

# HOMeward

## Street Journal



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Volume 6, No. 4

Member NASNA  
North American Street Newspaper Association

August, 2002

## Daily Fast Continues at Board of Supervisors.

The Daily Fast for a year-round women's and children's shelter begun on March 18th is still on-going. Over 300 participants have fasted for one day or up to three days, sitting in the waiting room of the County Board of Supervisors.

Anyone interested in participating is encouraged to contact Joan Burke at Loaves & Fishes, 448-0874.

## Walk for Rights Leads to Jail

Homeless Advocates Arrested in Right-to-Sleep Protest at California State Capitol

### Staff Report

Sacramento, CA., July 11, 2002 — Eight participants in a Right-to-Sleep Rally at the California State Capitol were arrested for attempting to spend the night on Capitol grounds. Rally participants reported that they received conflicting statements from CHP officers about whether they would be able to continue the protest overnight. After

several hours of what the activists considered harassment, eight individuals were arrested about 2:15 AM under the state's 647) anti-lodging law, and for refusing an order to disperse at the scene of a riot (!!).

Participants said about forty people were present when the CHP officers gave a final warning to leave the Capitol grounds. The eight voluntarily refused to depart - in order to make a political statement - and were taken into custody.

Of the eight, four were from out of town, and four were Sacramento residents. It wasn't until 11 PM the next evening that the last of the protestors was O/R'd from the county jail, although the judge's release order was issued at 10 AM that morning. Their cases are still pending.

The rally was organized by the California Homeless Civil Rights Organizing Project (CHCROP), a coal-



The CHCROP support truck for the walk from San Diego which attracted so much attention

tion of homeless advocate organizations throughout California. The purpose was to bring to the attention of Governor Gray Davis the arbitrary and often oppressive anti-homeless ordinances passed by cities and counties in California.

In a story about the rally

see **Right-to-Sleep** page 2

## BILLY WINS

### Local Homeless Man Tests Eicorn Necessity Defense - Jury Rules Not Guilty

### Staff Report

Billy McManus has been living off and on down by the American River in Sacramento for about seventeen years. An experienced camper, nevertheless he was caught and cited for misdemeanor illegal camping near Camp Pollock on February 25, March 6 and March 14, 2002. The courts have usually found some way around someone going to jury trial for a camping ticket. This time, though, Billy refused a plea bargain, and plead not guilty. The authorities decided not to drop the charges. The fight was on - People vs. McManus.

McManus' defense attorney, Kelly Tanalepy, used a "necessity defense", citing a 1998 appellate case that overturned a similar charge against a homeless man, James W. Eichorn of Santa Ana. Santa Barbara, also, has had a case that upheld the "Eichorn decision", which it is now called.

A necessity defense is allowable only when evi-

dence shows the defendant violated a law to prevent a greater harm. Six criteria must be met:

- 1) to prevent a significant evil; Tanalepy, his defense attorney, stated not sleeping would be significantly evil and be eminently harmful. Sleep is, after all, as necessary for staying alive as eating.
- 2) with no adequate alternative; John Foley of Self-Help Housing, Joan Burke of Loaves & Fishes and others testified about the lack of affordable housing and shelter beds and lack of accommodations for his dogs, which he considers family and will not give up.
- 3) without creating a greater danger; McManus camped in a hidden spot by Camp Pollock where he felt he would be safer than if he stayed downtown. He felt that seeking alternatives would put him more in danger, keeping him walking around all night, not sleeping, vulnerable to attack.
- 4) with a good-faith belief in the necessity; Billy had explained his reasoning to

see **Billy** page 5

## Federal Appeals Court Recognizes Church's Right to Help Homeless People

### staff report

On June 12, 2002, the United States Court of Appeals for the Second Circuit upheld an earlier injunction issued by U.S. District Court for the Southern District of New York, against New York City, which prevents the New York police from forcing homeless people to leave the steps of the Fifth Avenue Presbyterian Church in Manhattan, New York.

Since 1999, the Fifth

Avenue Presbyterian Church has allowed homeless people to sleep on the landings of the staircases leading to the sanctuary, approximately six feet above the sidewalk, and along the sidewalk on one side of the building.

This is an organized ministry of the Fifth Ave. Presbyterian Church, which views its outdoor space as a sanctuary for the service-resistant homeless. Persons

see **Court** page 4



## STREET NEWS SERVICE

www.streetnewsservice.org

## North American News Digest

Compiled by Molly Rhodes  
July-August, 2002

**T**he fight between San Francisco homeless advocates over how to best serve their clients has come one step closer to reaching the November ballot. Earlier this month, Supervisor Gavin Newsom submitted signatures to City Hall for his Care Not Cash initiative, which would take the money that is currently being given directly to homeless people to more or less use as they please — between \$320 and \$395 per person on average — and redirect it into specific programs to provide services and support. According to the San Francisco Chronicle, the proposed initiative has support among people who see the current cash give away as too tempting for families and individuals who have no intention of using the money to do anything but feed habits, such as using drugs and alcohol, that only keep them homeless. Yet critics doubt that the same city officials who have created the current homeless crisis will be able to put together the kind of programs needed to help people put their lives back together. The only things that these two groups do agree on is that, despite throwing more than \$100 million towards the homeless problem every year, the city is not doing nearly enough to bring about true change. More information on the initiative can be found at [www.carenotcash.org](http://www.carenotcash.org).

**N**ot only do they want the homeless's cash, San Francisco officials unveiled the spanking new Union Square plaza on July 25 in the heart of the city's downtown shopping district. According to the San Francisco Chronicle, residents, tourists, and politicians alike celebrated with glee that the 2.6 acre plaza would no longer be a "so dirty, so bad," "unfriendly place" which the homeless population used as their personal dumping ground. When Mayor Willie Brown proudly declared "Use it, it is your square," "your" only referred to the people who could afford to shop regularly in the surrounding department stores.

