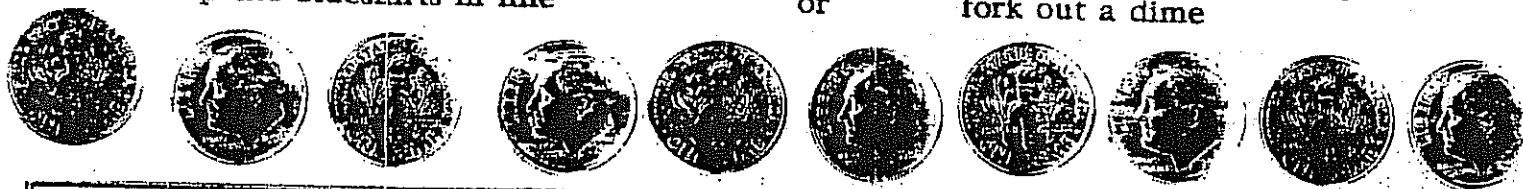
<sup>8</sup> A year-long Sleeping Ban Repeal Initiative and a summer-long series of negotiations between Repeal backers and Council Member Kennedy, HRC Director Karen Gillette, and former Mayor Don Lane have established a consensus for change among Progressives. The Council can choose between (a) last spring's Repeal Initiative, (b) the summer proposal, (c) a specific non-binding resolution, and/or (d) other measures introduced in special meetings.

<sup>9</sup> Affectionately known as "Shitkicker" Sean in these pages, Sean spent more sustained time in jail fighting the Sleeping Ban in 1996 than any other activist as well as co-founding the City Hall Sleepers Protest vigil. Sean was under constant police/DA attack til the day he died.

keep the blueshirts in line

or

fork out a dime



Send your writings, poems, stories, and exposes to *Street Shit Sheet* c/o HUFF, 309 Cedar St. Suite 14B, Santa Cruz 95060; e-mail at [wmnofstl@cruzio.com](mailto:wmnofstl@cruzio.com) call 831-423-4833 to leave a voice article or report - dictate it into the phone.

We also take stories for *Street Spirit*, our friendly rival. They pay \$10 per good story!

SC Cop to Earthhugger Ernie: "What are you doing sleeping here? Don't you know this is private property?"  
Ernie to Cop: "Yeah, I know. So how about some privacy!"

Want to sell *Street Spirit* or *Street Sheet*, the San Francisco-based upscale bona fide full color monthly homeless newspaper? They're upscale, homeless-written, and full color! Call Beggarbacker Becky at 429-8529 for the first ten free papers. After that, buy 'em for a dime, sell 'em for a dollar--but only if you're homeless, formerly homeless, or nearly homeless! Also up for grabs: the choice distributor job--call Becky for details! Or contact the Homeless Services Center at 458-6020.

## Task Force Says "Dump The Camping Ban!"

The Homeless Issues Task Force [HITF] was an afterthought of Mayor "Backroom" Beiers<sup>1</sup> after she'd refused to expand inadequate shelter or restore basic human rights for those outside last winter. The homeless-less HITF--which held its first meeting more than six months after it was created and still has 1/3 of its seats vacant--had been widely regarded as a "duck 'n cover dildo" to distract the public from last winter's Sleeping Ban Debacle,<sup>2</sup> and a talkshop to divert activist energy from protest activity. HITF was a brain child of Councilmember "Candygram"<sup>3</sup> Chris Krohn<sup>4</sup>, and a sop to SCAN "progressives" who sold out real reform last spring and have remained silent ever since,<sup>5</sup>

Last Monday (9/7), the HITF surprised many by passing a resolution at its 3rd official meeting

<sup>1</sup> So named for her "private process" in appointing conservatives to key positions without public input (naming Don Lane as \$7500+ HITF staff person, appointing Dan Alper as crucial Citizens Police Review Board swing vote, and reorganizing Citizens Committee for the Homeless last year eliminating homeless reps.).

<sup>2</sup> From December 1998 to February 1999 "Backroom" Beiers led, then buried, the Task Force to Examine the Camping Ordinance. The TFECO died without adding one bit of extra shelter last winter, or legalizing sleeping for Santa Cruz's 500-1500 homeless people. TFECO members Krohn, Sugar, and Beiers never held public hearings on the Sleeping Ban Repeal Initiative--which secured around 3000 of the 3900 city resident signatures needed to make the ballot. Instead of countering NIMBY nonsense and fearmongering from the Downtown Association ("children will have to walk past potential molesters in vehicles"), the Downtown Neighbors (since we don't want them in our neighborhood, we won't allow it anywhere in town), and the Harvey West Association (homeless- hypodermic needles), Krohn and Sugar remained largely silent. Far from holding that poor people have the right to sleep somewhere, Councilmember Fitzmaurice denied even the right to sleep in a vehicle on a city street (terming it an unjustified "infrastructure of city support"). Business bigotry & fast-talking fearmongering were Beiers excuse for unilaterally announcing there would be no place for homeless people to sleep. ("There's just no place for them" 2/2/99)

<sup>3</sup> So-called for his sweet talkin' small-potatoes style which has ignored issues of rent control, police abuse, homeless civil rights, and open process at City Council, in spite of expectations raised last fall during the campaign. Krohn, Fitzmaurice, and Sugar got 64 % share of the votes, but turned over the Council to Backroom Beiers.

Candygram authored an empty but stirring "Sleeping is a basic human right and need" resolution last December, but refused to persistently push for an amnesty, moratorium, or abolition of the "sleeping is a crime" section of the Camping Ban--even as trollbusters bloodied sleeping homeless people. "We don't have the votes," the cautious Krohn explained. Also missing--a strong voice on the issue--lest he raise the wrath of Backroom Beiers!

<sup>4</sup> "A Bone Thrown To Krohn" was how bad-tempered Bathrobespierre Robert Norse characterized the 12-member six-month-mandated Commission which has no homeless representation at all. Lou Rice, the sole homeless member, resigned at the first meeting, angry at the Community House program for excluding "wet" applicants. Lou's 27-day public fast (much of it in front of the downtown Post Office) persuaded Homeless Services Center director Ken Cole to put in a drinking fountain and improve food quality.

Norse, on his twice-weekly Free Radio Santa Cruz Show (96.3 FM Thursdays 6-8 PM, Sundays 11-1:30 PM 427-3772), repeatedly termed the HITF a Task Farce. The curmudgeonly commentator likened the group to failed Commissions from the past (the County's two Task Forces on the Homeless in the mid-80s, the Yokoyama Human Relations Task Force of 1988, the Beiers-Yokoyama Campground Committee of 1995-6, the secret Kennedy-Lane-Silva Working Group on the Sleeping Ban of 1998, and the Beiers Task Force to Examine the Camping Ordinance of 1998). Norse nonetheless showed up for every one of the five committee and subcommittee Task Force meetings since it finally started meeting in August--armed with flyers, tape recorder, and lots to say.

calling on City Council to repeal the entire Camping Ban.<sup>6</sup> Voting 5-2,<sup>7</sup> the HITF ruled that the twenty-year-old ordinance, renewed with only minor modifications at the behest of "Backroom"<sup>8</sup> Beiers last March, remained anti-homeless and unacceptable, particularly given the current Shelter Emergency.

Last year's Sleeping Ban Repeal Initiative, last winter's activist criticism of the Beiers Camping Ordinance Task Force, and this year's new Sleeping Ban Repeal Initiative had all conservatively focused on the Sleeping and Blanket Bans. HITF vice-chair Ken Cole introduced the more sweeping "End the Camping Ban" resolution after revealing that police are using the "encampment" section of the law<sup>9</sup> to ticket sleepers. CAB worker and HITF member Paul Brindel reiterated that he and CAB have opposed enforcement of the entire Camping Ordinance at any time when there is no shelter for people seeking it;<sup>10</sup> for families to face criminal penalties for raising a tent when they have no alternative, is preposterous.

Several HITF members urged delay, suggesting that the Council had already voted down Sleeping Ban reform and would need to be carefully and cautiously wooed. The majority rejected this position and instead voted for a subcommittee to "prepare a presentation" to be brought back to the HITF Tuesday Sept. 20 5:30 PM at the Civic Auditorium. The Repeal Resolution now needs a presenter and a seconder at City Council—with Candygram Krohn and Shortfuse<sup>11</sup> Sugar still noticeably silent. If the HITF can lead community opinion, City Council may yet be forced to decriminalize survival sleeping, set up camping zones, and expand winter shelter to avert further suffering—a task they shrank from last year.

**Coming Up Next: All the stuff we promised we'd put in, but didn't. We promise! Bob Lamonica Holds Off the Blueshirts; Officer Eveleth, the Net Team, and Nighttime Skateboarders; Chief Belcher's Blues—Covering Up The False Street Newspaper Arrest; and more!**

<sup>5</sup> Santa Cruz Action Network, which helped elect a majority of the Council, passed resolutions three years running saying "End the Sleeping Ban", then fell silent as Beiers buried the issue. The Belton-Spitzer letter to City Council last spring essentially abandoned the SCAN position in favor of scraps Beiers tossed to the betrayed homeless. These nutritionless nuggets included 3 days a month parking in a resident's driveway, 2 vehicles in a business parking lot, a promised lowering of the fine to \$54/night, and a few other pacifiers. SCAN's latest letter to Council retreats to the position of asking that a more limited Sleeping Ban Repeal be put on the Spring ballot—not that Council do anything this winter. Nor did SCAN hold Beiers, Rotkin, Matthews, and Fitzmaurice accountable with censure after they voted in March to retain criminal penalties for sleeping and covering up with blankets.

<sup>6</sup> Some but not most. A majority of the HITF has publicly gone on record favoring restoration of human rights for the homeless. They would look like fools or hypocrites if they didn't start by repudiating at least the Sleeping Ban. The broader Resolution allowing survival camping is a pleasant surprise, but will mean nothing if not backed up by strong protest pressure on the streets, lobbying, & civil rights activity in the churches and synagogues.

<sup>7</sup> Harvey West Neighborhood Association rep. Nancy Amato and Quaker member Tom Nedelsky voted against the proposal. Chair Linda Lemaster of Housing Now! in Santa Cruz, Paul Brindel of CAB, Ken Cole of the HSC, Mel Nunez, and Christine Sippl of Homeless Services Agency voted yes. Sherry Conable abstained.

<sup>8</sup> In the past Beiers was known variously in past Street *Shit* Sheets as (a) "Birdseed" Beiers, (b) "Birdshot" Beiers, and (c) "Buckshot" Beiers when she (a) did little, to save police review from the deadly Rotkin-Kennedy embrace; (b) sliced homeless reps off the Citizens Committee for the Homeless/Homeless Community Resources Center, and (c) singlehandedly shot down Sleeping Ban Repeal this winter, raising a rush of anti-homeless hate crime—more than 20 "trollbuster"-style assaults on homeless people—. The sharp "Bullshit" Beiers was rejected by our editorial board for reasons of taste rather than accuracy as indecorous and likely to raise eyebrows when applied to "the kindly little old lady in the red jaguar"

<sup>9</sup> Sleeping [MC6.36.010a] and covering up with blankets [MC6.36.010b] are crimes only from 11 PM to 8:30 AM and can only be charged as minor infractions. "Setting up a campsite with the intent of remaining overnight" [MC 6.36.010c] can be charged as a more serious misdemeanor if it happens twice within 24 hours. It is also a more useful tool for police harassment since MC 6.36.010c is in effect at any time of the day or night, unlike MC 6.36.010(a) and MC 6.36.010(b) Cole reported a upsurge of "encampment" tickets in the last 45 days, at least some of them given out to sleepers without campsites.

<sup>10</sup> Santa Cruz City Council declared three Shelter Emergencies (1990, 1995, and 1998)—all still active. The latest one baldly admitted that Santa Cruz had no shelter for most of its homeless. much of the year. Cole himself reported regular turnaways with less than 5% of Santa Cruz's 500-1500 homeless people having access to legal shelter. CAB has opposed enforcement of the Camping Ordinance since the mid-90's. The Beiers Sleeping Ban does provide for dismissal of citations during the winter (after police have rousted sleepers and driven them off) if the Winter Armory Shelter has been declared full.

<sup>11</sup> Highstrung and heavyhanded, Sugar has nonetheless been the best of a compromised Council on homeless civil rights issues. After Beiers, Barione, and Rotkin beat down his December resolution to mandate no sleeping tickets without other criminal behavior, Sugar has offered only token opposition to the Beiers-Fitzmaurice-Rotkin majority on the police abuse issue. Sugar did cool out police violence at the May 22nd Protest against Rep. Farr's support for Bombing Yugoslavia. But he has refused to return phone calls to HUFF activists and had no objection to the "stealth" approval of the Matthews police review board appointee on August 7th done with minimal public process.

**Ban Columbus Worship****Stop Homeless-Cleansing!****End the Low-Intensity War Against the Santa Cruz Outside-ers!**

There are some street samurai who challenge the wind with a shout,  
 Somersault overit and duel: cold steel smiles against the bitter cold.  
 Mad, of course. That frantic dance and the bones showing. Teeth clenched against a snarl.  
 Their own fingers freeze into knives turned against them. Nobody every wounded the wind.  
 A week later they drown in their lungs, half-buried in a shivering pile of blankets  
 And the wind howls past them without remembering their names.  
 Never mind. They did not fight to win. But there was noplace to go

*Man with a Shopping Cart (1999, unpublished) by Julia Vinograd*

Send your writings, poems, stories, and exposes to *Street Shit Sheet* c/o HUFF,  
 309 Cedar St. Suite 14B, Santa Cruz 95060; e-mail at [wmnofstl@cruzio.com](mailto:wmnofstl@cruzio.com)  
 call 831-423-4833 to leave a voice article or report - dictate it into the phone.  
 We also take stories for *Street Spirit*, our friendly rival. They pay \$10 per good story!

**"Who Stole Santa Cruz? This is nothing like the town I lived in ten years ago. You wake up one morning and it's Palo Alto--chicken-wire stucco, fake brick, and California clapboard." --Backstreet Bob**

Want to sell *Street Spirit* or *Street Sheet*, the San Francisco-based upscale bona fide full-color monthly homeless newspaper? They're upscale, homeless-written, and full color!  
 Call Beggarbacker Becky at 429-8529 for the first ten free papers. After that, buy 'em for a dime, sell 'em for a dollar--but only if you're homeless, formerly homeless, or nearly homeless! Also up for grabs: the choice distributor job--call Becky for details! Or contact the Homeless Services Center at 458-6020.

## oooooSnatches of Sunshineooooo

..... Sergeant Sepulveda's Solemn Oath To protect homeless complainants going to police with reports of beatings surprised even veteran copwatchers at last Monday's *Citizen's Police Review Board* meeting:

"If there is somebody out there who is the victim of a violent crime, who needs to have a report made, and for whatever reason, they distrust the police..., I will absolutely guarantee that I officially will take the police report. I will not run them for warrants, check their criminal history, or do anything more than take the report. That's my absolute guarantee....I will see that it goes to the right person for follow-up and do everything I can to ensure that they get in and out of there in a timely fashion without prejudice, discrimination or harassment...And if I can't do it, I will find somebody that will give me the same guarantees so that it can be done in a timely fashion."

"Beggarbacker"<sup>1</sup> Becky Johnson usually a strong critic of police department inaction or harassment, said she was "surprised and pleased" by Lethargic"<sup>2</sup> Lee's offer. Those interested in putting Lee's promise to the test can call him at 429-3722.<sup>3</sup>

..... Tuesday Night<sup>4</sup> Trollbuster Terrorism has left a bloody trail of 15 or more assaults on downtown's Pacific Avenue--many of these skinhead boots-and-fists attacks on young as well as homeless or homeless looking people.

<sup>1</sup> A booster of homeless rights even before Mayor "Sleeping Ban" Beiers had her ousted from the Board of Directors of the now-defunct Citizens Committee for the Homeless, Johnson takes potshots at prejudice and privilege on her twice-weekly Channel 71 TV show *Club Cruz* (7-7:30 PM, Tuesdays and Thursdays).

