

Legal for the Poor to Sleep Outside in L.A. & San Diego But Not in “Progressive” Santa Cruz

Speech to the Santa Cruz Community by Robert Norse 7-24-07

Tonight, when the Santa Cruz City Council begins its six week recess until September 11th, let's look back at how the **War on the Homeless** is going. As with President Bush's on-going Orchestrated Murder Campaign “Surge” in Iraq, we've had **our own “surge”--\$750,000 pumped into Dannette Shoemaker's Parks and Recreation Department**, at least a third of that going to fund Bumbuster Squads that roam the Pogonip ticketing poor and homeless people with no legal place to sleep.

Has Chief **Ranger John Wallace** faced criminal penalties for his organized vendetta of vandalism against the poor? No. Has he stopped sending out Labor Ready crews to destroy homeless survival gear and shred homeless tents? No. Has the City Attorney advised Wallace that the Fresno federal court in the **Kincaid decision** is holding Fresno authorities liable for their cavalier destruction of homeless property and in Santa Cruz is likely to do the same? Not that I've heard. No, this Council loves him.

Has **Mayor Reilly** advised Ranger Wallace that it's an abuse of his authority to order people to leave the parks during daylight hours because they have inadequate bicycle equipment? If not, she should look into it.

Earlier today **Officer Jim Howes** was given a special award by City Council. At least this time, the issue was on the agenda. Last time when I tried to point out Howes' repressive history with homeless people and activists, Councilmember Rotkin threatened to have me dragged from these chambers & Mayor Reilly backed up this abusive censorship, refusing to follow the Brown Act.

An award for Howes? How about giving Bush the Nobel Peace Prize for his new Iraqi strategies, or **Nancy Pelosi** a bow for stopping Iraqi war funding? Or praise **Rep. John Conyers** for arresting Cindy Sheehan 45 others at his office yesterday for insisting he make good on his commitment to call up HR 333, the impeachment bill—supported by a near-majority in the last national poll.

City Council;s cops and rangers hand out 60 \$97 tickets a month for being homeless. The 9th Circuit Court of Appeals ruled in the **Jones decision** over 15 months ago that sleeping was not a crime in Los Angeles but an involuntary need, San Diego settled with its homeless this spring legalizing nighttime sleeping. Richmond wrote it into its new camping law more than a year ago.

Yet our legal eagle, Vice-Mayor **Ryan Coonerty** not only refuses to abide by the Jones decision, but won't even allow the community to see the secret memo that **City Attorney John Barisone** wrote to Council last year. This memo—though Rotkin, Reilly, and Coonerty refuse to release it—reportedly advises the Council to flout the Constitution, ignore the 8th Amendment against Cruel and Unusual Punishment, and subject the City to a costly lawsuit.

Every Sunday at 2 PM HUFF and the *Human Rights Organization* are gathering in front of Coonerty's Bookshop Santa Cruz to ask Vice-Mayor Coonerty, “why?” So far, he has declined to explain. We have 27 potential plaintiffs who have signed up to ask the federal courts to force Police Chief Howard Skerry—who likes to write his own rules on political surveillance—to follow the Constitution's rules and stop arresting homeless people at night for involuntary sleeping. There are 1500-2000 without shelter in the City Limits tonight and space for only 40 in the emergency Interfaith Satellite Shelter Program. Vets, vulnerable women, youth—all face this Council's Sleeping Ban law.

2 PM every Sunday on Pacific Avenue at 1520 Pacific. We invite you to join us. On Sunday August 12th, housed and homeless people will seek shelter here on the City Hall grounds. Because no human being is illegal. **The War on the Poor and the War in Iraq must end.** Join our Vigil Against Two Wars every Sunday next to the Scribner Statute outside the Bookshop Santa Cruz. And join us on August 12th to restore dignity and basic human rights to Santa Cruz.