**D**oes your city have a problem with heroin users found dead in public toilets, hostile hackysack players, and women out for a downtown stroll being licked in the face? Blame it on the homeless! That's what the once ultra-liberal Santa Cruz, Calif., city council decided to do, starting with the passage of a law the end of July to end aggressive panhandling, according to reports in both the San Jose Mercury News and the San Francisco Chronicle. It appears the trouble started when the council had the audacity to consider legalizing car camping and allowing a homeless encampment to remain on a nearby riverbank. Local residents can now breathe a sign of relief that councilmembers are no longer intimidated by homeless advocates who dared to argue that homeless encampments are the most dignified alternative to the lack of affordable housing in an area where a studio now costs an average \$740 a month.

**A** second person has been charged in the murder of Gregory Biggs, a homeless man who was hit by a car and left stuck in the windshield until he died. Clete Jackson was indicted for evidence tampering for removing Biggs from the windshield after he died and dumping his body in a park, in an apparent attempt to cover up the hit and run by his friend, Chante Mallard, the driver of the car. Mallard was indicted for murder in April, and is awaiting trial in jail on \$250,000 bail.

**L**oss of airline traffic could be a gain for homeless families living in the vicinity of John F. Kennedy airport in New York, where a Manhattan federal bankruptcy judge has ordered the owners of a closed airport hotel to reopen the space as a shelter for homeless families. According to Newsday, the shelter will be run by the Salvation Army through the end of September and will provide a home for at least 10 families as they seek permanent housing. Business owners near the Queens airport don't like the idea of a shelter in the middle of a prosperous strip of real estate. "While we are concerned about the plight of homeless families," said Queens Borough President Helen Marshall in a press release, "we cannot stand by and watch them warehoused in a totally inappropriate site that is near the epicenter of an economic development renaissance."

**H**omeless children living in the Washington, D.C., area, will be recognized as having the right to enroll in local schools and receive the services necessary to stay in school. According to the Washington Post, under the McKinney-Vento Homeless Assistance Act, all school districts have to offer homeless children the option of staying in their current school even when their living situation changes and provide the transportation necessary to get them to school. The changes in Washington came about after four brothers were barred from attending school in Montgomery County because their family could not provide proof of residency in the school district.

## Right-to-Sleep

cont. from page 1

in the Sacramento Bee, July 11th, Russ Lopez was quoted as saying that the state was working on the problem. He reportedly also said that Governor Davis does not have the authority to force cities and counties to change local laws. It is the contention of CHCROP members that homeless people in California are being deprived of their rights and being treated unequally from housed citizens by local authorities. That it is the responsibility of the State to ensure that the civil rights of all citizens, guaranteed by the Constitutions of the United States and the Republic of California, are appropriately enforced, which the members of CHCROP say is not happening.

In some cities sleeping, a necessary activity for an individual's health and well-being, is itself made illegal between sunset and sunrise when done outside. In some cities, covering up with a blanket at night is illegal. In others, just sitting on a sidewalk can result in arrests or fines. Sacramento has what are called anti-camping ordinances, which make a misdemeanor out of behaviors associated with living outside, such as laying out a sleeping bag, setting up some kind of shelter like a lean-to or tent, or possessing a camp stove for cooking.

Present at the rally were CHCROP members who had walked from San Diego to San Francisco to bring public attention to the problem. The day prior to the rally they tried to meet with the Governor or a representative at the Capitol in order to deliver a letter and signatures that they had carried with them, but were told by office staff that it had to be mailed and were directed to the mail room. The mail room at the Capitol refused to accept the letter because it hadn't arrived through a mail carrier. In the end, they were unable to deliver it at the Capitol and so faxed the letter to the Governor's office, to ensure he received it before the rally, and also sent it with all the signatures through the post office.

The letter said, in part: "...Each day, thousands of

Californians live in peril of detention, abuse, or incarceration for no reason other than that they have no home. Reports from the National Law Center for Homelessness and Poverty show that homeless people are being run out of towns, going to jail, and suffering persecution from nearly every city in California. City and state laws banning sleep, camping, lodging, and the possession of blankets restrict a basic survival activity of homeless people. Rather than addressing the causes of poverty and homelessness, these policies push homeless men, women and children out of sight and into jail. Rather than aid the homeless person in their struggle for decent housing and well-being, these policies further burden homeless individuals with fines, criminal records, and social alienation..."

"...Governor Davis, we necessitate that you declare an immediate executive order or introduce emergency legislation placing a moratorium upon anti-sleeping ordinances throughout California. So long as our state experiences the emergency of homelessness, it must not be illegal to sleep outside or in vehicles. We say to you that we necessitate this action because sleep is not an option for humans, it is a necessity. As shown in the ruling of the Fourth Appellate District Court *In re James Warner Eichorn*, regarding the case of Santa Ana homeless resident James Eichorn, if a person has no place to sleep because shelters are full, sleeping outdoors in public areas is a necessity and a constitutional right of that person...."

The rally began at 2 PM with several speakers from around California.

Rev. Gilbert Salbati, from the Los Angeles Coalition to End Homelessness, who has worked with homeless issues for fourteen years, discussed how most homeless people tend to remain in their own communities, even if shelters are available elsewhere. "They have been born and raised within their community ... but if that community doesn't

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# Right-to-Sleep continued from page 2

have affordable housing, and if that community doesn't have a shelter, where will they sleep? ... And so the cities think that the answer to that is to create laws that will criminalize them for their housing status. The last time I remember the way laws and rules were, people were to be criminalized for behavior, not for sleeping status. And it is very unfair..." he said. He went on to speak about the Governor's Interagency Task Force on Homelessness, how the Governor spoke there, how he testified there, and how all the agencies said they were going to end homelessness within ten years - "... you need to listen to us, and not to those who sit in their office all day long, but listen to those who have held the hurt of homelessness within their lives ..." he concluded.