<sup>2</sup> So-called for his tight-lipped put-upon demeanor while sitting in plainclothes in CPRB meetings. Sepulveda heads the SCPD's Internal Affairs unit, which "investigates" charges of police misconduct before dismissing them.. Homeless Issues Task Force worker "Tuf-Luv" Laura Tucker trashed Lee some months back for his discouraging manner when she tried to file a complaint about a screaming woman who was being handcuffed. She formally complained about Sepulveda's behavior and was told that he'd do better next time.

<sup>3</sup> Or give a call to HUFF (Homeless United for Friendship & Freedom) at 831-423-4833 if you want an intermediary, a witness, and/or a supporter. Those wanting to go public about trollbustings (or police misconduct) are also welcome to call Free Radio Santa Cruz. at 96.3 FM Voicemail: 427-4523, Studio-line: 427-3772.

<sup>4</sup> The *Santa Cruz Sentinel* reported only the Sept. 14 incident, the first Tuesday night attack in a four-week chain of brutal beatings. On Sept. 21, Frank Trollman was one of six people assaulted within a period of 36 hours, 3 of them hospitalized with broken noses and other injuries. Frank's mother, writer and Homeless Issue Task Force

One man has been tried--Aaron Bertsch--and on the leanest of charges (assault), considering the seriousness of the midnight hatecrime.<sup>5</sup> No one else has been charged in any of the 25+ homeless beatings since January. Homeless people rarely report assaults because they usually face anti-homeless harassment Sleeping Ban-type warrants themselves, fear their friends will be charged, and/or don't believe the police will consider the matter seriously. Spring reassurances by the SCPD's Homeless Hype squad--Baker, Clark, and Seiley--were met with groans and guffaws.<sup>6</sup> These three cops gave contradictory stories about whether homeless victims would be spared humiliating warrant checks (Baker and Seiley: yes, Clark: maybe). Homeless advocates were unable to get further information out of lead investigator Clark, in spite of repeated phone calls. Clark himself was later seen in plainclothes harassing a peaceful panhandler near the Cinema 9--apparently taking a break from his official city position as liaison with the Commission for the Prevention of Violence Against Women Joe Barker, after being beaten with clubs, chains, and bottles, in the only case in which an arrest was made, chose not to identify the one (out of 6 assailants) in custody for fear of retaliation.

The Homeless Issues Task Force [HITF] is planning a public hearing and/or private investigation process for investigating "trollbusting" to be worked out noon Friday (10/15) at 1126 Pacific in an open meeting. The whole HITF will schedule a hearing at its Monday 5:30 p.m. (10/18) at the ABC Room of the Municipal Auditorium.

Not waiting for police or politician is Nightwatch, a "Guardian Angels" style protective patrol, which is walking the streets several nights a week to deter hate-crime attacks on Pacific Avenue. Call 425-4467 to help.

Meanwhile Copwatch, modeled after Berkeley's ten-year local eye on the police, formed last week and has its next meeting Wednesday (10/13) at the Rhizone (224 Walnut). Skeptical observers hope the bright-eyed liberals in the group will stop talking about "trainings" and hit the streets with video cameras and notebooks.

..... "End the Entire Camping Ban!" declared the HITF in unanimously agreed-upon wording (11-0) last Monday, reaffirming a 5-2 decision of two weeks before to ask City Council to dump the entire anti-homeless ordinance as "unjust, discriminatory, and a wasteful use of scarce public resources." In the midst of a Shelter Emergency, homeless families should be able to put up a tent against the elements, ruled the HITF; existing laws could deal with real littering/disturbance-type problems arising out of so-called camping problems.

"Long March"<sup>7</sup> Lucy Kemnitzer's HITF Legal Committee meets 7 pm Wednesday October 13th at Loudon Nelson to firm up letters to the courts and City Attorney. These letters will remind them of their responsibilities under the "new" Beiers Sleeping Ban (fines dropped from \$162 to \$54, community service hours dropped from 30+ to 8, the defendant's right to use the Necessity defense under the Eichorn decision, City Council's December 8th police advisory suggesting sleeping tickets only after complaint and warning, the Council's "sleep is a human right" declaration", etc.).

---

member "Long March" Lucy Kemnitzer wrote an extensive Op-Ed piece on 9/26. The subsequent attacks on three youths in front of Bonesio's Liquors on September 28th, and The latest incident on Tuesday, October 5th involved two young victims, one of whom was hospitalized to get stitches under his eye.

<sup>5</sup> Police and prosecutors said they would tell Homeless Services Director Ken Cole of the trial date. They did not. Cole learned of Bertsch's conviction hours before press time. Police reluctance to report back on the progress of investigations, trial dates, etc. raises real doubts as to SCPD competence and commitment in homeless assault cases.

<sup>6</sup> Sgt. "Sticky Fingers" Butchle Baker, perhaps the most accessible of the three, is still living down the SCPD's cover-up of accusations of sexual misconduct from 7-10 women in 1992. He and Sgt. "Because I Can" Steve Clark pulled a particularly dirty trick by mischaracterizing the hanging death of a homeless man in January as an "auto-erotic incident"--a claim unsupported by the subsequent autopsy. Officer Seiley still piles up complaints from homeless victims, who he has harassed for "trespass"--including a pending complaint before the CPRB by Doug McGraff & Marilyn Weaver where Seiley is accused of home invasion where he reportedly told the two: "you have no rights."

<sup>7</sup> So branded for her methodical, skillful, and patient plodding through the endless process of the HITF as it begins to churn out actual documents to support homeless people in court and elsewhere. The Shelter Committee (meets 4:30 PM Homeless Services Center at 115 Coral St. 10/14) as well as the Legal Committee (7 pm Loudon Nelson) will be considering "Catnip" Kate Wells' proposal to allow dusk-to-dawn safe zones in selected city parks and parking lots to provide a legal area to sleep in the current climate of justified fear.

# STREET SHIT SHEET



break the silence or kick down a quarter  
"I sing the what went wrong song, the hurting certain blurring blues for everyone I meet,  
strangers on the street don't talk to strangers. Rage in cages worn like clean clothes,  
no way out. I sing, I shout every name in the phone book, don't look away.  
Faceless crowds have faces, everyone has a story and a song of what went wrong.  
We live in lonely with the rent due, you don't know me. I don't know you.  
...Lost chance blues. Hurt by a glance, pretend not to see, You don't know me.  
All I can do is connect the blues like dots, tear smudges drawing us close.  
Don't turn away. I know it aches and burns. I sing initials in tree trunks  
that broke their carved hearts and put out flowers and every flower is a face  
I sing the blues for all of us, it's all I have, all we have left of that first song.

#162

March 12, 2001

Monday

--Julia Vinograd lines from "Blues for All of Us" from her latest book, *Blues For All of US (2000)*

Send your writings, poems, stories, and exposes to *Street Shit Sheet* c/o HUFF,  
309 Cedar St. Suite 14B, Santa Cruz 95060; e-mail at [rnorse@hotmail.com](mailto:rnorse@hotmail.com)  
call 831-423-4833 to leave a voice article or report --dictate it into the phone.

Cop to Earthhugger Ernie: "What are you doing sleeping here? Don't you realize this is private property?"  
Ernie to City Council Cop: "Yeah, I know. So how about some privacy!"

**The Santa Cruz Street Shit Sheet: Back in print at last after 2 1/2 years!**

The flyer with ferruginous footnotes and witzelsucht words<sup>1</sup> Latest antics of prevaricating politicians & their perfidious pals!

Tune in Bathrobespierre's BroadSides--Civil Rights for the Poor at 96.3 FM Thur 6-8 PM, Sundays 11-1:30 PM. 427-3772

Want to sell *Street Spirit*, the upscale bona fide full-color homeless newspaper? Make \$\$\$! It's legal!  
Call Beggarbacker Becky at 429-8529 for the first ten free papers. After that, buy 'em for a dime, sell 'em  
for a dollar--but only if you're homeless, formerly homeless, or nearly homeless! Also up for grabs: the  
choice distributor job--call Becky for details! Want to write for *Street Spirit*? Call up and we'll pick it up!  
Also check the Homeless Services Center or Page Smith Community House for copies to sell or read.

Copies of the San Francisco Coalition on Homelessness's monthly *Street Sheet* also available! Call HUFF at 423-HUFF.

## Tatterdemalion<sup>2</sup> Talk Around the Town

\*\*\*\*\* Welcome Back the *Street Shit Sheet*! It was founded in  
1985 as *Street Sheet* by "Lighthouse" Linda Lemaster, "Sidewalk" Shannon Cassamo, & "Redhead" Jay  
Doyle as they & "Calamity Jane Imler" fought historic homeless struggles in the 80's in Santa Cruz. Their  
struggle helped birth & legalize Peter Carota's Soup Kitchen in 1983. It blocked a county-wide Camping  
Ban with mass protests at the Board of Supervisors in 1984. They prompted respectable supporters who  
founded the briefly brave *Citizens Committee for the Homeless*,<sup>3</sup> to initially include homeless  
women members in 1985. Their protest fasting set up the 1st cold-and-rainy-night shelter--the Cedar St.  
Shelter in the winter of 1985-6 & broke the logjam blocking purchase of the River St. mini-Shelter in 1986.  
The Imler-for-Council campaign helped launch massive City Council protests in 1988. In July 1988, the  
*Street Sheet* became the *Street Shit Sheet* under the editorship of Bathrobespierre<sup>4</sup> Robert Norse.  
He entered the homeless rights fray full-bore that year with a homeless-run information Table on Pacific

<sup>1</sup> *ferruginous* (Fab-RAJ-in-nus); mixed, heterogeneous; *witzelsucht*: (VITZ-el-sooked) emotional state characterized by futile attempts at humor. The *Street Shit Sheet* traditionally encourages readers to expand their vocabulary.

<sup>2</sup> *Tatterdemalion*: A person dressed in ragged clothing, a homeless-looking person who may have a house.

<sup>3</sup> Patriarchs Paul Lee, Page Smith, and Fred Grey started CCH to "save Jane Imler's life" in her 1985 hunger fast to get the Cedar St. Shelter (and end the Camping Ban--a demand that was not granted). CCH quickly deteriorated into a patriarchal city-council-supported service-provider for a handful of emergency floor spaces at night. CCH jettisoned homeless participation, repeatedly betrayed its homeless clients with shoddy services and "get-off-the-property" arrests ending protest camp-in's. Lee wrote a self-congratulatory history *The Quality of Mercy*, in 1992 that maligned activists and inflated his role. The closed CCH founders colluded with city bureaucrats to isolate homeless protest, discredit activists, and coax (insufficient) city funding for a token homeless shelter program.

In 1998, Councilmember Katherine "Backstabber" Beiers ended CCH as an independent organization. By this time CCH was merely a grant-magnet device, which Beiers merged and folded into Karen Gillette's *Homeless Community Resource Center* --without Gillette, who Beiers dumped as a liability for uncertain reasons. Garrulous grognards speculate Gillette was either too outspoken (Gillette's claim), too limited in her competence to manage an expanded operation, or too corrupt (the claim of some client critics). Beiers also screened out activist Board members.

<sup>4</sup> Bathrobespierre: From "Bathrobe" for the tattered blue robe & teddy bear he wears during Sleeping Ban protests + "Robespierre" the domineering & anal French revolutionary. Norse's radio show is Bathrobespierre's BroadSides.

Avenue & the Petition for Homeless Rights. He joined many homeless people in tumultuous bi-weekly protests, meals, & sleep-in's at City Council. The *Street Shit Sheet* began there. It's back.

### \*\*\*\*\* Greens Gagging or Lollygagging on Microlipet<sup>5</sup> Mayor?

Why is the Green Party silent or supportive of a Mayor that supports laws that criminalize the homeless? Could it be, as with other "Progressive" issues, that party apparatchiks are "green abroad" but "red-white-and-blue at home"? Beggarbacker<sup>6</sup> Becky Johnson's well-documented history of Emperor<sup>7</sup> Tim Fitzmaurice support for the Sleeping Ban<sup>8</sup> raised some serious questions and itemized numerous alternatives for the Greens, ranging from prayer to recall. Since His Excellency's Sleeping Ban law (\$54 fines for sleeping) flagrantly violates both the Green Party state platform and the local party's "litmus test" for endorsing candidates, process-minded party regulars are having a heck of a time smoothing out the contradictions.

What happened to Beggarbacker's call for action on the Fitzmaurice embarrassment? Lost in the shallows of the *Green Party Homeless Working Group*. Rescue this proposal from being hugged to death.<sup>9</sup> They meet for the 3rd time next Sunday March 18th at 4 PM. Dog-Tired Doug McGrath, a *Homeless Issues Task Force* worker, listened to the *Green Party Assembly* discussion Saturday. Asked to comment, the old-timer growled, "It was pabulum. Gosh, I was there to kick Fitzmaurice out of the Green Party. He's a fake. We don't need a phony person elected. That takes all the integrity out of the Green Party." Thankfully such rude remarks were deleted from any proposed letter inviting the soft-spoken Sleeping Ban Supporter to chat. Questions to be asked in the most tactful & respectful manner after careful review, consensus, attitude checks, & clearing it with the Decorum Duena. Meantime, homeless: don't sleep!

### \*\*\*\*\* Frosty Fitzmaurice "Don't Need No Stinkin' Blankets" Or such

was the chilly mayoral message recently "Living Wage for the Lucky Seven" Oral Communications period on February 27th. "Man-o-war" Michael Tomasee's tangy tongue and upfront epithets have earned him "back of the line" treatment from the Fitz on more than one occasion.<sup>10</sup> Sgt. "Hobohandler" Bob Hennig, Emperor Fitz's frontrow flatfoot, gave the homeless Tomasee (his van is his home, leave him alone!) forceful escort out of Council chambers. Fitzmaurice gave the imperial veto when the vehicularly-housed Tomasee stepped forward to offer his own assistance to a Council that has been tongue-tied on homeless issues for 7 months.

"Mr. Mayor," growled the grizzled grognard<sup>11</sup> "Spend this money for blankets for the homeless." Nice idea, since the *Homeless Services Center* itself at a Community meeting last month heard numerous complaints about too few blankets (as well as too little food, transport, space, hot water, and toilet paper) at The Armory Winter Shelter.<sup>12</sup> But the Fitz wasn't fooled and made sure Council business proceeded without such interruptions. Tomasee's attempt to give the \$100 "through channels" the next day at the City Clerk's office was rejected. Who needs blankets when you have a caring Green mayor!

Coming Up Next Time: Bag Man Bagged! The Seizing of Robert Steffen; Greens Gone Gray?: Rogue Mayor Politics. Chapter 2: Buying Out Latinos--Dolphin-Lee Rolls On!. Rent Control Rumbblings ...and more!

<sup>5</sup> *microlipet*: [my-crow-LIP-et] a petty, high-strung person who becomes upset or irritated by the smallest things; a hypocritical crank who trafficks in trifles, a punctilious. Mayor Fitzmaurice demonstrated his need for a large comfort zone by his court order barring the Koffee Klatch 3 from City Council offices because their Sleeping Ban lobbying got on his nerves. Such hypersensitivity is what makes the much-misunderstood mayor so poetic of mind.

<sup>6</sup> *Beggarbacker Becky*: so-named for her frequent support of homeless harridans & picaresque panhandlers.

<sup>7</sup> "*Tiny Tolerance*" Tim seized the emperor's scepter in December, shortly after assuming the Mayorship. His Excellency has designed new "decorum" rules for Council meetings that remove the press table; prevent videoing speakers front-on; bar audio tape recorders at the podium; rope off the first three rows for disabled, guests, and press. His new Council regime also highlights the 'order-promoting' role of Sgt. "Hobohandler" Hennig as fully-armed sergeant-at-arms in full police regalia, usually standing at attention & intercepting anyone passing a note to Council..

<sup>8</sup> Aply documented by Johnson in her well-written February flyer *Sleeping Ban Repeal and Mayor Tim Fitzmaurice* which she distributed at the 2-10 Green Assembly along with the Green Party platform which calls to "repeal all laws that criminalize any facet of homelessness or helping the homeless" & to "abolish anti-sleeping laws especially in areas which don't have adequate open space, shelter, and sleeping areas for the homeless. Call HUFF for a copy.