Nancy McGradie, of Homes on Wheels in Santa Barbara, and one of the CHCROP Right-to-Sleep Walkers, congratulated the rally participants for having the courage to attend. "In every city and county that we walked through, it was very difficult to get homeless people to walk with us," she said. "I'm one of the kind of people that are a little different than other people. I believe that this government is for the people and by the people, and I don't like to see us all push at our representatives in a bad way. I think we want to invite our representatives to work with us - but I think it is a really important thing for you to understand that you have the power to be the government in this country. And you need to be heard, and you need to be a representative for yourself... Unless we all get together and work on this together, it's not going to happen for us. So that's why I appreciate your courage today, because I see people who are trying to do something for themselves."

Susan Cobb, another one of the Right-to-Sleep Walkers from Ventura, CA, related her own experience with local authorities depriving people of sleep: "When the poor of this nation are going to jail the moment it is humanly impossible to remain awake, then it is time for the rest of the country to wake up. When the right to sustain life is removed from one citizen group, it is removed from all," she began, and held up a slip of paper. "Here is a ticket for sleeping. It is not a ticket I received for sleeping because I was asleep. It was a ticket I received because I failed to keep my seven-year-old awake. It states 11:26 PM Tuesday. Eleven

twenty-six is usually past a 7-year olds' bed time. We had been ordered to remain outside of our RV and walk around for the night in order to comply with the law. Our other choice was to leave town by sundown. I had a daughter in high school at that time. It was a tough choice - I decided to stay... I raised a family fighting these laws against the homeless. Six kids who are now adult citizens... Six more people who have had to endure the travesty and the insanity of inhumane torture like this. Have had to fear that at any moment they could lose their home, their mom, their brothers and sisters, and all their possessions. Six kids who knew beyond a shadow of a doubt that the Bill of Rights, and the Declaration of Independence, and the Constitution, which they were being taught to love, just didn't include them... How many children will yet have to grow up this way?"

Terry Messman, editor of Street Spirit, a bay area street paper, spoke about how politicians are trying to treat the homeless as second-class citizens and what other groups in the bay area are doing to resist. "What is happening in San Francisco - in that most liberal of cities - is the Religious Witness With Homeless People. The top clergy, the bishops, the priests, the rabbis, all got together and they built a bill-board on Civic Center Plaza in San Francisco a couple months ago. That bill-board was about homelessness, but it was one of the saddest, most solemn, most shocking bill-boards you could see. It has the names of 1800 - one-thousand eight hundred - homeless people who have died in rich, liberal San Francisco. Homeless people who have died, and now their names are on a wall, like the Vietnam wall. And why is that? People died in Vietnam because there was a war. People died in San Francisco because there is a war against the poor. It is a war carried on by the land-lords, enforced by the police, who criminalize people the land-lords have evicted. So this religious coalition said we have to remember that homelessness causes death. Homelessness is deadly. The police of San Francisco criminalize homelessness, they become one more

servant of death. They push people off the streets, they make it illegal for them to sleep, they give 20,000 tickets a year or more for sleeping - for existing - and all those things push people into that final oblivion of poverty, which is called death... One of the most shocking things about the memorial wall in San Francisco, is that when you add up the average ages of those who have died homeless, it's in the mid-forties. What that means is, yes, old people die on the streets, infants die on the streets, children die on the streets, but if you add up the average age it's 45. That fact should sicken and outrage us, because the average age of death in America is 73, and yet the average age of those who die on the street is in the mid-forties. Why? Because people are pushed into an early grave because of the injustice of what Dorothy Day, the Catholic Worker, called this filthy, rotten, lousy system. So, that is what our fight is, against a filthy, rotten, lousy system, that doesn't just criminalize and evict us, but actually causes premature death of those who are poor."

Tommy Clickenbeard, Sacramento Public Defender and advocate for equality under the law, had more to say about how the homeless are treated as second-class citizens.

"...People are tired of how the governor and this state have handled the homeless problem. The poster concerning this rally talked about unjust laws. It is not just the unjust laws, it is the unfair, selective enforcement of those laws... About three and a half years ago I started a legal clinic at Loaves & Fishes to help people fight back. The type of offenses that people are cited for, they go to jail for, are things like throwing a cigarette butt in the gutter. Now you can walk downtown or in the suburbs anytime day or night and watch people throw cigarette butts in the gutter, and nobody gets cited, or arrested, because nobody cares. But if someone they suspect of being homeless is doing that, they are littering, and they will get a ticket, they will be arrested. Jaywalking: walk downtown anytime and watch people jaywalking, nobody cares, but if you're down by Loaves & Fishes, and you jaywalk, you're going to get stopped, your bags are going to be searched, and you might go to jail. Bicycling the wrong way: how many times have you been out to



Tommy Clickenbeard



The Cobbs and Nancy McGradie



Terry Messman

Elk Grove, Roseville, Folsom, and seen the police pulling people over for riding their bicycle the wrong way? But go downtown here, to 16th or 12th, and you can see it happening to people they suspect are homeless. Go to the outdoor concerts, Friday night, they have a beer garden. People get drunk, people are dancing. If you're homeless, and you're dancing, you will be pulled away by the Bumblebees (the Downtown Guides), you will be searched, you will be tested to see if you're drunk in public, and you will be arrested.

"There is a history in this country of selecting groups and treating them like second-class citizens, whether African-Americans, Latinos, Mexican-Americans, women: Throughout our history we have done that, and now it's the homeless who we are treating like second-class citizens. And in every case throughout history that we've done that, we've put labels on people. Lazy, dumb, troublemaker - putting labels on people makes it easy to treat people as something other than a human being. And we're doing it now in this country, in this state, and in this city. And in every case, whether it was African-Americans, the Chinese, the Catholics, whoever was the target, in every case our political leaders and law enforcement sat back and did nothing until public opinion finally shifted and it became the politically right thing to do - to stand up and say, you can't do that... Now we are at a point in our society where the fight is about the right to sleep, and consistent with our history of hypocrisy and selective enforcement, people have been targeted... Everybody here, and everyone who is not here, who is involved with this fight, knows we'll never give up... And the Governor and the law enforcement of this town, they need to know that. It isn't going to stop, it's going to go on and on and on, until things change."

The world we have made as a result of the level of thinking we have done thus far creates problems we cannot solve at the same level of thinking at which we created them

Albert Einstein



# Court cont. from page 1

taking advantage of the church's invitation to sleep on its outdoor property are given a list of rules they agree to abide by, which includes forbidding begging, loud music, disruptive behavior, and foul language, along with restrictions on the hours the homeless can be there. About 20 people were normally sleeping on the church's property.

In November of 2001, the New York police informed the church that they would no longer allow the Presbyterians to do this, and beginning in early December of 2001, began removing homeless people during the night, forcing them to leave or be arrested.

The church filed a suit against New York in District Court for violations of the 1st Amendment, trespass laws, deprivation of due process, and the New York Constitution. The church sought injunctive relief to prevent the City from entering onto church property and dispersing the homeless.

Following a hearing, the District Court issued an order granting in part the church's request. The District Court concluded that allowing homeless people to sleep on church property is protected religious activity because it allows the church to interact with and help the individuals better their lives. The court rejected the city's argument that the church was running a de facto shelter, and that the very presence of the homeless amounted to a public nuisance.

However, the injunction was issued only for the area of church property on the stair landings, above the sidewalk. The court agreed with the city that it is permitted to regulate the presence of sleeping people on land directly adjacent to a public sidewalk.

New York City appealed the District Court's ruling, and the United States Court of Appeals for the Second District, who's decisions are binding in New York, Connecticut and Vermont, heard arguments late in May, 2002. The Appeals Court upheld the lower court's injunction.

The Appeals Court agreed with the District Court that the church had demonstrated a likelihood of success in

establishing that its provision of outdoor sleeping space for the homeless is an expression of sincerely held religious beliefs, and therefore protected under the free exercise clause of the 1st Amendment. The court also noted that in order for a government action to interfere with the 1st Amendment, there must be overriding reasons of extraordinary importance, and the resulting restrictions must be "narrowly tailored" to fulfill those reasons. (Church of Lukumi Babalu Aye, Inc. vs City of Hialeah, 508 U.S.)

It concluded its ruling by stating:

"Thus, at the present time, the City has not sufficiently shown the existence of a relevant law or policy that is neutral and of general applicability, and that would therefore justify its actions in dispersing the homeless from the church's landings and steps. For the first time in its reply brief, the City argues that its dispersal of the homeless from Presbyterian's property is justified by a compelling state governmental interest, namely, 'preventing the Church from providing inadequate shelter nightly and encouraging homeless persons to avoid a safer, more civilized alternative.' Although arguments raised for the first time in a reply brief need not be considered, we note that the homeless who take advantage of the Church's offer, ten of whom are plaintiffs in this action, do so voluntarily. Moreover, common sense, in addition to evidence put forth by the homeless plaintiffs, suggests that the majority of these homeless will not go to shelters if the City is permitted to disperse them; rather, they will find another place on the street upon which to sleep. Thus, it is doubtful that the 'ends' support the City's 'means', nor has the City attempted to show that police dispersal in the middle of the night is the least restrictive means of accomplishing its goal of ensuring that the homeless have appropriate sleeping quarters."

Despite two rulings against it, New York City's government still maintains it has jurisdiction over church property, and the Presbyterian Church's website indicates that they will have to go to trial in order to compel the city to recognize the church's Constitutional Rights..

## What's Going On?

by Sim Bloxton, Jr.

How can a "Humane Being" take another "Humane Being" and put this person as an "Inhumane Being"? Who is truly "Humane"? We as a nation must start to look at people as they (you) are. I know you are wondering what this "Humane Being" is talking about. I am talking about "Homelessness".

Most people look at a "Homeless Being" without consideration, not knowing that that "Humane Being" is looking for the same thing in life that he or she is looking for.

But first we must consider that if you are paying rent or a mortgage on your home, you are homeless too. This is because the job you have is not secure. You can be laid off anytime. Even if you have a home and are secure, you are homeless. (Thank about it.) Today homelessness comes in many forms and out of all fashion.

We can trace history. we have always said "This is the poor". This is because they don't have what the masses have. Consider again they started off with the same dream you had. Many still have dreams. The only thing that stops them is a job. Some are truly mentally ill. Some are so depressed that they seek drugs (alcohol, crack, crack, etc.). Some just want to live that way. But regardless, they are "Humane Beings".