<sup>9</sup> Meets for the 3rd time Sunday March 18th 4 PM, call 423-4833 for the location. Public welcome, only Greens vote.

<sup>10</sup> So sez "Scope It Out" Scott Graham, the backwoods Brown Act bull dog. Graham calculates 2 or 3 Brown Act violations against Tomasee since Jan 1st. Scott cites the Fitz's illegal practice of dumping the downtrodden devotee at the end of the Public Comment line and letting favored folks speak first. No, no, Tim, it's PUBLIC comment. time!

<sup>11</sup> *grognard* [grown-YAWR] An old soldier--the true seasoned veteran, particularly a grumbling grouser.

<sup>12</sup> aka Club Fitz. The mindful mayor has prided himself on developing "snacks" at the Armory and extending wake-up time by an hour to 5:30 AM. Unfortunately he has failed to follow the 6-27-00 City Council resolution mandating staff find new shelter & vehicular parking space,. Nor has any shelter expansion made an agenda for months. There is legal shelter in Santa Cruz for less than 20% of 1500-2000 homeless in winter: less than 5% at other times.



# STREET SHIT SHEET



#163

free for those without

April 3, 2001

25c for them with more

Wednesday

"For the middle class, the police protect property, give directions, and help old ladies.

For the urban poor, the police are those who arrest you" —Michael Harrington *The Other America* (1962)

Send your writings, poems, stories, and exposes to *Street Shit Sheet* c/o HUFF, 309 Cedar St. Suite 14B, Santa Cruz 95060; e-mail at [rnorse@hotmail.com](mailto:rnorse@hotmail.com) call 831-423-4833 to leave a voice article or report —dictate it into the phone.

target the timid talkaholics or bow down to the Sleeping Ban

**Want to do a column for the Street Shit Sheet? Give Us a Call**

Tune in Bathrobespierre's BroadSides—Civil Rights for the Poor at 96.3 FM Thur 6-8 PM, Sundays 11-1:30 PM 427-3772

Want to sell *Street Spirit*, the upscale bona fide full-color homeless newspaper? Make \$\$\$! It's legal! Call Beggarbacker Becky at 429-8529 for the first ten free papers. After that, buy 'em for a dime, sell 'em for a dollar—but only if you're homeless, formerly homeless, or nearly homeless! Also up for grabs: the choice distributor job—call Becky for details! Want to write for *Street Spirit*? Call up and we'll pick it up! Also check the Homeless Services Center or Page Smith Community House for copies to sell or read. *Street Spirit & Street Shit Sheet need a friendly merchant downtown to store papers. Call us!*

"Power takes as ingratitude the writhing of its victims." Rabindranath Tagore *Stray Birds* (1916)

Copies of the San Francisco Coalition on Homelessness's monthly Street Sheet also available! Call HUFF at 423-HUFF.

"There is a sleeping cop in all of us. He must be killed." —Grafitti written during the French student revolt, May 1968

## Snarls of Sunshine; Cold Nights on the Ground

### Sleeping Ban Spasms All Around the Town: Meetings to Note!

- Steadfast Steve Argue<sup>1</sup>, former political prisoner & City Council candidate, has announced an April 22nd 2 PM rally against the Sleeping Ban at the Town Clock, less than a week after the Armory Winter Shelter is slated to close—throwing 75-100 homeless people on the street and into the arms of the Ban.<sup>2</sup>
- Rage Against Rent, a SCAN<sup>3</sup> production, will target Victor Rodriguez, slumlord of 204 Riverside and elsewhere. Sunday April 8th 1-5 PM, Beach Flats Park (corner of Leibrandt & Raymond Streets. SCAN endorsed (but not fought for) repeal of the Sleeping Ban, so bring your blankets to help renters & homeless.
- Justman Jim Cosner, fighting jail for statue beautification in San Jose,<sup>4</sup> has booked the Veteran's Hall for a forum on political prisoners including sleep criminals 7 p.m.-10 p.m. at on Thursday April 12th. The warm-eyed radical tried to spark a campaign against the Ban last fall and continues to organize against the \$54 fines-for-bedding-down (although the County still sets \$162 as the bail).
- Mayor Fitzmaurice vs. Koffee Klatch 3 in Dept. 6 701 Ocean St. 8:30 AM. See the civil-rights -shy shark-in-Green-clothing try to duck a subpoena. Can Tim stonewall courts & the public? Come see!
- The Monday Morning Group, previously known as the Mainstream Advocates (Against the Sleeping Ban), have expelled Bathrobespierre Robert Norse from their 8 AM Monday Morning meetings at Baker's Square Restaurant on Ocean St. They plan a July Town Meeting on homelessness, & want a County-wide inter-city Homeless Advisory body & a County-wide Homeless Co-Ordinator.<sup>5</sup> Talk & more talk!

\*\*\*\*\* Un-Green Mayor And a Silent Green Party? It's an old story, sez to "Scope It Out" Scott Graham<sup>6</sup>: "for the Green Party, Fitzmaurice is beyond reproach." And not just on the

<sup>1</sup> Jailed for 7 months after former Officer Lafaver's attack on a mother and her child at the May 1999 anti-bombing protest, Argue was recently vindicated by the 1st and only independent (but still secret) police review investigation. The CPRB found Lafaver guilty of excessive force, but for two months Police Chief Belcher has been silent on the final disposition of the case. Argue is also suing local police in federal court for violence against him for selling *Street Spirit*, a homeless monthly, in near New Leaf Market in November 1998. A money settlement is likely.

<sup>2</sup> Or Fitzmaurice's folly, as some now term the 11 PM-8:30 AM Ban on all outdoor and vehicular sleeping. Emperor Fitzmaurice (or Mayor Fitz, as some more modestly call him) has kept the ban off the agenda even though the votes are present to change it. Call the fearless Green Party Great Spirit at 420-5017 & tell him to end the Ban or quit. Argue will be holding organizing meetings each Sunday 2 PM at the Town Clock before April 22nd. Call 457-9754 X1169 for more details.

<sup>3</sup> Santa Cruz Action Network—elected the pro-Sleeping Ban Council though SCAN membership is against the Ban. SCAN also says it's for guarantees for the Dolphin & Lee tenants, but has let Council betray the tenants. Rather than buy the 204 Riverside several years ago, Fitzmaurice's Council has chosen the high drama of using the ripped-off Riverside tenants as a boogymon to scare the D-L tenants into letting their homes be bulldozed by *Mercy Housing*. Fitzmaurice's Council & SCAN have yet to endorse city-wide rent control. But they love *Mercy*.

<sup>4</sup> For the details of Cosner's remodeling of the Columbus statue, for which he now faces \$70,000 bail and two felony charges, check out two HUFF press releases (3-12, and 4-2). Cosner may be in San Jose jail on \$70,000 bail on the date of the forum, but vows it will go on anyway

<sup>5</sup> With or without homeless people—it's not clear. The original Sleeping Ban repeal purpose of the group has apparently been jettisoned in the hopes of "positive political progress." In a closed meeting at City Hall, Michael Schmidt, Lydia Blanchard, and Bonnie Morr met with Councilmembers Krohn, Reilly, and Porter. Krohn demanded there be no Camping Ban Ordinance discussion (though "Sleeping Ban" talk was ok-ed) at the Town Hall meeting, to which the group agreed. Porter gave no update on a rumored revision of the Sleeping Ban sections of the Camping Ordinance—struck off the agenda, even as a discussion item by Mayor Tim. All three indicated they didn't want Norse involved, to which the group agreed. Call Schmidt at 457-3721. But, don't tell 'em Norse sent you. Nor should you mention the Sleeping Ban too loudly.

<sup>6</sup> Competent curmudgeon and constant Councilwatcher, who subjects himself to Council meetings regularly. Scott was ousted from the confidential counsel of City Council insiders last year when his voice became too persistent and piercing. The cul-de-sac Council members meet regularly to support each other in their steely determination to do nothing about the Sleeping Ban, strengthened police review, the local Drug War, rent control, real estate speculation, redevelopment agency mismanagement, and the shelter emergency. Tell them off at 420-5017.

Sleeping Ban scandal<sup>7</sup> and the Dolphin-Lee demolition<sup>8</sup>. Graham grumbles about the Fitz's support for a Broadway-Brommer bike path, connecting 2 busy streets—unnecessary when a dedicated bike path along the railroad from Watsonville to Davenport is done. "Tim voted for the Environmental Impact Report. Not one self-identified Green Party person spoke at that meeting or the next calling Tim to task."

On spy cameras downtown, Graham also hears Fitzmaurice ratifying police state policies. Police, Graham says, can't put in cameras in public places without getting some legal or legislative authorization, but they can pull back on enforcement in an area, get the merchants to start screaming, and then suggest merchants put in their private photo equipment. "This happened years ago in front of Leask's Department Store downtown, and it's happening again." Tim's not talking, nor are local Green Party politicians tattling on their chummy chief executive. With budget hearings near, who will cut back the huge police budget? Who will protect bicyclists like Sean Duncan from biased police behavior? Why no action on the snitch-happy Drug War? Green on NAFTA, but gagged on Santa Cruz? Say it isn't, Greenskeees!

Finally, Graham cites last week's vote OK'ing the expanded parking lot for the St. Joseph Church<sup>9</sup> at the expense of the Monarch butterflies. The vote was 6-1, and Fitzmaurice was in the majority. Tim's behavior is bad, says Scott, but the Green Party's silence is worse. Who's gonna speak out?

\*\*\*\*\* Greens Grill Norse, Mum on Mayor, Hungry Green Party Homeless Working Group [GPHWG]<sup>10</sup> gourmands or Gippywigs<sup>11</sup> set aside their quest for a kinder gentler Sleeping Ban to fast fry unrepentant City Council critic Bathrobespierre Robert Norse at their last March meeting. Charging the gaberlunzie<sup>12</sup>-loving gadfly with sputtering sexism, jocund journalism, cantankerous criticism, puncturing party principles and late registration, the grobian<sup>13</sup> Gippywigs took bite after bite out of the gamy but grouchy-tempered Norse. After spending 90 minutes on the meal, the Greenling gourmands for dessert voted to call in an outside monitor to chronicle Norse's nefandious<sup>14</sup> doings in future meetings. Strangely enough, no Fitzmaurice monitor was requested to keep tags on the many-faced Mayor, but wise watchers agreed any delay "was all Norse's fault." Still AWOL: Beggarbacker Becky's February proposal to lock the misosophist<sup>15</sup> Mayor in the same room with the GP platform for remedial reading.

To spare traumatized members the sight of the noxious Norse, he was urged not to come back. When the stubborn stentorian<sup>16</sup> didn't jump at this chance<sup>17</sup>, future Gippywig meetings were suspended. In their place:: a "shun Norse in person" and "send back his e-mails" campaign—all wisely focusing on the unrepentant Norse for his un-Green activities<sup>18</sup> rather than the much-maligned mayor.

**COMING UP: (Unless the Metro scoops us!): The 2001 Homeless Death Toll, Fighting Back in San Jose, with Housing Take-Overs, Take Me To A Magistrate!, Excessive Force Complaints Against the SCPD...and more!**

<sup>7</sup> The Green Party platform prescribes no Sleeping Bans; last spring local Greens required an "end the Sleeping Ban" litmus test before endorsements. "Green Party" Mayor Fitzmaurice steadfastly opposes any attempts to change the 11 PM - 8:30 AM ban on outdoor and vehicular sleeping which criminalizes 1000-2000 homeless people nightly. See *Fitzmaurice and the Sleeping Ban: Chronology* by B. Johnson & R. Norse [3-28-01] from HUFF at 423-HUFF. Call the *GPHomeless Working Group* at 475-2012 for further enlightenment.

<sup>8</sup> Fitzmaurice has refused to move for explicit written guarantees that all Dolphin and Lee tenants will be able to return housing once their homes are bulkdozed by *Mercy Housing*, the Mayor's holy housing heavies, who operate without criticism or competition. See *Guarantees Not 'Preferences' are the Only Real Protection for the Dolphin-Lee Tenants* by Norse [3-29-01] from HUFF.

To their credit, SCAN [Santa Cruz Action Network] and the local *Green Party Assembly* have both supported explicit written legal guarantees for the tenants, though both have so far declined to make any recent public presence at City Council that might actually challenge the current "All money to Mercy" plan, where Fitzmaurice plans to spend the next 5 years of affordable housing on a project that will destroy more housing than it builds and cost \$12.5 million. Call SCAN at 458-9425. Mention Norse at your own risk.

<sup>9</sup> The Church was also not involved in the Satellite Shelter program providing emergency floor sleeping spaces for homeless people (due to shrink from 160 down to 28 on April 15th). Apparently cars weigh more heavily than homeless people and butterflies with the church elders.

<sup>10</sup> To be distinguished from the earlier *Homeless Working Group* MC-ed by Chamber of Commerce CEO Michael Schmidt, acting in his private capacity as advocate for ending the Sleeping Ban. This *HWG* met regularly from July through January and steadily but unsuccessfully lobbied the Board of Supervisors to open up Emeline St. and/or the County Parking lot for homeless sleep space. It also grilled the City Council candidates thoroughly on homeless rights issues (on audio tape), and continued investigation of the Dolphin-Lee demolition scandal after the SCAN Steering Committee took a deep dive on the issue last fall. More info: contact Becky Johnson at 429-8529

<sup>11</sup> Gippywigs is our tasteless acronym for the GPHWG—since we rapidly tire of those tedious and politically correct initials.

<sup>12</sup> *gaberlunzie* [gab-er-LUN-zee] a wandering or licensed beggar. Norse used to be called "King of the Bums" by the *SJ Mercury News*.

<sup>13</sup> *grobian* [GROW-bee-in] rude, boorish. St. *Grobrianus* is the patron saint of coarse people. Norse afterwards had stronger words to characterize his critics ranging from "backroom blacklisters" to "small-time sell-outs". Others dismissed his outbursts as "very un-Green".

<sup>14</sup> *nefandious* [neh-FAN-des] unmentionable, unspeakable (presumably a step worse than "nefarious")

<sup>15</sup> *misosophist* [mis-AW-so-fist] one who hates wisdom. Wise woman say: "Sleeping Bans Bad!" Mean Mayor Say: Step Away from the Podium!

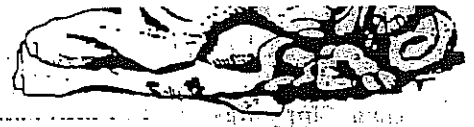
<sup>16</sup> *stentorian* [sten-TOR-ean] one who is loud, harsh, perhaps authoritarian.

<sup>17</sup> "We know he's an asshole, but the question remains is he an idiot as well?" was Rabbi Chayim Levin's pungent parting shot. "Why are you going to these ridiculous meetings where nothing is happening and no homeless people are present?" asked Levin, in town to support the Santa Cruz homeless after a stint in Baltimore facing down the police to feed the hungry in front of City Hall. Levin and his group embarrassed Baltimore's mayor into stripping that City's homeless funding. Levin's subsequent attempt to set up a mediation with Norse's chief critic, "Lockout" Lydia Blanchard was thwarted when the Council-courting campanologist said no. *Campanologist*, one skilled at bell ringing.

Lydia, ever eager for Council access, has definitely rung some loud bells denouncing Norse. Next Green Party Assembly Saturday 4-14 at Loudon Nelson Center. Bring popcorn, scorecards, and patient posteriors. Best not to be seen with Norse.

<sup>18</sup> To join the new Norse shunning campaign, contact Doubletime David Silva at 786-8919. Don't mention Norse or criticize + Fitzmaurice.

# STREET SHEET



#164

free to the homeless

April 17, 2001

25c for the housed

Tuesday

"The greatest achievement of the civil rights movement is that it has restored the dignity of indignation."  
—Frederic Wertham A Sign for Cain: An Exploration in Human Violence (1966)

Send your writings, poems, stories, and exposes to **Street Shit Sheet c/o HUFF**,  
309 Cedar St. Suite 14B, Santa Cruz 95060; e-mail at [rnorse@hotmail.com](mailto:rnorse@hotmail.com)  
call HUFF at 831-423-4833 to leave a voice article or report—dictate it into the phone.