We as a society must define four words accurately. These words are: camping, shelter, paraphernalia, and harass. These are the words that are being used against the homeless. The American Heritage dictionary of the American Language defines these words as:

### 1. Camp

1a. A place where a body of men, such as soldiers, miners, or sportsmen, are temporarily lodged in tents, huts, or other makeshift shelters. 1b. The shelters in such a place or the persons using them. 2. A place consisting of more or less permanent cabins or other shelters, used for vacationing or recreational purposes. 3. Military service; army life. 4. A group of persons, parties, or states favorable to a common cause, doctrine, or political system; the socialist camp. -v. Camped, camping, camps. 4r. To shelter or lodge in a camp; encamp. -Intr. 1. To make or set up camp. Often used with down. 2. To live in or as if in a camp. We camped in the apartment until the furniture arrived. [Old French, from Old North French, from Latin *campus*, open field]

### 2. Shelter

1a. Something that provides cover or protection, as from the weather. 1b. A refuge, haven. 2. The state of being covered or protected. -v. Shelter, -tering, ters. -tr. To provide cover or protection for. -intr. To take cover, to find refuge. [Origin uncertain] -shelterer n.

Synonyms: shelter, cover, retreat, refuge, asylum, sanctuary, haven. These nouns refer to places that afford protection or to the condition of being protected. Shelter usually implies an enclosed area that protects temporarily against a specific threat, such as a storm or air raid. Cover suggests a concealed place resorted to hastily for temporary protection. Retreat applies chiefly to a place of seclusion to which one retires for meditation or to escape the demands of worldly affairs. Refuge suggests a place of escape, real or figuratively, from actual pursuit or from harassment. Asylum adds to refuge the idea of legal protection against a

pursuer or of immunity to prosecution. Sanctuary denotes a sacred or inviolable place of refuge. Haven can apply to an anchorage or broadly to any sheltered place. We will exclude asylum.

### 3. Paraphernalia

n. Something used with a plural verb. 1. Personal belongings. 2. The articles used in some activity; equipment, gear. 3. Common law. A married woman's personal property, exclusive of her dowry. [Medieval Latin *paraphernalia* (in sense 3), from Greek]

### 4. Harass

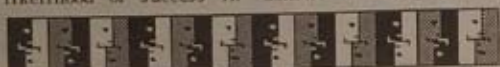
1. To disturb or irritate persistently. 2. To wear out, exhaust. 3. To enervate (an enemy) by repeat attacks or raids [French *harasser*, from Old French *harer*, to set a dog on, perhaps from Old High German *haran*, to call.]

Synonyms: harass, hound, badger, pester, plague, bait, torment. These verbs are closely related when they mean to trouble or disturb persons. Harass implies systematic persecution by besetting with annoyances, threats, or demands. Hound suggests unrelenting pursuing or dunning in order to gain a desired end. Badger refers to persistent nagging or teasing, pester to the inflicting of a succession of petty annoyances or distractions, and plague to the inflicting of worry, vexation, or other mental tribulations over an extended period. Bait implies deliberate persecution by taunting, insulting, or heckling. Torment, the most general of these terms, is applicable to any action that inflicts distress, vexation or the like.

Now that the four words have been defined, let us see how it affects the homeless. This city has passed a camping law. The law is not truly a camping law. It is a sleeping law. For anywhere a homeless person seeks sleep, he or she is harassed and persecuted. He is put to a mental depression. He is always under pressure (harassed). He is only seeking four or five hours of sleep. This will help him to face another day with an open mind. He is afraid. He is being pressured by the Guides, Park Patrols, and the police! As I mentioned before, many are mentally ill. This kind of pressure is not good for them. Governor Reagan took these people out of institutions to become homeless. Many need to be under care.

This harassment brings on depression. This is another sign of mental illness that is hard to detect. This is because many do not want to be on medication, which makes them like a zombie. It is many things the homeless must face every day. Hardship is one of them. And these homeless persons being citizens of this city (making this city their home), a tax payer one way, hoping to be a tax payer by getting a job. Some become citizens and help citizens out. This will build a strong city. This being the Capitol, start here. Be civilized.

Most large cities have enough shelters to meet the requirements of people that are homeless. This is because many people are passing through and might want to visit the city. I, myself, have talked to many people who want to visit Old Sac and spend a day or two that were surprised when they found out they did not have any shelter to accommodate them. Many people are not looking to put a hotel fee. They just want a place of refuge. One person said this was a Hick Town. They also said that population does not make a city. So it is time for our representatives to bring up the shelter standard, not only for the homeless, but for the visitors as who want to spend the night.





# Welcome to HOMEWARD:

Please help us make a difference!



Homeward Street Journal has been publishing since 1997 as a non-profit project of the Sacramento Homeless Organizing Committee, which is a part of the Sacramento Housing Alliance. The paper's mission is to alleviate miscommunication between communities by educating the public about housing and poverty issues, and by giving the homeless a voice in the public forum. Homeward also informs the homeless of shelter and occupational assistance, and acts as a creative self-help opportunity for those individuals who wish to participate. The opinions expressed in Homeward are those of the authors, and not necessarily the Sacramento Housing Alliance or SHOC or Homeward.

## Submissions and Editorial Policy

We welcome any participation or contributions: Articles, poems and other writing can be submitted at our office in the Loaves & Fishes complex, or mailed to the address below.

All writing submitted for publication will be edited as necessary, with due respect for the authors' intent. The editors will attempt to consult with an author if changes are necessary, however, the paper will go to print with the story as edited. If the author is unavailable:

All letters to the Editor must be signed to be published. If the writer wishes to remain anonymous, she should so state, but the letter must still be signed.

Poetry and graphics will not be edited, either the paper will publish the submission or not.

In submitting articles to the paper, authors give their permission to print their submissions in accordance with the above stipulations, as well as publishing excerpts on Homeward's webpage and possible reprinting in SHOC member papers, with due notice. Any requests for stories outside the above three will be referred to the author.

Subscriptions are available with a \$15 contribution. Make checks out to SHOC.

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excerpts from the paper are published  
on the web at  
http://users.oznet.com/~shoc/home

## Joining SHA

The Sacramento Housing Alliance is a network of concerned citizens which promotes decent affordable housing for low-income households and homeless people through advocacy and participation in public discourse.

# MAX'S VIEW

by Max Biddle

Political Commentary  
on Poverty Issues

What will be the consequences for the poor and the homeless during this economic stagnation and business turmoil? It will probably be worse than we suspect. I feel the homeless population over the next decade will begin to grow again as they did during the Reagan years of the '80's and may come to match the 1930's worst depression years.

With the evaporation of tax funds by local and state governments, and the severe cutbacks in charitable contributions, dealing with homeless and affordable housing issues will become severely problematical. Local authorities who could have dealt with these issues when they had the resources, failed to move on these problems aggressively and in a timely manner. Now the opportunity fades away with our collapsing economy.

Add to the situation apartment owners rejecting Section 8 vouchers, and trying to evict Section 8 tenants already in residence, in order to extract higher rents from more prosperous tenants, and the continuous pressure to limit single residential facilities (hotels), and the result is more homelessness.

And what happens when local governments fail to address these problems during times of relative prosperity? They resort to using police powers by the local police and sheriff departments to solve their neglected social problems. In concert with the business sector's private police

forces they apply brutal tactics, intimidation and fear, in an attempt to rid the community of those they consider socially undesirable. A return to "economic cleansing" policy.

The irony of all this is the people who oppose any attempt at solving these problems are the first to complain about people living on the streets. Builders, landlords, and local government officials are the same people who oppose any form of rent control, even though their actions cause the circumstances that create the need for such policies.

I can't help but feel there's money somewhere for housing the poor when I look around the Capitol and see how many new State buildings are sprouting up all over the place. One of these is the new Department of Education building going up across from the Capitol. I read every day about schools in near collapse and in need of all kinds of repair and wonder how much this striking edifice cost. I wonder how much public money was diverted from much needed school repairs so that the bureaucrats could work in such comfort.

When you realize you could probably house all Sacramento's homeless in just one of these new fancy State skyscrapers, you fully appreciate the lack of public will to solve our housing problems. But heaven forbid we follow a morally and conscientious policy of providing for the poor first.

The conventional army loses if it does not win. The guerilla wins if they do not lose. Henry Kissinger

The SHA does not itself provide or manage housing.

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# Billy

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the jury. He decided to go away from tourist areas, away from town. He does not knock on people's doors, pan handle on freeways.

5) that the belief was reasonable: Arrests and citations for camping had drastically increased, letting him know that shelter beds would most likely not be available. 6) that the defendant did not substantially contribute to the emergency: Billy works as a social worker, helping guests at Loaves & Fishes. John Foley testified he has actively tried to get housing.

Deputy City Attorney Lan Wang said it was a simple case - Billy is guilty. Wang said Billy chooses to be homeless. Tanalepy, for the defense, reminded the jury that no one thinks its fun to sleep out in 35 degree weather or on an evening when it rained an inch that day (conditions of 2 of the days cited). Wang told the jury that Billy was playing on their sympathies. Wang said that Billy should save his money to get a place. It was brought out in court that Billy made anywhere from \$200 to \$400 maximum per month. (If he saved for three months, he could afford an apartment for one month.)

There were arguments about Billy's 3 dogs. Wang said that if Billy gave up his dogs, he'd have a better chance of finding shelter or housing. Tanalepy pointed out that one of the problems along the Parkway, previously mentioned, were the abandoned

animals, which would not be a good move for Billy. He considers his dogs as his family. To give up his dogs for a 2 week stay in a shelter would not be a reasonable choice.

A strong issue for the prosecution was the environmental damage homeless people have allegedly been causing on the American River Parkway. Rangers and police testified about the amount of trash, VCR's, hidabeds, shopping carts, cans, liquor bottles, human waste, tampons and syringes they had to clean up; about fire pits and platforms dug into the ground, about elderberry bushes being hacked.

The jury went off to decide the verdict after the closing arguments on August 5 (Monday afternoon), and did not arrive at the verdict until August 8 (Thursday morning).

The jury agreed unanimously that Billy was not guilty on the February 25th charge. The March 6 and March 14 charges were a hung jury, one juror not agreeing with the others on a not guilty verdict.

After the trial Billy McManus and his attorney, Kelly Tanalepy, have been congratulated by homeless people, homeless advocates, housing advocates, sensible community members from Sacramento and beyond. As we write this story Friday, August 9th, a news-cameraman was just seen following Billy down North C Street as he goes to work at the Loaves & Fishes dog kennels.

## Right-to-Sleep T-Shirt Protest



Creative T-shirts has donated 500 silk screenings for the right-to-sleep campaign. SHOC needs as many white t-shirts, preferably new and in various sizes, as we can acquire. Any quantity donation will be greatly appreciated. If you would like to give, please call 916-442-2156 weekdays between 8 AM & 4 PM to make arraignments.



# NASNA in Boston



## Staff Report

Two representatives of the Homeward Street Journal attended this year's North American Street Newspaper Association Convention in Boston, Massachusetts July 18 - 21, 2002. The Association is a coalition of street papers in the United States and Canada formed to provide mutual support, the sharing of news, and technical assistance in order to increase communication about homeless issues in an alternative press, since the main-stream media often ignores such issues.

The opening speech at this year's conference was given by Boston's Mayor Thomas Menino. Mayor Menino is serving his third term, and as been proactive in increasing affordable housing. He has made affordable housing a priority in Boston, boosting housing starts 135 percent since 1999. In 2000, the city permitted 4,686 new units of housing, 1,803 of which were affordable; rehabilitated 616 vacant public housing units, and prevented 2,802 affordable rental units from going to market rate rents.