• Call HUFF to help the **COURTWATCH** project to track **Sleeping Ban** tickets!

"They have rights who dare maintain them." —James Russell Lowell "The Present Crisis" (1844)

**Want to do a column for the Street Shit Sheet? Write it. Call us.**

Tune in Bathrobespierre's Broadside—Civil Rights for the Poor at 96.3 FM Thur 6-8 PM, Sundays 11-1:30 PM 427-3772

Want to sell **Street Spirit**, the upscale bona fide full-color homeless newspaper? Make \$\$! It's legal! Call Beggarbacker Becky at 429-8529 for the first ten free papers. After that, buy 'em for a dime, sell 'em for a dollar—but only if you're homeless, formerly homeless, or nearly homeless! Also up for grabs: the choice distributor job—call Becky for details! Want to write for **Street Spirit**? Call up and we'll pick it up! Also check the Homeless Services Center or Page Smith Community House for copies to sell or read. **Street Spirit & Street Shit Sheet need a friendly merchant downtown to store papers.**

"Rights that do not flow from duty well performed are not worth having."  
—Mahandas K. Gandhi *Non-Violence in Peace and War* (1948) 2269.

Join the caravan to Sacramento May 20-23 to protest with SHOC (Sacramento Homelessness Organizing Committee)!  
"Politics is the art of preventing people from taking part in affairs which properly concern them."  
—Paul Valery, *Tel quel* (1943)

## Springtime Spadassins<sup>2</sup>; Chalk<sup>3</sup> on the Walk

\*\*\*\*\* **"Doubletime"<sup>4</sup> David Silva Claims Bogus Drug Bust** in a incident yesterday reportedly involving Deputy Mark Yanez. He called us from jail where he and his companion Ray Souza were being held on various drug charges. The two carry medications that they must take regularly to keep life-threatening complications at bay. Silva said Yanez previously arrested Souza in a false arrest in a Beach Flats C-Net dragnet last February. When charges were dropped and Silva made a verbal complaint to Internal Affairs, Yanez reportedly threatened Silva saying "come on down to the Beach Flats now, and I'll arrest you for being under the influence."

Three weeks later (yesterday), Silva's story continues, he and Souza were in a vehicle in Washington Park when Yanez stopped them for "a bad taillight", then "discovered" drugs and a needle in the car, and hauled them both off to jail. Silva was popped, he says for having taken a mild pain medication for pain an-hour before; Souza was simply targeted and set-up. Silva was released after 5 hours, but Souza, Silva says, is still in jail, being denied his meds. Attempts to get Dr Arnie Leff to call the jail or raise bail for Souza were apparently unavailing at press time. Support Silva May 9th at his 8:15 AM arraignment.

\*\*\*\*\* **Greens Gouge Norse, Still Silent on "Field Mouse" Fitzmaurice** At their 4-14 monthly Green Assembly bashful bullies studiously savaged badboy Bathrobespierre Robert Norse, in another half-hour long hate session, then voted to send "monitors"—not to report on anti-homeless hatecrimes from an MIA Mayor, but to chill the chatterings of dubious dissidents like Norse. The *Green Party Homeless Working Group*<sup>5</sup> has refused to meet for 3 weeks as shelter space drops to 52 with the Armory closing April 15th<sup>6</sup>. Blocked was a proposal that an actual GP person, for the first time, walk up to the City Council microphone and remind the GP-endorsed Fitzmaurice and Porter that the GP platform still says "no Sleeping Bans" as the homeless/rent crisis worsens. Ever-solicitous of the delicate temperament of **Untouchable Tim**, the

<sup>1</sup> See or experience any police harassment for selling a street newspaper? It's a LEGAL under MC 5.43.030, which states "[required licenses for vending]...shall not apply to the display of newspapers, ..., when the person so displaying such newspapers...holds them in his or her personal possession for public view." Call 423-HUFF to report any police pranks or city attorney vandalism against the First Amendment and City law.

The City Attorney's office, in a new low, is now fighting a law suit by *Street Spirit* vendor Steve Argue. His attorney "Catnip" Kate Wells is seeking damages in federal court for a November 12, 1998 assault on Argue in front of New Leaf Market where Argue was selling *Street Spirit* without a permit [see *Street Shit Sheet* #161]. Officer "Grimgrip" Garner threw Argue to the ground, mashed his face into the sidewalk, handcuffed, and jailed him. Argue was released 4 days later without charges. The new City Attorney/SCPD line is that it's illegal to sell a street newspaper without a permit. Join our *Newsies Against Nonsense HUFF Lurking Group* as we hawk papers while videotaping police responses.

<sup>2</sup> *spadassin* [SPAD-eh-sin] from the French, expert with a sword, a fighter. Is the chalk is mightier than the sword? Maybe so, if James "Naughty Boy" Nay wins his chalking case [see footnote 3].

<sup>3</sup> "Criminal" chalkers report a rash of tempermental tickets from Downtown Dicktracys for erasable chalking on the Pacific Avenue sidewalk—particularly around Hippie Planter near New Leaf Market. Still heading for court is James Nay's "End the Sleeping Ban" chalkings from last March near the Holy Host HQ next to the former Del Mar Theater. Talk a peek at Nay's legal briefs by calling HUFF at 423-4833. Berkeley activists won \$25,000 when arrested in the early 90's for chalking. How much will Nay get? Contact our ever-generous City Attorney at 420-6200 for his estimates on how much we'll pay for this recent attack on activists. City Council supported an expansion of the nearby All Baba's cafe—whose owner snitched Nay out: Remember to have chalk, camera, and tape recorder on you at all times. Be prepared!

<sup>4</sup> "Doubletime" is a furious Sleeping Ban opponent, recently moved to Watsonville, whose calls to renew the fight against the Ban have largely been ignored by the "tip your hat and talk sweet to City Council" crowd. Criticized by HUFFsters for agreeing to exclusionary (and ultimately futile) meetings with Mayor Sugar's showboat Safe Zones sham last year, Silva recently reverted to rancor by joining a denounce-and-shun campaign by 'Lockout' Lydia Blanchard and 'Lay-Low' Thomas Leavitt against HUFF activists 'Bathrobespierre' Robert Norse and 'Beggarbacker' Becky Johnson

<sup>5</sup> We called these tedious talkathoners "Gippywigs" in the last *Street Shit Sheet*. They are more aptly known as the GP Homeless Shirking Group for avoiding real homeless issues in their forlorn fantasy that magic words will produce a sea change in our soulsick City Council. Their difficult task is to batter down and shut out whistleblowers like Norse, while at the same time maintaining "peaceful" and "open" principles. Insiders like "Rancor-Ridden" Joe Rigney with his potent mixture of pride and prejudice want to exclude Norse directly, but others seem to prefer the death of a thousand cuts. Still no one blocked Rigney rant and everyone eagerly took their place in the Norse-bashing.

<sup>6</sup> And down to 39 on May 1st—an actual improvement from previous years when space for homeless folks on church floors was limited to 28. This year the ISSP plans to have 3 rather than 2 churches available each night—something HUFF has been pushing for years.

gracious Gippywigs decided that it was best just to send the whole matter back to committee rather than alarm the forgetful Emperor Fitz, and attempt to treat his political Alzheimer's syndrome directly. "Maybe next month," confided one Gippywig on promise of anonymity—if your name isn't attached!" Those who want to jump the gun, call Fitzmaurice & Council at 420-5017!

\*\*\*\*\* **More Tickets, More Complaints, More Silence** Sleeping tickets may be down but bilious busts for "hemp jewelry 'display-for-sale', marijuana, and other "hippies-get-lost!" selective enforcement specials are on the rise. As the a wet March gives way to a cold April, it's Citation Season again, but stagnation as usual at the *Citizens Police RahRah Board*<sup>7</sup> "Leave'Em Alone" Leff, the cherubic Chair, whose political wariness is legendary,<sup>8</sup> even...with two new paper-shufflers appointed (who don't return calls). Though its time-honored timidity prevents the Board from taking any meaningful action, the *Street Shit Sheet* still advises you file complaints, including a specific request for a public hearing and an independent investigation. Also ask your complaint be put into a public file. Then send a copy of it to SPAN (*Stop Police Abuse Now!*) at 475-2012, the Metro S.C. at 427-9000, & the CPRB at 420-6295. Call HUFF for real community control of police.

\*\*\*\*\* **Koffee Klatchers to Face Mayor Fitz In Court on May 29th** That was the surprising decision of Superior Court Judge Samuel "Stagiary"<sup>9</sup> Stevens, who ruled Mayor "Tort-feaser"<sup>10</sup> Tim Fitzmaurice couldn't claim special privilege or "didn't see nuthin'" as an excuse for not appearing. Activists presented the Fitz with a \$150 check for witness fees, an extortionary perk for office-holders called to account for their 1st Amendment floggings in court. If you want to volunteer to do some Koffee Klatching to remind City Council people that we live in Santa Cruz not Fitzlandia, just walk on in to 809 Center St., ask to see the Mayor, and have a seat. Call HUFF for details. It's only illegal for three of us.

\*\*\*\*\* **Two Recent Homeless Deaths** --Ryder the Brooklyn-accented street fixture at Walnut and Pacific, died of a heart attack last week. Craig, a homeless man died after a week in the hospital after surviving a tent fire. Ryder was a wry source of information, a constant critic of the local politicians, and a equal-opportunity castigatör, who spared neither Mayor Sugar ("mafia!") or Steve Argue ("an idiot to go to jail!") in his scornful asides. Informed sources report at least six verified homeless deaths in the County since Jan 1st,—the most recent reported by the *Sentinel*<sup>11</sup> In our next issue, look for a coroner's update on last year's homeless death toll (officially 37, unofficially 43 as of late December 2000)-

\*\*\*\*\* **"Take Me to a Magistrate!"** could be the cry of the future for hapless hobos and sofa-surfers caught outside after 11 PM under the City's nighttime Sleeping Ban<sup>12</sup>. Attorney "Catnip" Kate Wells has just about got a consent decree in force that requires cops to take you to a court magistrate or his rep at the jail before they put you through the booking process—to determine if there's probable cause for the bust. So far this only clearly applies to vehicle code violations, but she's hoping it'll work for City codes too.<sup>13</sup> Point is that police will be forced to show probable cause or release you.

\*\*\*\*\* **Charged with Trespass at the Winter Shelter Armory** was "Morningschill" Mary Kourie, 75-year old homeless bicyclist, still looking for housing 13 months after being evicted from her home on Walnut street. "Practice Makes Perfect" Peter Leeming got her case dismissed at arraignment, though Kourie spent some time in handcuffs and jail after she was arrested on complaint of hostile staff, she reports—any unnecessary action since there was more than enough room. Curmudgeon Kourie has appealed her expulsion—and may be readmitted just in time for the Armory closing in April. Two years ago the *Homeless Service Center* arrested "Bagman" Robert Steffen for trespass on three different occasions when he declared he would sleep on the porch of the HSC since they refused to take him on the Shelter program<sup>14</sup>.

**COMING UP:** SCANsters Plan Timely Bylaw Tampering; Shibboleth-Shafter Schmidt Slaters Sleeping Ban Repeal Seminar for Summer; Battling the Ban in Berkeley; Cosner Captive At last in San Jose?, Racial and Gender Profiling in Beach Flats: the Cristina Tofoya Story, excavating "Assaults Against the Homeless 2000", Buying Out the Dolphin-Lee Tenants—Selling Out Affordable Housing: the Next Chapter...and more!

<sup>7</sup> Or the *Citizens Police Review Board*, as City Council's chosen chairwarmers and cover-up cadre call themselves. Headed by Green Party politico, landlord, and bed-and-breakfast entrepreneur Arnie Leff, the Board is ever-ready with a rubber-stamp, ever-unwilling to hold a public hearing, and ever-pleased with itself. Leff's latest report to City Council (3-4 letter) is another smiley-faced apologia for two years of inaction. Let him hear from you at 469-9866. Leff continues to block any meeting of the CPRB/City Council joint committee on police reform.

<sup>8</sup> Leff is also a former medical marijuana activist who let the S.C. Cannabis Pharmaceuticals Club serving 600-1000 people die because City Council would not enact a medical emergency law as Oakland did. Leff broke his commitment to attorney Kate Wells to speak up on the issue.

<sup>9</sup> *stagiary* a law student Stevens was demoted from judge to student when he gave the Mayor's aide, Anna Brooks an injunction that barred anti-Sleeping Ban activists from 50 yards of the City Council office. This was a clear violation of the 1st Amendment, particularly without giving defendants "Bathrobespierre" Robert Norse, "Beggabacker" Becky Johnson, & "Saint" Bernard Klitzner a prior hearing. His recent ruling requiring the Mayor to testify promoted Stevens from "dunce" to "stagiary" & also showed Stevens may have more backbone than "Ableptic" Akao, who rubber-stamped the Brooks-Fitzmaurice expulsion order on February 8th. *Ableptic (ab-LEP-sic)*: a \$1000 word for "blind"

<sup>10</sup> *tort-feaser* Any individual who has unlawfully wronged another person but without actually committing a crime—just an act of negligence, breach of duty or obligation, libel, or damage. A civil law term for a major incivility (not involving a contract). Some say the Fitz's procedural indiscretions at City Council such as hassling radio broadcasters for tape recording from the podium, favoring some speakers over others, and improperly barring other Councilmember's items from the agenda (such as Porter's Sleeping Ban discussion) are just beginner's blunders. Others say the his treatment of the homeless is simply criminal. Call him at 420-5017 & tell him what you think.

<sup>11</sup> More fondly known as the S.C. *Urinal*, the *Scent Anal*, or the *Resentinel*, for its inaccurate irrelevant yellow journalism. Such friendly hacks as "Deadweight" Darrell Cole (apparently an unpaid police publicist moonlighting as a journalist) & "Harmless" Heather Boerner (PhD in Smiling & Nodding) ensure that no serious criticism of the police or city council ever gets fully reported or fairly researched. Comment at 423-4242.

<sup>12</sup> The Fitzmaurice-supported law actually bars... "(a) Sleeping, 11 p.m. to 8:30 a.m. To sleep at any time between the hours of 11 p.m. to 8:30 a.m. in any of the following places: (1) Outdoors with or without bedding, tent, hammock or other similar protection or equipment; (2) In, on or under any structure not intended for human occupancy, whether with or without bedding, tent, hammock, or other similar protection or equipment; (3) In, on or under any parked vehicle, including an automobile, bus, truck, camper, trailer or recreational vehicle."

<sup>13</sup> Contact HUFF at 423-HUFF Booking forms now have a "take me to a magistrate" heck-off. Keep it up, Catnip! The procedure, however is still largely untested in this jurisdiction. Even Bathrobespierre, looking at a weekend in jail, bailed out by signing his citation recently.

<sup>14</sup> Steffen later spent his days campaigning for the presidency in a bag on the benches front of Bunny's Shoes & Game-a-Lot on Pacific Avenue & his nights dodging the City Sleeping Ban. He was moved into Dominican Hospital last month, allegedly at his own request. To arrange for your arrest for trespass by the HSC authorities call 458-6020. For your own personal restraining order, call the Mayor and tell him you intend

# STREET SHIT SHEET



#165

free to the homeless

November 12, 2001

25c for the housed

Monday

"I am a pulpy mess, stepped on so much people sigh at my scarred face, & pass me discreet dollars from their healthy wallets. Men do not remember my powers—they scratch and piss around me, marking out/ their territory, their domain, but I save it. I save my anger and clench my tight-hinged jaws on their necks when they come too close."  
lines from "This Time" [for Patches who lives on Front St.] from *Breaking the Sacred* by Elizabeth Florio (2000)

Send your writings, poems, stories, and exposes to *Street Shit Sheet* c/o HUFF,  
309 Cedar St. PMB 14B, Santa Cruz 95060; e-mail at [rnorse@hotmail.com](mailto:rnorse@hotmail.com)  
Call HUFF at 831-423-4833 to leave a voice article or report --dictate it into the phone.

**Call HUFF to help Crows-Nest Kris's<sup>2</sup> COURTWATCH project to track Sleeping Ban tickets !**

"I could not be leading a religious life unless I identified myself with the whole of mankind, & that I could not do unless I took part in politics."  
-Mohandas K. Gandhi *Non-Violence in Peace and War* (1948)

\*\*\*\*\*  
"WHAT VALUE HAS COMPASSION THAT DOES NOT TAKE ITS OBJECT IN ITS ARMS?" -Saint-Exupery, *The Wisdom of the Sands* (1948)

## "Happy" John Dine Remembered November 12th

No independent Santa Cruz agency has ever investigated Officer Connor Carey's killing of John Dine. His killing was whitewashed & covered up by SCPD Police Chief Steve Belcher and then-District Attorney (now Judge) Art Danner within 24 hours of the slaying. Both falsely claimed Dine was shot for pointing a toy gun at police "in a combat stance" in plain sight. Investigator Becky Johnson reports 10 eyewitnesses saw no toy gun in Dine's hand & 4 witnesses saw Carey's partner Officer Martin Over open Dine's fanny pack, remove a toy gun after the shooting & toss it on the sidewalk. 4 witnesses subsequently called the shooting "murder." The D.A.'s report, containing officer interviews may still be available at the library where it was ordered placed by then-Mayor Celia Scott.

The docile *Citizens Police Review Board*<sup>3</sup> refused to call for an independent investigation (even though it was publicly supported by a key Council members). Instead the CPRB acknowledged a conflicting explanation of events—that Dine was "reaching for a toy gun", but the CPRB never demanded an explanation of the discrepancy between its conclusion and the Belcher-Danner account. No publicly announced changes in SCPD policy followed the scandal. No discipline was announced for Carey nor Over, who had displayed overt hostility to Dine in the weeks before the slaying.

This year police peppered Raymond Quintan and the car he was in with bullets. There was no independent review of the police slaying nor did the CPRB call for one.<sup>4</sup>

<sup>1</sup> *Homeless United for Friendship & Freedom*, a 10-year old local homeless civil rights organization of homeless and housed folks, notorious for high-profile but peaceful protests against institutionalized civil rights violations like the infamous City Sleeping Ban. HUFF's successes over the decade include decriminalizing the serving of food to the poor, expansion of the *Interfaith Satellite Shelter Program*, regular exposure of police abuses against the homeless, dramatic reductions in police ticketing, and some progress towards abolishing anti-homeless Bans. **Call 423-HUFF for updates.**

<sup>2</sup> "Crows-Nest" Kris -- legal lookout on the good ship *Paradise* who is helping fight the City's August Camping Ban tickets as well as developing a Fight Your Ticket flyer for the homeless community generally. **Leave her or Camp Paradise a message at 457-9754 X274.** To contact *Friends of Camp Paradise*, call Cantankerous Carl Wilson at 425-4787, jokingly so-named for of his real patience & hospitality. Carl insists the proper moniker is "Curmudgeon".

<sup>3</sup> More accurately known as the *Citizens Police Rubber-stamping Board*. It completely skipped its last monthly meeting, refuses to hold public hearings and won't subpoena police officers. Incoming Mayor Chris "Candygram" Krohn still hasn't filled the vacant seat of do-little absentee "Brownout" Sandy Brown. Brown, a SCAN hackstress who racked up the biggest "no show" record of any CPRB member ever., finally resigned after dropping any pretense of being a functioning member.

<sup>4</sup> CPRB Chair "Kind to Cops" Jim King has taken no interest in the recent racial and homeless profiling cases (Curtis Thompson and James Lyster), ignored the City's on-going Drug War & silently approved the expanding police budget, undertakes no investigation of the records of cops successfully sued for misconduct. No member of his Board individually holds any kind of public access meetings, and none--since the resignation of Becky Blythe has returned any phone calls. Former Chair Arnie Leff (a Green Party member of the Fitzmaurice "yellow-green" faction) is seeking to have a police officer a regular part of the Board's closed hearing of individual cases, from which the public is excluded. <sup>4</sup> It is reported in 1999 that his Board would press for automatic independent review of all cases of serious excessive

## Come to City Council Tuesday Evening November 13th

- Speak up--Restore the right to sleep, camp, & occupy a vehicle as affordable housing in Santa Cruz.
- Hot soup at 6:30 p.m. Hot words for the City Council at 7 PM. Speak Out Against the Dolphin-Lee Demolition and for the rights of the houseless!
- Defend Camp Paradise, *Homes on Wheels*, and Santa Cruz's Own Homeless Refugees!
- Demand Suspension of the Sleeping and Camping Bans This Winter as recommended by the City's own *Homeless Issues Task Force* [December 1999, April 2000] !

### Reilly "Enforcement" Resolution Signal for City-Wide Crackdown *Homes on Wheels* Activists Report Tickets & Seizures in Harvey West "Camp Freedom" & Other Pogonip Homeless Moved on to Nowhere Bannering at Emily's Bakery Protests Votes Against the Poor

SCPD blueshirts and Parks and Rec rangers began an intensified crackdown campaign against vehicular and outdoor homeless on the evening of October 23rd, the same night that Councilmember "Empty Promises" Emily Reilly passed her anti-*Camp Paradise* resolution. That resolution directed staff to "enforce infractions of the City's current ordinances along the river as soon as possible, according to the City's normal procedures..."<sup>5</sup> In July Reilly had expressed similar hostility against *Paradise* the safe homeless-run encampment by the San Lorenzo River, which has cleaned up trash, fixed and distributed bicycles, and earned much positive support in the community. At that time she also indicated her desire that the Sleeping and Camping Bans be explicitly and broadly enforced.<sup>6</sup>

Reilly's resolution also added--somewhat gratuitously--since it had no provision for any additional shelter space (or any campground space at all), the words "to work with interested agencies and citizens to find opportunities for assistance...." The Fitzmaurice-Sugar Council has refused for several years to even investigate expanded shelter, campground, and parking lot space, even though explicitly mandated by City Council.<sup>7</sup> The Council's 4-3 vote<sup>8</sup> was apparently taken as a green light by police homeless herders to bust campers and confiscate vehicles. One Councilwatcher said Reilly's motion was carried into council chambers fully written out, but not distributed to the public in a fashion later a violation of the state Brown [open public meetings] Act<sup>9</sup>.

force. Neither Leff nor his successor James King have ever introduced such a measure. Call the CPRB at 420-6295 to demand action.

<sup>5</sup> Some suggest that Reilly's resolution was a symbolic sop to "posies not people" environmentalists who can't stand the idea of a clean well-organized campground in the greenbelt areas or along the River, even though 100's of illegal campers currently hide in the Pogonip each night, many in campsites less environmentally-respectful than that of *Camp Paradise*.

<sup>6</sup> In an interview, Ray Newkirk [*Green Press #39* in the current *S.C. Comic News*], quotes Reilly as saying she's "not advocating removal of Camp Paradise as can be seen by the fact that they are still there. Emily told me as a council member her job is either to enforce the law or change it." And Reilly reportedly said in another conversation that her resolution was directed against homeless people on the periphery of *Camp Paradise*, to protect the *Paradise* residents--a claim dismissed as farfetched by those who heard the actual Council debate.

Reilly's earlier resolution setting up what amounts to anti-homeless No Parking signs in Harvey West makes these after-the-fact explanations unlikely. Reilly has also had a year to change the oppressive Sleeping Ban sections of the Camping Ban and revamp the entire Camping Ban itself. Green Party activist David Silva says Reilly promised she would enact Sleeping Ban Repeal "by Valentine's Day [2001]". Instead of sending the sweet flower of restored rights, Reilly has given the go-ahead for police with flashlights and ticketbooks.

<sup>7</sup> In the same early morning series of resolutions that killed the Safe Sleeping Zones on June 25, 2000, Krohn moved to direct staff to investigate parking areas and shelter prospects on private property. City Manager Dick Wilson and HSC Director Ken Cole never did so. Council, when explicitly informed in November 2000 of their inaction, did nothing.

<sup>8</sup> Voting for Reilly's resolution were Sugar, Fitzmaurice, and Porter. Voting against it were Kennedy, Primack, and Krohn. The resolution also contained Sugar's words, "to direct staff to develop a contingency plan for assisting people and their possessions out, in event of an imminent 3-year storm and provide a storage facility for those possessions."

<sup>9</sup> The Brown Act requires among other things that "no action or discussion shall be undertaken on any item not appearing on the posted agenda [54954.2(a)] , that City Council provide "an opportunity for members of the public to directly address the legislative body on any item of interest to the public before ordering the legislative body's consideration of the item", [54954.3(a)] and that City Council "shall not prohibit public criticism of the policies, procedures, or services of

*Homes on Wheels* [HOW] <sup>10</sup> activists "Earn My Way"<sup>11</sup> Ed Menses and "Can Do" Kathy Massey reported that a blitz of ticketing, midnight wake-ups, & vehicular tows in Harvey West Industrial Park began the next night. Menses, a lifelong local with a decade-long auto detailing business in south County, had to move his equipment into trailers when the County put a lien on his landlord. After three of his vehicles were capriciously towed & recovered earlier this summer at a cost of \$1000, Menses struggled to cut his losses & get out of town.

On August 30th, police towed his Iveco Box Van after it had been parked for only an hour. The van had served as his mobile auto detailing workplace and contained many of his tools. In response, Menses and other van-dwellers then formed *HOW* reacting to word that Public Works was pushing what became the Reilly "5 AM-7AM "no parking"-tickets-for-the-homeless-in-Harvey-West-Park" resolution (which passed September 25th). Last Wednesday, Menses reports, the SCPD towed away his Toyota Pickup, with his remaining tools. Though he admits his vehicle did have registration problems, he was trying to work them out. Police ignored vehicles with multiple tickets nearby.

The next day, Thursday, November 8th, police pounded on the door of his brother's vehicle, demanding he come out, threatening to break down his door and arrest him. Responded Dan Menses, "You might as well arrest me, cause I'd have no place else to since you're taking all I have left." Ed said police also threatened they'd tow his vehicle if Dan didn't emerge.

Ultimately persuaded by Ed's promise to have his brother's vehicle gone by the next day, police left. Ed and Dan then towed Dan's trailer away on schedule. Ed had also planned to tow away his own personal trailer--A Layton rig he'd lived in which also served as *H.O.W.* headquarters. But the assisting tow truck driver got into a serious accident that evening.

Even without assistance, Ed reports, he managed to move the *H.O.W.* HQ several blocks and then let neighboring people know that they'd be back the next day to complete the job. Even though police had not threatened Ed with a tow or officially warned him about the Layton rig, on Saturday morning, when Ed returned the trailer was gone. With the Thanksgiving-to-Xmas business bonanza season right around the corner, activists suggested Dan and Ed were just two more victims of the Thanksgiving Homeless-Get-Out Jihad, launched by Reilly's resolutions. Menses also believes police selectively and purposefully targeted him, ignoring commercial & upscale camper vehicles nearby.

"Can-Do" Kathy Massey reported that her El Camino vehicle was towed in the wee hours of Monday morning November 5th. "They came and ticketed everyone, knocked on everyone's doors," the down-but-not-out grandmother reports. The work tools of her friend were lost with the tow, making him lose a job that day. "Folks in vehicles were working towards getting their shit together," explained Menses in frustration. "Take one step forward and the SCPD drags you back."

Carsleeper Kathy and Downhome Danny, another homeless couple who live in their camper, report targeted midnight wake-ups and camping tickets in the wake of the Reilly resolution. Kathy was working for the *Homeless Services Center* in the hygiene bay but is now intent on getting out of Santa Cruz as quickly as possible. Kathy reports getting \$100 fine for a spring camping ticket in "Meatgrinder" Mulligan's court recently.<sup>12</sup> While waiting to go to court for that ticket, she got another in part of the endless curb-to-court carousel.

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...the legislative body." [54954.3(c)].

Reilly's failure to share her written material with the public, and Mayor "Short Fuse" Fitzmaurice's silencing of comments from the floor, seemed violation of the spirit if not the letter of the law, which requires informing the public in advance of what is going on and sharing all relevant public documents. Those not sitting in the City Council seats had no opportunity to discuss Reilly's resolution. Some initially thought Reilly's resolution itself was a violation, since it did not fall within the boundaries of the two measures Ed Porter brought up (investigating an HQ for the local *Camp Paradise* service corps at River and Coral Street and investigating an alternate campsite in the Pogonip. However the actual title of the agenda item was the broader "Temporary Homeless Campsites", which made Reilly's resolution germane, although a harsh swipe at the City's 1000-2000 homeless people, who face \$54 citations, banishment, and increased insecurity as her resolution is implemented. Reilly explained with a sympathetic smile that she wanted to avoid raising "false hopes."

<sup>10</sup> *H.O.W.*--a fitful but heartfelt response to the Reilly crackdown in Harvey West, formed in late September. It held a few meetings at the Friendship Garden of Harvey West Park before the weather turned cold, wet, and dark. Ed Menses invites supportive folks to call at 457-9754 X1913 (voicemail) or directly at 247-7223. Activist Kathy Massey invites calls at 464-2827.. Menses expects to be meeting soon in an office in the Vet's Hall and both expect to be mounting protests soon.

<sup>11</sup> All nicknames are the creation of the *Street Shit Sheet* and no fault of the victims.

<sup>12</sup> Always disqualify Referee John Mulligan of Dept. 10, who turns out fines like sausages. Wait several weeks after

Police are apparently using Councilmember Reilly's 5 am-7 am No Parking sign regulation, a pedded up (and illegal) application of the 72-hour abandoned vehicle law, and the City's 11 PM- 8:30 AM sleep-in-a-vehicle, lose-your-home ordinance to drive homeless people out of town, as well as selectively enforcing registration violations.

In active protest of Reilly's two bad Council votes, housed homeless activists **Beggerbacker Becky Johnson, Bashful Bernard Klitzner, and "Roadside Rabbi" Chayim Levin** unfurled a banner in front of Reilly's bakery business--Emily's "Good Things To Eat" Bakery in five mornings of protest. Their bedsheet broadside banner read "Emily Reilly's Votes Hurt the Poor!". They and vehicular resident **Ed "Hard Times" Howes** greeted westside truckers, caffe latte quaffers, & early morning croissant crunchers with printed updates, leafleting the interested drivers at the Mission and Laurel stoplights.<sup>13</sup>

On Friday, "Jingle-eyes" Jessica from "Camp Freedom" reported that **Homeless Services Center SCPD officer "Ersatz"**<sup>14</sup> **Eric Seiley** had told the group of nine, after tracking down their Pogonip camp, that they would have to clean-up the camp in 24 hours, and leave within four days. When asked if they could move to Camp Paradise--so far been free of camping tickets since an August 3rd raid<sup>15</sup>--Seiley replied, according to Jessica, "they'll be removed soon."

Tomorrow's November 13th City Council meeting feels ominous to some--for what it does not have on the agenda. Council has failed to order staff to report back on Councilmember "Pinprick" Porter's<sup>16</sup> two October 23rd resolutions to investigate (1) a headquarters for the *Santa Cruz Service Corps* and (2) alternate camping areas for *Camp Paradise* in San Lorenzo Benchlands, lower DeLaveaga Park, and Harvey West Park for the 11-13 agenda. Two days later on November 15th, the Winter Shelter Armory opens. Though it has a capacity of only 75 spaces, according to *HSC* worker **Mandy Hanks**, it could be the excuse that is "alternate shelter" for *Camp Paradise*. The Armory opening and the rains, some fear, will be used to justify a "destroy the campground in order to save it" rationale. Neither the 11-13 Council meeting nor the only one scheduled for December (12-11) will be televised.

City Council can be contacted at 420-5017, for those who want to urge suspension of the sleeping and camping bans and that the police follow the Miami Pottinger guidelines: i.e. that they leave homeless people alone unless they have a real shelter bed (or floor space) to offer them. This is unlikely in a town with space for less than 135 homeless people (as of 11/15).