Mayor Menino talked about the "sad reality" that society is losing ground on a national level, that he has seen the homeless double, even triple, in many localities. He expressed regret that this nation's priority seems to be the defense department, not housing. He said he is getting frustrated at State and Federal budget cuts, which adversely effect his ability to provide housing for all Bostonians. That most have a wrong perception of the homeless, and he needs help to get elected officials to understand the necessity of housing - "Shelter is not permanent housing" and will not

resolve the homeless issue. He asked the street papers to help affect change, to use newspapers to talk about need for housing, decent education and quality programs.

The Conference included two days of work shops that covered about every aspect of the street paper movement. From practical classes on design, layout and reporting; how to set up vending and selling, marketing and funding a paper; to Civil Rights issues and Civil Disobedience as a means of social change, there was plenty of learning opportunities to participate in.



Mayor Thomas Menino

But it wasn't all work. On Saturday night conference attendees went on a Duck Tour, which was a tour of Boston in amphibious trucks, first through the city streets, then boating on the Charles River (in the same vehicle), with a clam bake afterwards.

Sunday was a vend-off in Harvard Square, Cambridge, to see who could sell the most papers. No permits needed, no problem from the local constabulary — a very cosmopolitan city. The city also has an extensive subway system, and for one dollar, a person can go just about everywhere in Boston or Cambridge — it was the primary means of transportation for those at the conference.

The key-note speaker for the conference was Howard Zinn. Now 77 years old, he was raised by blue-collar parents with limited educational opportunities. He served as a bombardier in World War II. He was a collage professor in Atlanta

during the 1950's and became an out-spoken supporter of the civil rights movement. In the 60's he teamed with Noam Chomsky to work against the Vietnam War. One of his best known books is *A People's History of the United States*, written from the perspective of his own vision that historical change is brought about more through mass movements of common people, than through the efforts of so-called Great Men.

He said that when he first saw *Spare Change* (the Boston street paper), he felt an immediate kinship with it "making visible the invisible people". Instead of having the Dow Jones on the evening news, why not have the stats on how many are looking for housing, or a job? he asked.

He said that America is only number one in one thing — weaponry, that it is 13th or 14th among the world's countries in taking care of its citizens. He said what is fundamentally wrong with the market system is that it is based on the idea of profit. That if it is profitable to build an insurance high-rise, that will be built rather than housing. If it is more profitable to build Nukes, then it is Nukes that will be built. He described what we have today as a dramatic illustration about the connection between government and business — and it is both political parties that have been in bed with business. The government will pass legislation to give 400 billion to the military, but have no money for housing. And the military uses the money to bomb others into homelessness — why should it

care about our own homeless?

He said that the only time government responds is when people organize and protest. The first time was in the 30's. Social Security, public housing, the new deal, was brought about by the people organizing and protesting. There were too many for the sheriff and police to do anything about. Working people have always had to use direct action to get what they needed — it has never been given willingly by the government.

He talked about how the Declaration of Independence of 1776 identified governments as artificial creations — not holy — created by the people of a country to achieve certain ends, among them liberty and equality. But the Declaration was put aside and not made law by the adopting of the Constitution in 1787. The Constitution set up a government to take care of the needs of the elite and suppress rebellion, as opposed to what had been written in the Declaration. To be patriotic means

following the principals of the Declaration of Independence, not a government that violates the Declaration of Independence, he said

He talked about how the United States signed the Universal Declaration of Human Rights in 1948, and that it is a promise that has not been kept. It is the job of the people to see to it that promises are kept. Only when the people demand the promises — or else — will the government listen. Enforcement can only come when the people do the enforcing, he concluded.



Howard Zinn



L to R: Linda, Terry, and Marsha in the vend-off at Harvard Square





## A Book Review PROPHETS WITHOUT HONOR: A Requiem for Moral Patriotism

by William Strabala, Michael Palecek

Available from Barnes & Noble or Amazon.com

The book deals with the historical necessity of protest in the U.S. and offers the lives and careers of these priests as example: Carl Kabat, Darrell Rupiper, Roy Bourgeois, Frank Cordaro, Larry Rosebaugh, Charlie Liteky.

The book tells the story of a group of American men who happen to be priests - who happen to have served decades in American prisons - and the stalwart women who helped them form an international movement called Plowshares. In so doing, the book tells the morally patriotic story of America, a story told before only from behind an open hand across the face, like a football coach talking to his spotters in full view of a national television audience, afraid someone might see.

Darrell Rupiper, Larry Rosebaugh and Carl Kabat are Oblate missionary priests. Frank Cordaro is a diocesan priest from Des Moines. Roy Bourgeois is a Maryknoll priest. Charlie Liteky is an ex-Trinitarian priest.

Rupiper was in the national spotlight during the Iran hostage crisis. He traveled to Iran as part of team of clerics hoping to gain the release of the hostages. Rosebaugh now lives with the poor in El Salvador. He was a member of the Milwaukee 14, a group that burned draft records in accord with the example set by the Berrigan brothers at Catonsville, Maryland in 1968.

Kabat has served over 16 years in United States federal and state prisons since 1980 as a result of his anti-military actions. Cordaro has served half a dozen federal prison terms for his anti-nuclear activities. He has also given sanctuary to a manure spreader in support of Iowa farmers. During the Carter presidency Cordaro found himself on the front page of the Washington Post after he stood in front of Carter during a press conference to tell the world the truth about the SALT treaty.

Bourgeois, from the deep south and a former military officer who served in Vietnam, recently made his own front-page news (NY Times, Washington Post, others) as leader of the massive protests at Fort Benning, Georgia calling for the closing of the School of the Americas. Bourgeois and Rosebaugh also served prison terms in the 1980s when they sneaked into Fort Benning, climbed a tree and played a tape outside the Salvadoran soldiers' barracks of the last sermon given by slain archbishop Oscar Romero.