**Coming Next Time: Santa Cruz Green Party Gets Grit!, City Clownsil Ducks For Cover on Afghani Bombing Halt, Medical Marijuana Still a Crime in the Cruz?, "Mayor"'s Rent Control Rag, Santa Barbara Enacts Limited Decrim for Folks in Cars, Portland's Dignity Village Lives!, Reigning in Hackeysack Terrorists Downtown, and more....**

"Real generosity toward the future lies in giving all to the present." --Albert Camus "Beyond Nihilism" *The Rebel* (1951)

Then go to court, plead not guilty, and phone **HUFF**. If you're willing to fight your ticket, we'll try to help.

<sup>13</sup> **HUFF** has released several flyers on Emily's follies: Councilmember Reilly Passes 'Sweep Away the Poor Plan' [9-27], Santa Cruz Ratchets Up Anti-Homeless Clampdown [*Street Spirit* 10-1], Protest Planned for Reilly's Vote to Kill Camp Paradise [10-26], The Reilly-Fitzmaurice Majority Takes Aim at Camp Paradise [*Street Spirit* 11-1], Protest at Emily's "Good Things to Eat" Bakery Resumes [11-1], Emily Reilly Leads S.C. City Council in Vote to Kill Camp Paradise [*Street Sheet* 11-1] Councilmember Reilly: Reverse Your Anti-Homeless Votes [11-4], and Emily Reilly: the Cold Silence Beneath the Warm Smile [11-10]. *Good Times, Metro Santa Cruz, and the Green Press* (in the *Santa Cruz Comic News*) have all mentioned the protest. Not unexpectedly, the *Santa Cruz Urinal* and the *San Jose Jerkury-Booze* have said nothing.

<sup>14</sup> Ersatz: artificial, serving as a substitute. Seiley, the son of Sgt. Seiley, got his latest nickname because his position as *HSC* officer, has not been backed up with real homeless input and training, as was recommended by the *Homeless Issues Task Force*. Instead the Sugar-Fitzmaurice City Council passed on more money to the police department without any requirement to require real homeless involvement in the hiring and training of the officer.

Seiley is also notorious at *Camp Paradise* for threats of arrest. A legal source confides that Seiley had trouble truthfully admitting he had arrested & taken to jail *Paradise* diabetic for possession of a hypodermic. Seiley reportedly said he'd "detained" the man and taken him to Dominican.

<sup>15</sup> The *Paradise Eight* go to trial on **Monday November 19th at 1:30 PM in Department One**, charged with "setting up a campsite", MC 6.36.010c. Pro bono Paradise paperpusher Paul Sanford will press the "necessity" defense, which requires showing by a preponderance of the evidence that the defendants violated the law but only to avoid a greater evil.

<sup>16</sup> Porter first denounced Camp Paradise; then authored a resolution to move it to the edge of the Pogonip, then rushed to support Reilly's "enforcement" resolution. We call him "Pinprick" because in response to radio criticism over a year ago, he has refused to return calls to **HUFF** activists. He has also broken his commitments to the Green Party to end the Sleepino Ban. made last fall. Activist "Do-Right" David Silva has called for his recall.



# STREET SHIT SHEET

#166 NO COST those empty of pocket November 18, 2002 25c for those with the coin Monday  
"Sleep--to the homeless, thou art home." --Ebenezer Elliott *Sleep* (1840)

Send your writings, poems, stories, and exposes to *Street Shit Sheet* c/o HUFF<sup>1</sup>,  
309 Cedar St. PMB 14B, Santa Cruz 95060; e-mail at [rnorse@hotmail.com](mailto:rnorse@hotmail.com) [www.huffsantacruz.org](http://www.huffsantacruz.org)  
Call *Homeless United for Friendship & Freedom* [HUFF] at 831-423-4833 to leave a voice article or report --dictate it into the phone.  
HUFF meets Wednesdays 8:30 AM at Baker's Square Restaurant 1107 Ocean St. Free Coffee.

**Want to do a Copwatch Patrol downtown for radio broadcast? Call us.**

Tune in Bathrobespierre's BroadSides--Civil Rights for the Poor 96.3 FM Thur 6-8 PM, Sundays 10-1:30 PM on Free Radio Santa Cruz at 427-3772 or [www.microradio.net/frsc](http://www.microradio.net/frsc). Call with news, PSAs, or to volunteer at 427-4523.

Want to sell *Street Spirit*, the upscale bona fide full-color homeless newspaper? Make \$\$! It's legal! Call Beggarbacker Becky at 429-8529 for the first ten free papers. After that, buy 'em for a dime, sell 'em for a dollar--but only if you're homeless, formerly homeless, or nearly homeless! Also up for grabs: the choice distributor job--call for details! Want to write for *Street Spirit*? Call up and we'll pick it up! Also check the Homeless Services Center, Page Smith Community House, & 218A Plymouth St. for copies to sell or read. *Street Spirit* also needs a friendly merchant downtown to store papers.

"Every prison that men build/ Is built with bricks of shame, / And bound with bars lest  
Christ should see/ How men their brothers maim." --Oscar Wilde, *The Ballad of Reading Gaol* (1898)

HUFF meets every Wednesday 8:30 AM at 1107 Ocean St. in Baker's Square Restaurant. All welcome.  
*Downtown-For-AIP* now meets with HUFF. More Info: Check out <http://groups.yahoo.com/group/HUFF/messages> and ...files

"She whose belly is full believes not hers who is empty." --after Thomas Fuller, M.D. *Gnomologia* (1732)

For Knockdown Local News go to [www.santacruz.indymedia.org](http://www.santacruz.indymedia.org) or [www.greenpress.org](http://www.greenpress.org)

## So Many Meetings, So Little Action

| Which?                                    | Where?         | When?             | What?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-------------------------------------------|----------------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Citizens Police Review Board <sup>3</sup> | 915 Cedar St.  | 5:30 PM Mon 11-18 | Comment but no action on selective enforcement, police harassment downtown, testimony on racial profiling in the Wendy Bines complaint ("excessive noise" from black/brown car radios), CPRB whining that Chief "Blackbadge" Belcher hasn't release the year-overdue "Use of Force" policy. Update on the useless and police-dominated "Teen Outreach" meeting of Oct. 21, report on the recent East Coast junket to Massachusetts CPRB convention, some mumbling on the police killing of bank robber Raymond Quintan last summer where his reportedly inoperative gun "fired first" prompting a fusillade of police bullets that left him bleeding to death. |
| Standing United for Peace                 | 315 Walnut St. | 7 PM Mon 11-18    | Final planning session for the Student Strike and Walk-Out on Wednesday [see below] against the War in Iraq. Come and help link up the downtown with the university community in stopping Boss Bush before he shoots up Bagdad.                                                                                                                                                                                                                                                                                                                                                                                                                                |

<sup>1</sup> *Homeless United for Friendship & Freedom*, a 10-year old local homeless civil rights organization of homeless and housed folks, notorious for high-profile but peaceful protests against institutionalized civil rights violations like the infamous City Sleeping Ban. HUFF's successes over the decade include decriminalizing the serving of food to the poor, expansion of the *Interfaith Satellite Shelter Program*, regular exposure of police abuses against the homeless, and some progress towards abolishing anti-homeless Bans. Call 423-HUFF for updates.

<sup>2</sup> Formed out of the summer group that issued the Mammary Manifesto. DFA was one of several groups which opposed merchant Candi Jackson of Jackson's Shoes petition, which raised the hysteria/testeria level to ram through the anti-homeless Downtown Ordinances in 15 days last summer. These laws criminalize poor people for sitting on 95% of the sidewalk and further criminalize much peaceful sparechanging. Downtown business which supported the Ordinances included: Artisans, Jon Michael Studio, S.C. Travel, Logos Books, S.C. Jewelry & Gift, Pacific Trading Company, Lenz Arts, Inc., Miss Jessie May Antiques, Palace Art & Office Supplies, Camouflage, Corbin Gallery, CottonTales, Plumlee & Nelson's Flowers, Volume Vintage Clothing, Pacific Cookie Co., Chefworks Redtree Properties, ImageSnap, Cinema 9, The Hat Company, Gateway Books. Business which support the fencing off of the New Leaf Market planter include: Sushi Now!, New Leaf Market, and (the new) Cafe Campesino. Initiators and supporters of the original anti-homeless "no sit" laws include Bookshop SantaCruz, the ID Building, Atlantis Fantasyworld,

**Downtown Issues Working Group[DIWG] ABC Room, Civic Aud. 4-6 PM Tue 11-19** The Joint Downtown Commission/City Council subcommittee combines cupidity with absurdity as Bizness-Uber-Alles merchants join City Council sellouts<sup>4</sup>. "Pinprick" Porter and "Smiley" Reilly<sup>5</sup> slap a sleezy second coat of patchup paint on the Downtown Ordinances as they relate to street performers. On January 15th, 95% of the sidewalk in business districts will be barred to political tablers and street performers under the Reilly-Porter laws (already passed). Porter's patch-up plan reportedly includes four pages of regulations will greet any street performers who want to open a guitar case downtown. This time Porter is scheduling 60 minutes for public input, but has failed to inform the media or the public. Are you surprised? Last rites for First Amendment Rights? Call Smiley Reilly--soon to be Mayor--at 420-5022 and tell her this is Santa Cruz not Beverly Hills: End the War on the Poor!

**STOP THE WAR IN IRAQ! March & Rally UCSC McHenry Library 12:30 PM Wed 11-20** Bring pots, pans, instruments, costumes, and staying power. Community members welcomed! Help lure students out of class, then march down to Bay and Mission St. for a Speak-Out 2-5 PM. Sometime during that time some are suggesting an unannounced visit to Rep. Sam Farr to demand he rescind his vote supporting the \$355 billion war appropriation (on the same day he opposed the Iraqi war bill) and introduce legislation to stop the U.S. bombing of Iraq. Plans are also afoot to march through Santa Cruz giving locals a wake-up call before Bush puts out all our lights.

**Downtown Commission City Council Chambers 8:30 AM -10:30 AM Thur 11-21** After avoiding the subject for the last few meetings, the Bisbee Commission will be trotted out to approve resolutions patched together at the 11-19 Downtown Issues Working Group meeting [see above]

**Chalkcriminal Becky Johnson 701 Ocean St. Dept. 1 8:30 AM Thur 11-21** With no attorney beside her this time Johnson faces two "defacing" citations for subversive (erasable) sidewalk scribbling. Already found guilty on an earlier occasion by Commissioner "Junk Justice" Irwin Joseph, the cheerful chalker is still looking for legal eagles to help her research the recent Ashcroftian application of a 1964 "defacing the sidewalk" law to political activists. She has already filed a public information act request seeking a listing of all citations and where chalking on the sidewalk actually got a ticket. No reply yet from the SCPD. Unclear whether Joseph will give Johnson more time to find an attorney or insist she go to trial immediately. Johnson's last chalking trial cost the City several thousand dollars but she was finally brought to justice for drawing a peace sign at Cooper and Pacific. Thank Redevelopment Agency renegade-roper Julie Hende for making a "citizen's arrest" of Johnson in that earlier case. Hende continues to keep a watchful eye on the Merry Monday terrorists--she, "Sticky Fingers" Butchie, and other local cops can regularly be seen clustering across the street, trunchoens and ticketbooks at the ready to stop any potential Hopscochers, hackeysackers, sidewalk sitters, or sparechange scalawags before they embarrass our city.

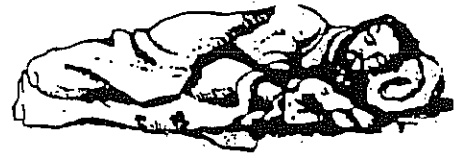
**Roughed-Up Rester Richard Parsons 701 Ocean St. Dept. 2 10 AM <sup>MAN</sup> ~~THUR~~ 11-24** Surrounded by police in late August for briefly lying down on the sidewalk during a "Merry Monday" at Cooper & Pacific, Parsons, says he has 9 ruptured discs in his lower back and drives with a disabled placard. The disabled man was targeted by Sgt. "Sticky Fingers" Butchie Baker in a \$162 "lying on the sidewalk" citation written by "Henchman" Hilliard without warning or complaint. Neither city attorney "Bad News" Barisone nor his friends in the police department are willing to drop the bogus citation. Will Commissioner "Smooth" Steve Siegel rubberstamp another police abuse? Come and see. Parsons is also the star of a SPLAT production video showing his arrest which will be shown Merry Monday 11-18.

**COMING UP NEXT STREET SHIT SHEET !:** "Dimlight" Dan White--a critique of the Resentinal's excuse for a local journalist and his candycoated coverage of local politicians and issues; Special privileges for the police downtown? Nightshirt James Nay updates us on the SCPD Candy-for-Kiddies Table in front of Marini's in late October; "Nueva Vista"-- or the Beach Flats Dolphin-Lee Boondoggle Revisited; Four Years With Shadow Mayor "Riot Act" Mike Rotkin?--a weary activist looks back and ahead! + special columns by "Steadfast" Steve Argue, "Truthtreker" Thomas Leavitt, and more !

<sup>4</sup> Reilly spent two years denouncing the Sleeping Ban; Porter swore to the Green Party in return for their endorsement he would introduce repeal legislation. Both jumped ship and actually initiated anti-homeless laws once in power (Reilly: Harvey-West "no parking" 'street cleaning' signs between 5 am-7 am, Porter: main instigator of the Deadly Downtown Ordinances.

<sup>5</sup> "Pinprick" Porter earned his nomme de Street Shit Sheet by hypersensitivity to criticism. "Pinprick" moonlights as a high school teacher who apparently regards the general public as pupils in need of correction. In addition to recently arresting a reporter for tape recording his Downtown Issues Working Group meeting [see footnote 7 below], Porter recently had fearless Street Shit Sheet reporter Bathrobespierre Robert arrested at a November 4th meeting of the DIWG for refusing to turn off his tape recorder. Porter blames Norse for playing embarrassing remarks Porter made during the fall 2000 election campaign on Free Radio Santa Cruz. Smiley Reilly got her nomme de grin for the friendly smile she flashes at City Council as she ignores homeless shelter and sleeping needs and passes more repressive laws. What--Me Worry?

# STREET SHIT SHEET



#167

free to the homeless

December 22, 2003

25c for the housed

Monday

"Sleep, the fresh dew of languid love, The rain whose drugs quench kisses till they burn again. P.B. Shelly Epipyschidion 1821.

## Mayor to Homeless: Time to Hide from Cops!

Santa Cruz City has emergency shelter on any winter night for 75 in the Armory and 39 on the floors of churches. There is an estimated 1500-2000 homeless people outside in the city limits alone. Mayor "Squawkbox"<sup>1</sup> Scott Kennedy refused to lift the Sleeping Ban, open an emergency campground, or expand emergency shelter. Last August, Kennedy dismissed claims by *National Coalition for the Homeless* spokesperson Michael Stoops that found Santa Cruz to be the 13th meanest City in the country of 147 cities surveyed. In early December, pickets confronted the globe-trotting mayor when he and two other anti-homeless Councilmembers rode a fire engine at the head of the Xmas parade down Pacific Avenue on December 6th. Protesters' signs read "End the Sleeping Ban" and "Remember Jimmy Cline and Linda Sipos".

Cline died after falling asleep in near freezing weather with little protection in the Pogonip in a case the coroner initially said was at least partially due to exposure. Linda Sipos had a seizure after leaving Dominican Hospital against medical advice.<sup>2</sup> After initially opposing the City's infamous Sleeping Ban when first elected to City Council in 1990, Kennedy has moved steadily to the right and now supports it, even though Santa Cruz City Council itself has repeatedly declared the City is in a "shelter emergency".

The *Santa Cruz Sentinel*<sup>3</sup> recently gave a sympathetic front-page sendoff to Sipos and Cline, yet implicitly approved the anti-homeless matrix of laws that make such deaths a more frequent and regular occurrence. Sentinel tinseltypers "Whiteout" Dan White did his usual superficial speed-through the roster of rote quotables. White wove the standard official coverstory, lauding existing services, scapegoating and stereotyping the victims (drug addiction, mental illness), headlining a "tragic" but "inevitable" Xmas tearjerker, and ridiculing or smearing the activists. Silent on Kennedy's record and apparently smarting from radio criticism, White targeted activist "Bathrobespierre"<sup>4</sup> Robert Norse for a flyer blaming local institutions for the two deaths. White's journalism generally has ignored past research and statements from the *City's Commission on the Prevention of Violence Against Women*, the 1999 *Task Force on the Camping Ban*, & the *Homeless Issues Task Force*. These groups as well as the *Green Party*, the *Peace and Freedom Party*, *Women's International League for Peace and Freedom*, historian Howard Zinn, Black activist Ramona Africa, political prisoner Geronimo Pratt and many others have publicly called for City Council to lift the Sleeping Ban sections of the Camping Ordinance.<sup>5</sup>

37+ known homeless deaths this year in Santa Cruz. A recent report by the conservative U.S. Conference of Mayors showing a rise in emergency shelter demands by 13% in 25 major U.S. cities. Yet Kennedy launched his second Mayorship in November with a nary a mention of the "H" word in his inaugural remarks to City Council this year. The "Guided by Gandhi" co-founder of the *Resource Center for Non-Violence* has proposed nothing this winter to restore human rights, secure homeless safety in Santa Cruz, and mitigate the institutional violence homeless people suffer on the streets each night.

<sup>1</sup> Kennedy got his nickname because of his pathological sympathy with the *SCPD* as well as his hypersensitivity to criticism. In the last two years Kennedy has presided over the destruction of the Voluntary Street Performers Guidelines, helped kill the *Citizens Police Review Board*, expanded the "Homeless-Free No Sit" Zones demanded by trendy shopowners, and supported a "Move Along Every Hour" law for political tablers, now selectively used by police to harass disfavored musicians & panhandlers. He also led the *De Anza Mobile Home* sell-out.

<sup>2</sup> A *HUFF (Homeless United for Friendship & Freedom)* flyer given out at the Xmas parade erroneously reported that Sipos was denied service by Dominican Hospital. C.J. Stock, her intimate and partner, recently apologized for passing on this inaccurate account. Linda Sipos herself gave him the account the day before she died. Dominican has been given sub-zero grades for its treatment of the poor by others.

<sup>3</sup> Known with bitter irony as the *Urinal*, the *Scent-Anal*, or the *Resent-inel* for its anti-homeless reactionary pro-police bias. Reporter Dan White (aka Dan Whiteout) has repeatedly refused to run any stories about the criminalization of the homeless. The city makes illegal necessary survival activities like sleeping, covering up with blankets, or setting up a tent in winter. White has also had little interest in First Amendment looting expeditions by the City Council & the *SCPD* on behalf of bigoted merchants like the *Pacific Trading Company* and *Jackson's Shoes*. These two cheered on the removal of public seating downtown, the "Move Along" law, & the bigger "forbidden to sit" zones.

<sup>4</sup> The grey-bearded gruffster authors the *Street Shit Sheet* and regularly denounces City Council for its no-sit, no-sleep, no-campground laws. He sports a black button-laden bathrobe with Edwina, his "homeless" teddy bear pal, strapped to his waist. This lampoons City Manager-for-Life "Darkside" Dick Wilson's entrenched anti-homeless bureaucracy and the local psuedo-Progressive mendocracy (Government by Liars).

<sup>5</sup> The Sleeping Ban [MC 6.36.010a] gives police a blank check to waken, search, harass, cite, arrest, and/or exile any homeless person caught sleeping outside or in a vehicle, even though no shelter exists for 90% of the homeless. The Camping Ban [MC 6.36] makes it illegal to set up a tent against the cold. Activists The City's failure to set up an inexpensive homeless campground has indeed made deaths like Jimmy and Linda's "inevitable". Kennedy and then-Mayor Mike "Riot Act" Rotkin themselves closed down Santa Cruz's only homeless campground--the Coral St. Open Air Shelter--in 1995. Homeless activist Dragonsheart Dan Hopkins held Kennedy responsible for the more than a half-dozen homeless who died in the months afterwards. Call Squawkbox at 420-5020.

Tune in Free Radio's **Bathrobespierre's BroadSides**--Human Rights for All 96.3 FM, 101.1 FM, or [www.freakradio.org](http://www.freakradio.org)  
Thur 6-8 PM, Sun 9:30 AM-1:00 PM on air: 427-3772 [rnorse2@hotmail.com](mailto:rnorse2@hotmail.com) off air: 423-4833 with news tips & to set up interviews.

**"To feed men and not to love them is to treat them as if they were barnyard cattle. To love them and not respect them is to treat them as if they were household pets."** -Mencius, philosopher (c. 380-289 BCE)

Want to sell **Street Spirit**, the upscale bona fide full-color homeless newspaper? Make \$\$! It's legal! Call Beggarbacker Becky at 429-8529 for the first ten free papers. After that, buy 'em for a dime, sell 'em for a dollar--but only if you're homeless, formerly homeless, or nearly homeless! Want to write for **Street Spirit**? Call up and we'll pick it up! Also check the **Homeless Services Center, Page Smith Community House, 218A Plymouth St.** for copies to sell or read.  
*We also needs a friendly merchant downtown to store papers, and a volunteer master vendor co-ordinator. Interested?*

## Blacklisted KSCO Broadcaster Sues Sheriff Tracy For Harassment Disabled Minister May Face "Conspiracy to Buy Coffee" Charges

Libertarian activist and **KSCO** radio talk show host "**Roughrider**"<sup>6</sup> **Richard Quigley** filed suit in federal court last Thursday, against Sheriff Mark "Trump 'Em Up"<sup>7</sup> **Tracy** for a trainload of official terrorism including false police reports, a secret political file, the arrest & beating of Quigley's girlfriend, and--most recently--pressure on **KSCO** to ban him from the air. Quigley's weekly noon show was a regular feature since February until the unrepentant newsslinger was put on forced 'leave of absence' for suing. Quigley pulled few punches.<sup>8</sup> Quigley's malice-mashing mouthpiece "**Catnip**"<sup>9</sup> **Kate Wells** is seeking immediate injunctive intervention to stem Tracy's addiction to political powerplays against Quigley, unseemly in a High Sheriff. For Tracy's view, call **454-2332**.

Meanwhile "**Highroad**"<sup>10</sup> **Jerry Henry**, a disabled<sup>11</sup> street minister, is back at the Shopping Center, after a 4+-year banishment. Henry prompted the ire of yuppie yelpers and their sheriff shocktroops for his defense of the rights of Aptos youth to linger in the public area around the Roasting Company. In the late 90's, Henry was barred after an incredible odyssey of harassment by D.A. **George Kovacevich, Gottchalk's manager Claudia Easterby, Sheriff's Substation trolltrashers Hemmingway, Deverell, and Hertsner, & Aptos Roasting Company manager Dan Eberhart**. Henry is only man to be held--on \$100,000 bail--twice--for the crime of offending pennypinching pencilnecks intent on running off the riffraff<sup>12</sup>. After adopting a deceptively friendly face, **Sgt. "Crackdown" Cristey** recently sent a report to the D.A. & Adult Services asking Henry be prosecuted again.

<sup>6</sup> We gave Quigley the "Roughrider" tag because of his ferocious, dogged, and outspoken opposition to malignant malfeasance by politicians and/or police officials. Way back in 1989 Quigley petitioned on the steps of the courthouse and sold benefit T-shirts to support "Slyshoes" Sandra Loranger, sentenced to 45 days in jail for serving the homeless free soup at the Town Clock. In 1990 Quigley was kicked out of the Flea Market for peddling a "War Sucks" T-shirt, dramatizing the absurdity of the First Iraqi War (once in, he supported the Second).

<sup>7</sup> Tracy teases the "Trump 'Em Up" title out of us for either initiating or condoning absurd police reports--most recently the 11-25 snowjob by **Sgt. Amy "Crackdown" Christey**. She recommends "Trespass with Intent to Interfere with a business" and "Public Nuisance" for "Highroad" Jerry Henry and "Roughrider" Richard for insisting on Henry's right to be left alone while buying a cup of coffee at the **Aptos Roasting Company**. Other charges being urged for Henry & his friend "**Bigotscourge**" **Scott Rhodes** are Disturbing the Peace & Conspiracy.

<sup>8</sup> The lanky lawminder's shows are archived at <http://www.usff.com/quig/KSCO/> on Quigley's **U.S. Freedom Fighters** [usff] website. Conspicuously absent is the taped incident where Quigley's girlfriend was abused by the police--banned from the air by **KSCO** owner Michael "**ZigZag**" **Zwerling**. Zwerling prides himself on his First Amendment fortitude for airing the likes of Michael Savage, but has declined to air any regular national leftist commentator. "Roughrider" Richard exonerates Zwerling for his cautionary censorship. ZigZag may have legitimate concerns about pressures from belligerent bureaucrats in Tracyland and macho merchants from Rancho Del Mar. Those wishing to provide remedial care to restore ZigZag's shattered backbone can call the KSCO comment line at 429-2222 with friendly advice. Regular on-air talk show hosts can also be reached at 479-1080 during the noon hour weekdays and from 10 to noon on Saturdays.

<sup>9</sup> "Catnip" Kate got christened after she signed on as laughing lawslinger for the **Santa Cruz Cannabis Buyer's Club** in the early 90's. Her second Club, S.C. Cannabis Pharmaceuticals, was killed by the Rotkin-Fitzmaurice anti-marijuana Zoning laws of 2000. Call **420-5023** to remind Vice- Mayor "Riot Act" Rotkin of his unkept promise to reform the Zoning law. Urge **WAMM** to support the same at **423-5413**.

<sup>10</sup> "Highroad" because of Henry's persistent and consistent mission of distributing food among the hungry, supporting youth as they struggle with problems ranging from hard drugs to harder-assed deputies and mean-spirited merchants. Henry, not always the most agreeable fellow, has been serving the community for over a decade.

<sup>11</sup> Henry's mental disability frequently makes it difficult for him to read and sleep and earns him a government pension. It also earns him a spirited defense from Quigley, who denounces the fulsome fascist business-cop alliance that has formed to "harass the hobos" as part of its gentrification agenda at the Rancho Del Mar. Henry, for his part, has been trying to invoke the Unruh Civil Rights Act, which was written to protect classes of people discriminated against in public accommodations. D.A. "**Bashful**" **Bob Lee** has declined so far to take any action.

<sup>12</sup> Or, as their chums in the D.A. Dittoheadland put it, "Trespass with intent to interfere with a business" 602(1)a PC + Public Nuisance 372 PC

**Coming Next Issue (hopefully):** *Gunning for the Grubgivers: Downtown Merchants Target Food Not Bombs; Courthouse Capers: Cavalcade of Cases for Next Year; Christiana--the Danish Squat City; Mellowheart Mike True Heads for a Victory in Baker's Bust for "Displaying Music"; Felony Prowling: Nine Months in Jail for an Open Container on the steps of Denny's.....*  
Until then check out [www.huffsantacruz.org](http://www.huffsantacruz.org) and [www.santacruz.indymedia.org](http://www.santacruz.indymedia.org) for mini-updates.

# STREET SHIT SHEET

#169

read it rough for free

August 4, 2007

smoothies fork over fifty cents

Saturday

"Lady, when your lovely head/ Droops to sink among the Dead,  
And the quiet places keep/You that so divinely sleep;  
Then the dead shall blessed be/With a new solemnity,  
For such Beauty, so descending, /Pledges them that Death is ending.  
Sleep your fill—but when you wake/ Dawn shall over Lethe break."  
—"On a Sleeping Friend" by Hilaire Belloc [1870-1953]<sup>1</sup>

## Know Your Rights Training Slated For 7th Week of Bookshop Boycott Vice-Mayor Coonerty A No Show at 5<sup>th</sup> Sunday Sleeping Ban Protest

For the fifth successive Sunday, Vice-Mayor Ryan "Crackdown" Coonerty<sup>2</sup> refused to respond to repeated requests that he open up the city's records and reveal last year's secret briefing by City Attorney John "Bankbuster" Barisone<sup>3</sup> regarding the City's anti-homeless Sleeping Ban.<sup>4</sup> 'Merryweather' Mike<sup>5</sup> and Visionsong Valerie<sup>6</sup> strummed out slumbersongs old and new ("Mama Don't Allow No Sleepin' Around Here" and their own version of "Downtown").

For two sunny hours in the early afternoon, 'Bathrobespierre' Robert<sup>7</sup> bellowed out denunciations of the Vice-Mayor and Bookshop Santa Cruz ("Boycott Bigotry Downtown!"). 'Bashful' Bernard<sup>8</sup> slipped the odd flier to passersby. While his colleague with the *Human Rights Organization*, 'Bombproof' Bob<sup>9</sup> scanned the sidewalk in search of volunteers and homeless survivors of the Sleeping Ban to sign on as plaintiffs in the forthcoming Sleeping Ban lawsuit.<sup>10</sup>

The quixotic crusaders announced they'd return next Sunday (August 5) at 2 PM to resume picketing the pesky politician. Can Coonerty be coaxed into explaining why Santa Cruz criminalizes nighttime homeless sleep while Los Angeles and San Diego do not? Give the learned lawyer a call at 420-5027 to hear his response.

On August 12<sup>th</sup> again in front of Coonerty's bookish lair, HUFFsters<sup>11</sup> have invited guerrilla civil libertarians 'Rough Water' Rico and 'Juggernaut' Jason to host a hands-on "Know Your Rights" sidewalk seminar at 2 PM, The two affable anarchists will feature fast-paced simulations of SCPD constitution-crunching and how to handle badass bluebadges. Later Sunday evening, filmguerrilla funlovers plan a showing of *Sir, No Sir!*, a recent documentary on successful soldier resistance to the Vietnam War. This will be followed by the

- 1 The *Street Shit Sheet* traditionally begins with a quotation or poem, often celebrating the joys of sleep—a pastime denied to 1500-2000 homeless & poor people in Santa Cruz after 11 PM each night by the Reilly-Coonerty City Council. 40 of these find emergency shelter in City programs.
- 2 "Crackdown" supports the Sleeping Ban and backs the public space-stealing Parking Garage Paranoia Law, which makes walking into a city parking garage illegal unless you've a car or bike parked there; if you do own a vehicle, you got 15 minutes before you get a \$100+ citation. Phone: 423-8939
- 3 So named for his financial and moral misadventures in defending the SCPD at a cost of \$1.5 million in the Blue Lagoon harassment case, ripping the taxpayer bill in the on-going "Heil Krohn!" mock-Nazi salute arrest at City Council, preparing to give away the Tidelands to Charlie Canfield's Seaside Company, and moving to gut the Measure K "lowest priority for marijuana busts" Oversight Committee.
- 4 MC 6.36.0101 [<http://www.ci.santa-cruz.ca.us/>] reads "No person shall...sleep at any time between the hours of 11PM and 8:30 AM, in any of the following places: (1) Outdoors with or without bedding, tent, hammock or other similar protection or equipment;(2) In, on or under any structure not intended for human occupancy, whether with or without bedding, tent, hammock or other similar protection or equipment; (3) In, on or under any parked vehicle, including an automobile, bus, truck, camper, trailer or recreational vehicle." This is the harshest sleeping ban in the state, perhaps in the nation—it covers churches, theaters, businesses, and, in fact, any sleeping spot outside a house or hotel. The fine: \$97 after court costs are assessed. Add "Failure to Appear" and a "Failure to Pay" and the charges escalate over \$500. Even doing "voluntary" community service costs a bundle.
- 5 Merryweather Mike: Also known as Musical Mike for his brave attempts to spread song and sustenance on the street. All nicknames here were foisted upon the victims, mostly by *Street Shit Sheet* editor Bathrobespierre Robert Norse.
- 6 Visionsong Valerie Christy [VC for short] One of the original songsters from SAFE (Society for Artistic Freedom and Expression/ Street performers Against Foolish Enforcement), which hit the streets to protest the Downtown Ordinances, take back public space, and sing up a storm of solidarity with streetfolks. VC joined Grimmaster Greg, Vagabondista Valerie Promise, & Carol-lovin' Coral way back in 2003. See footnote 12.
- 7 Bathrobespierre Robert This aging activist occasionally dons a bathrobe covered with political buttons accompanied by his teddy bear Edweena to add a bizarre element of merriment to protests against the Sleeping Ban.
- 8 Bashful Bernard Long-time homeless activist whose indignation fights with his modesty as he tells off City Council.
- 9 Bombproof Bob Elder vet and *Human Rights Organization* mainstay, known for his steady demeanor in the face of turmoil and insult. Previously known as 'Rubberneck' Robert for his determination to keep his eyes on all sides of the picture. Bob, along with Bashful Bernard, heads the *Human Rights Organization*, which meets every Saturday 2 PM at the Firefly Cafe (131 Front St.) to jam for justice. 425-4467 [www.humanrightsorg.org](http://www.humanrightsorg.org)
- 10 Currently 28 or more homeless people complaining of harassment under the Sleeping Ban, have signed up to join in a lawsuit to stop police from criminalizing sleep. Santa Cruz has no shelter for 95% of the homeless community. The Jones decision of April 2006 stopped LAPD 'sleepcrime' arrests in Skid row and rapidly persuaded San Diego and Richmond to stop sleepbusts. Local attorneys 'Catnip' Kate Wells and Berkeley barrister 'Bedrock' David Beauvais will be dragging SCPD Chief "Sleepsnatcher" Howard Skerry into federal court to answer for his crimes against the poor.
- 11 HUFF Homeless United for Friendship and Freedom—a long-standing minigang of housed and homeless troublemakers famous for direct action publicity protests against bigoted merchants, bad laws, and progressive pretenders. For some of their herstory and history go to [www.huff.santacruz.org](http://www.huff.santacruz.org). Or join up at 831-423-4833! HUFF meets Wednesdays 9:30-11:30 AM at 701 Ocean St. in the breezeway between county building and courthouse.

main event--a SleepOut to Sue the Sleeping Ban, sponsored by HUFF, HRO, and the little known *Homies for the Homeless*. At the felonious filmathon and sleepout: mouthwatering munchables from 'Jumbogumbo' Joe Schultz<sup>12</sup> Urban heavies from L.A.'s Skid Row may panhandle their way north to brief participants on the latest law-leaping antics of the LAPD as it circumvents the Jones decision<sup>13</sup>. Freedomfighters from Fresno<sup>14</sup> may slip away from their own struggle for a Safe Sleeping Zone. They may report on the murder of Pam Kincaid, lead plaintiff in the historic federal *Kincaid* decision protecting homeless property from police destruction.