Liteky is a former chaplain who served in Vietnam. He received the Congressional Medal of Honor, and later surrendered it, challenging General Abrams and President Nixon in the process.

With the exception of Cordaro, all of these men began their clerical careers as missionaries, in Brazil, the Philippines, Bolivia and Vietnam, and discovered America in the process.

They discovered that the trail of the poor leads through such countries directly back to America. It leads directly to Rupiper's

home in Carroll, Iowa, to Rosebaugh and Kabat's roots in rural Illinois; to Cordaro's Des Moines Italian household, and to the nation's capital, where Liteky was born. They also discovered that the America they grew up in never existed. They read history and learned about America's militarism, its attempts at global hegemony, and they felt they must resist. They wanted with all their hearts for their childhood America to be made real - a just and loving America - even if that meant they must spend years behind prison walls.

Recounting the as-yet untold story of these American heroes, the book weaves with a consistent thread the American story, a story of political protest grounded in historical necessity.

In the Cold War Soviet Union few people knew about Solzhenitsyn. For many reasons, few in America know about these priests, even though they have managed to make front-page news at different times. The Berrigan brothers are the prototype for Rupiper, Cordaro, Rosebaugh, Kabat and Bourgeois. Just this past year 78 year-old Philip Berrigan was put again into prison for damaging a U.S. fighter plane used in the bombing of Yugoslavia. And yet the American public is largely unaware.

Strabala and Palecek want the world to know about these priests. They feel it is imperative the United States populace becomes aware of the existence of these men. Not because these priests desire an audience, but because if America is to become the America it can be, that it should be, we need to know the whole story - not just the official story that is dribbled out to us as someone sees fit.

There is no book like this that we know of. Those books about protest talk about the '60s - safe dialogue now that it is ancient history. Billy Graham has a book out entitled Prophet With Honor. We propose that these Prophets practice a very different type of Christianity than Rev. Graham and officialdom preach to the American public. Governmental deceit, protest, responsibility and truth are not "1960s things." They are "now" things.



Saturday Night Fun - Sunday Morning Migraine

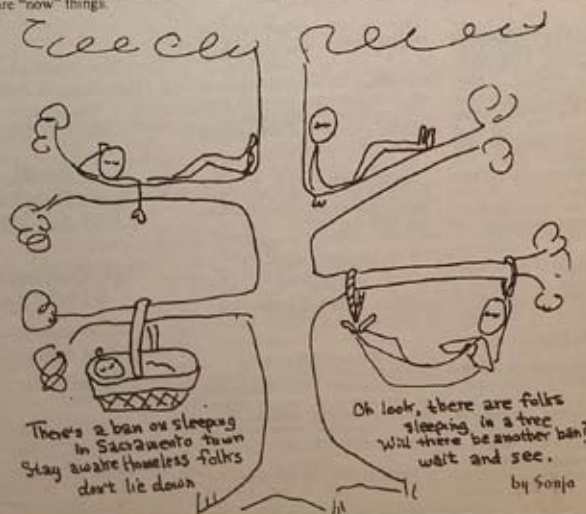
### Planned Parenthood to Host Free Clinic Carnival

Sacramento: Planned Parenthood Mar Monte (PPMM) clinics in the Sacramento Valley to Host 3 Growing with Soul Clinic Carnivals "Healing from the Inside Out" August 21st, 22nd and 23rd from 11 a.m. - 3 p.m.

PPMM is kicking off what will become an annual event to increase awareness of necessary and consistent preventative healthcare. This year the events will take place at our Capitol Plaza, Fruitridge, and North Highlands clinics.

Recognizing the importance of "preventative medicine" and realizing peoples time constraints, childcare needs and basic "fear" of doctors, these events offer a different side to healthcare. PPMM is committed to assisting our clients and community members in understanding the need for annual exams and regular check-ups that include Pap Smears, Cancer Screenings (Breast, Cervical and Testicular) and HIV/AIDS and STI testing. We believe that the clinic carnivals will offer a fun way to look at individual and family health by providing an opportunity for clinic staff and physicians to mingle with and offer educational information that will foster "healthy patient/provider relationships". These events are an opportunity to provide valuable and much needed education of the services we provide and assisting our neighbors with "access" to healthcare resources.

Public Service Announcement



released through the Street News Service  
www.streetnewservice.org

### Harlequin

by Elizabeth Brown  
August 01, 2002

She'll bus home alone,  
No children, no hubby,  
With mousy brown hair  
And a little too chubby.

She dreams of that man,  
She may meet all by chance.  
And she goes home to  
leftovers.

And a dime-store romance.  
If they only knew,  
The deep passion inside,  
How she'd sing with abandon  
Her glorious sighs.

That behind her pale lips  
There dwells a soft pout,  
A silk and lace woman,  
She craves to let out.

Oh, how she longs to  
Have someone to love her.  
But they are all blind  
And judge books  
By their covers.

Next Time you see her,  
Specks perched on her nose,  
Remember the seed  
That produces the rose.

And take time to notice,  
Cause some lucky stiff,  
Will remember plain boxes  
Hide fabulous gifts.

This poem was published  
originally in the April, 2001  
edition of Calgary  
Street Talk.

### Obituary

Barbara Harrison  
d. June 9, 2002  
Of Pneuma

David Hernandez  
d. July 6, 2002  
of heart failure

Miguel Valdez  
d. June 28, 2002  
of heart disease

Johnny "Pops" Rock  
d. July 15, 2002  
victim of building fire