All part of HUFF's *Vigil Against Two Wars*.<sup>15</sup> The foreign wars create homeless and crippled people on the Santa Cruz streets, steal funds from housing and jobs, & ramp up repression against the poor. HUFF has also spoken out against the bogus War on "Terror" and the War on Drugs. Time for a War on Injustice.

## Cracks and Sunbeams on the Sidewalk

>>>>>'Crossfire' Craig Canada Trial Featured In Next *Street Spirit*...the monthly homeless paper, sold by vendors and distributed at the HUFF table hits the streets next week. 'Lighthouse' Linda Lemaster<sup>16</sup> writes a lengthy much-revised front-page article detailing the homeless hempsmoker's victory in Ms. Denine Guy's Courtroom 1 a month ago.

Though Guy denied a motion to have an attorney appointed to help Craig use the difficult Necessity defense; she ended up walking the computer savvy southerner through the four Sleeping Ban tickets and dismissing four Sleeping citations because of Lighthouse Linda's expert testimony that no service providers allowed medical marijuana users in their programs, including the minuscule emergency drop-in Interfaith Satellite Shelter Program run by the Homeless Services Center. Now it's back to court for Crossfire with two more Sleeping tickets (8-14 8:30 AM; 8-17 3 PM) — two more strikes against the SCPD when the Federal lawsuit is filed! Join the lawsuit by calling 423-4833 or e-mailing us at [rnorse3@hotmail.com](mailto:rnorse3@hotmail.com).

>>>>>'Make or Break' Mike Ferela reports on a raw deal from a 911 driver who berated him for calling their ambulance on a Saturday and denounced him for "wasting \$1500 on a ride." Mike not only got verbal abuse but bad service. Dominican Hospital, however, kept him for 5 days finding the rare Stevens Johnson syndrome, a rare skin disease, sometimes fatal in children. Mike, homeless, but not phoneless, wants an attorney and your reports of similar bad trips with the ambulance crew. Call him at 423-HUFF.

>>>>>'Wired for sound and we're going to fuck you up' was the Beach Street greeting of Officer Hernandez (Badge #137) according to "Mad As Hell" Mike Glassel "Get the fuck off the sidewalk" is barked the potty-mouthed patrolman according to the enraged local.

The incident comes on the heels of a more serious beating Glassel reports getting at the hands of Seaside Company personnel, and sheriff's deputies in jail. "I can barely bend my knees after hitting the concrete with six cops pounding on me. My ribs were broken; my knees fucked up; both my hands are swollen with oozing wounds. I'm 50 years old. They'll threaten me but refused to ticket me. No more of this," Glassel told activists Bashful Bernard and Bombproof Bob, as he signed on to the Sleeping Ban lawsuit.

*Coming Up Next Issue:* Pain for An Elderly Panhandler on Pacific Ave; Double the Sleep Tickets from Last Year—the SCPD Goes Hog Wild; No Place to Puff: the SCPD's War on Marijuana; The Trial of Mr. T.V., and more....

- 12 **Jumbogumbo** Our happy handle for soupmeister Joe Schultz, caterer of exotic cuisine locally, who's served up many a sidewalk soup for *SAFE (Society for Artistic Freedom and Expression/Streetperformers Against Foolish Enforcement)* a merry melange of musicmakers who gather (sometimes under different names on Monday, Tuesday, and Wednesday nights in front of Santa Cruz's New Leaf Market at Soquel and Pacific Avenues. Check 'em out! SAFE colludes with HUFF to fight repression against street performers. Mr. TV, the Balmy Swami, Dawdlin' Donny, Grandiose George, Nattering Neecho & Bass-drum Brent have all gotten citations recently for offending the SCPD/merchant gentrification ethic that now rules Pacific Ave. Ticketed for sleeping, sitting, standing, or breathing? Bring it a HUFF/HRO meeting or to a SAFE evening for advice. Or call 423-4833
- 13 **Edward Jones, Patricia Vinson, George Vinson, Thomas Case, Stanley Barger, & Robert Lee Purrie** sued the City of LA., Police Chief William Bratton, & Captain Charles Beck to suspend enforce of the City's sitting, lying, and sleeping ban ordinance. In April 2006 the 9<sup>th</sup> Circuit Court of Appeals held the L.A. law to be cruel & unusual punishment. San Diego ended its nighttime sleepban. Richmond changed its law. Santa Cruz doubled its ticketing.
- 14 **"Make it Right" Mike Rhodes**, a Fresno indymedia journalist & advocagte laid the groundwork for the successful federal *Kincaid* case, ending police trashing homeless property [<http://www.indybay.org/newsitems/2006/11/23/18332519.php>]—a lesson for S.C. Chief Ranger "Jughead" John Wallace.
- 15 **HUFF's** 4-year long campaign to end the War in Iraq and the War Against the Poor in Santa Cruz, marked by sidewalk petitions, sharp speeches at City Council, confrontations with Rep. Soft-on-Militarism Sam Farr, & (still in the oven) a Peace Conference invitation to the Political Office for the Iraqi Resistance. [7 Sunni insurgent groups: Iraqi Hamas, the 1920 Revolution Brigades, Ansar alSunna, Jaish (army) al-Islami, Jaish al-Mujahideen Jama' & Jaish al-Rashideen] f [see <http://www.guardian.co.uk/guardianweekly/story/0,2135238,00.html>] to end this criminal U.S. invasion.
- 16 **Crossfire** got his name from the flak he's gotten from the Homeless Services Center (kicked out last summer); MHCan (banned for medical marijuana use last spring); Santa Cruz Sentinel forum bigots; SCPD harassment downtown (for medicating legally on Pacific Avenue); and court security personnel (for trying to take a backpack through the metal detector). Lighthouse has been fighting for the rights of the poor for thirty years as a welfare mother, homeless activist, city council candidate, chair of the former Homeless Issues Task Force, and co-founder of Housing Now! In Santa Cruz.

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# Street Shit Sheet

**June 2004**

Monthly Archive

05 Jun 2004 10:02 pm

Street Shit Sheet #168 on-line edition

Street Shit Sheet  
On-Line

#168 grab it if you're poor June 2, 2004 25c if you're  
not Wednesday

“When I gave food to the poor, they called me a saint. When I asked why the  
poor were hungry, they called me a communist.”

–Dom Helder Camara , Brazilian Bishop & Nobel Peace Prize Nominee

“He who dares not offend cannot be honest.”– Thomas Paine

Sparks and Spittle from the Street

\*\*\*\* Still banned from researching documents for HUFF(1) at Parks and  
Recreation, Yeomanheart Jhon Golder(2) was spotted in circulation and merry  
even in his melancholy, scanning a fanzine at last Friday's Anarchist Caf?  
The houseless outdoorsman confided he and his faithful pooch B.W. were not  
in custody but still keeping a wary eye on the police. Police handcuffed  
and jailed Golder a month ago outside the City's Attorney's office  
apparently on the instigation of a malicious Parks and Recreation Department  
employee. Golder and elder gadfly Bathrobespierre Robert Norse had just  
finished an uneventful examination of P & R files, on assignment from HUFF  
to track down the dirt in the Lighthouse Field scandal.(3)

Several weeks after the arrest, Golder showed up in court to answer  
the charge of “violating a court order” but the judge and the D.A. didn't.  
Calls to D.A. Bob Lee's office could still not get a straight answer on  
whether they will be prosecuting Golder for the crime of “going into the  
Parks and Recreation Department.”

Golder himself is still investigating the legality of that ex parte  
restraining order banning him from numerous city offices. The “thou shalt  
not research” order was secured by City Manager-for-Life Dick Wilson in  
November of 2002 against Yeomanheart when his inquiries began to offend  
Wilson's thin-skinned staff—who weren't willing or able to give the  
inquisitive gadfly straight answers to some direct questions. The order

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supposedly expired after Golder settled the original criminal case. Many fancy charges in that case were dropped. A 2nd bizarre stipulation prevented Golder from asking more than five questions per month of any and all city agencies; it expired last August. Golder says the City still refused to answer his five written questions.

Camper-ophobic bureaucrats in Steve Hammack's Parks and Recreation Department have restriped a Lighthouse Field parking lot and inserted blocking logs to exclude longer vehicles as well as reportedly posting a "no campers" sign. Other than a purchase order to do the work, Superintendent Hammack claimed there were no written documents or e-mails on the subject from January through May of 2004, a circumstance which Bathrobespierre termed "curious and highly unlikely."

Golder may seek a hearing to establish factual innocence prior to filing a civil lawsuit to get repayment for two vehicles snatched, several jailings, and numerous punitive arrests. With all that work on Golder's plate, any volunteers to finish his "How to Fight Your Parking Ticket"? Got a yen to pinch the paunch of the Permit Parking Palookas who have put up the "no parking midnight to six am" signs? Give a call to HUFF at 423-HUFF and with your help, maybe we may actually get this flyer out on the street in usable form!

"What value has compassion that does not take its object in its arms? "  
 -Saint-Exupery, The Wisdom of the Sands (1948 )

\*\*\*\* Across N. Branciforte Avenue from the lively Anarchist Caf? "Can't Believe It" Claudia(4) vainly pleaded for her son's liberty as the 18-year old was dragged away barefoot on a Friday afternoon "Failure to Appear" warrant by five of the City's finest.

Passing by with handheld tape recorder primed and loaded, Bathrobespierre Robert noted two skulking SCPD synargettes(5) emerging from two different squad cars and tailed them up the street. On a side street, Bathrobespierre found a bevy of blue bellies convened with a police dog and a shoeless man being led in handcuffs up the street, closely followed by Claudia and several other upset friends, relatives, and neighbors. Claudia later reported that these five cops home invaded her ex-husband's house without showing an arrest warrant. They stalked into the bathroom with a police dog where the youth was showering & handcuffed him. As Bathrobespierre approached, one cop told Claudia, "do us a favor & tell us you won't talk to him."

After initial misgivings, Claudia spoke at length, calling in to give a full interview on Bathrobespierre's Broadsides two days later(6). "They took him on a Friday, the Friday before the long memorial weekend. This is the second time they've done this. So he'd spend the whole weekend in jail. He wasn't a flight risk. He's only 18. Now he risks losing his job and getting into trouble at school. He's always made his court dates. We bailed him out last time, but they say there's no bail now." Claudia also revealed that several days before she'd received a hefty financial settlement from the City because SCPD stooges had falsely arrested her in a domestic dispute and held her needlessly without probable cause for five days in jail two years ago. Could this be a plateful of penny-ante payback from police poltroondom? Why so many cops? No need for police elsewhere on a Friday evening of one of the busiest weekends of the year? Perhaps a special "shower" training for the SCPD's canine corps before they are shipped overseas for photographic snap-and-growl duty at Abu

The first part of the paper is devoted to the study of the asymptotic behavior of the solutions of the system (1) as  $t \rightarrow \infty$ . It is shown that the solutions of the system (1) are bounded and tend to zero as  $t \rightarrow \infty$  if and only if the matrix  $A$  is stable. The second part of the paper is devoted to the study of the asymptotic behavior of the solutions of the system (1) as  $t \rightarrow \infty$ . It is shown that the solutions of the system (1) are bounded and tend to zero as  $t \rightarrow \infty$  if and only if the matrix  $A$  is stable. The third part of the paper is devoted to the study of the asymptotic behavior of the solutions of the system (1) as  $t \rightarrow \infty$ . It is shown that the solutions of the system (1) are bounded and tend to zero as  $t \rightarrow \infty$  if and only if the matrix  $A$  is stable.

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Ghraib? Call SCPD boss Howard Skerry at 420-5810 to get a cost estimate. Then drop a dime on him to City Manager-for-Life Dick Wilson at 420-5010.

Coming Up Next Issue: Street chronicles of SAFE (Society for Artistic Freedom and Expression) as they strum and sing every Wednesday evening; HUFF n PUFF - Marijuana for the poor—challenging the City’s medical marijuana distribution center ban; Move-Along Law—dead or waiting to walk the night again?—the aftermath of the nine-month long Steve Argue court case; Showcasing Pugnacious Pam Bachtel—the Community Service Creepolina with a record for the most harassment citations/intrusions; Rotkin—part-time vice-Mayor, part-time Keystone Cop?—in his special guest appearance at the Civic Auditorium June 2nd.& more!

“Real generosity toward the future lies in giving all to the present.”  
—Albert Camus “Beyond Nihilism” The Rebel (1951)

1 HUFF (Homeless United for Friendship & Freedom) is a local conspiracy of housed and homeless vagabonds determined to restore human rights to the entire community, particularly the scruffy, the impoverished, and the outcast. Formed in 1989, it has been protesting, picketing and pummeling the powerful to decriminalize poverty in a city whose pompous patina of progressivism is belied by the strident stench of hypocrisy.

2 Jhon is pronounced “YO-own” and rhymes with “stone”. For this interested in scanning the sordid history of City harassment, check out his cases at the criminal and civil windows of the local courts, filed under the name “John Golder”. We Christianed the bespeckled bureaucrat bedeviler “Yeomansheart” out of recognition for his continuing courage under SCPD/City Manager fire after many many months of harassment.

3 For more bizarre details see [www.santacruz.indymedia.org](http://www.santacruz.indymedia.org) under “Research a File? Go to Jail” [5-9-04] and “Jury Trial for Homeless Activist Tuesday” [11-18-04].

4 Last name temporarily deleted at the request of the victim who fears her son, still in custody as this is written, may suffer consequences through public exposure.

5 Snarge: a person no one likes, a total jerk. Snargette: a lesser snarge.

5 Sundays 9:30 AM - 1 PM and Thursdays 6-8 PM at 101.1 FM and [www.freakradio.org](http://www.freakradio.org) . Call-in at 831-427-3772 or leave a voice mail at 423-HUFF. HUFF hopes to archive selected shows at [www.huffsantacruz.org](http://www.huffsantacruz.org)

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