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JUSTICE NEWS & HOMELESS BLUES IN THE BAY AREA

Creative Sit-In Challenges Berkeley Sitting Ban

by Lydia Gans

On Sunday, May 22, at the downtown Berkeley BART station, there was a unique, quirky, dynamic action to protest Berkeley's proposed sitting ban ordinance. Sponsored by the Stand Up For The Right To Sit Down coalition, they called the creative action the "Chair-a-Pillar."

A new and clever way to stage a public protest, the Chair-a-Pillar went on for almost two hours, attracting much interest and support from passing cars and pedestrians. The action was held in colorful defiance of the proposed sitting ban, and it called forth a powerful historic echo of past sit-ins for civil rights.

The participants gathered at noon with signs and chairs on the street side of the BART station on Shattuck Avenue. They arranged their chairs in a row and sat with protest signs facing the street. The action began with one person at the end of the row picking up his chair, taking it to the other end and sitting down again. The next person followed by picking up his or her chair and walking to the beginning of the line and sitting down.

One by one, the person at the beginning of the line of chairs kept moving to the end. As the action continued, the line of chairs snaked around the BART station many times. The line of chairs managed to wind its way partly up and down the block, so the signs could sometimes face the street, eliciting enthusiastic horn-honking from passing cars. At other times, the snake-like line of chairs would face people walking on the sidewalk.

Protesters in downtown Berkeley hold a "Chair-a-Pillar" event in defiance of the proposed sitting ban. Lydia Gans photo

The continual movement attracted people coming by and invited conversation. Some grabbed a chair and joined in the action. Plenty of chairs were available, many painted by the young people in Sally Hindman's Youth Spirit Artworks program. At the height of the action, several dozen people were participating.

A couple Berkeley High students rode over on their bicycles to check out the protest, and decided to join in. It was their first time taking part in a demonstration. A man named Mat Brennan said, "I came here because sitting is a complete right for everyone in this country and there's no reason to take it away."

A woman came by with a whole case of bottled water which she shared with the

See **Creative Sit-In Challenges** *page 10*

Building a Movement to Reclaim Public Spaces

Protests are held to challenge repressive sitting ban ordinances in San Francisco, Berkeley and Portland.

Introduction by Carol Harvey

In 2007, San Francisco Convention and Visitors Bureau officials and government policy makers learned about Portland's sit/lie law. ''This is great," they said. "Let's bring it back." Ironically, the law banning sitting and lying down had just been found unconstitutional in Oregon.

Mike Kuykendall, head of the Business Alliance of Portland, reported that Portland officials were barraged with conventioneers complaining about people aggressively panhandling on downtown sidewalks next to sleeping bags and pit bulls. Kuykendall led a delegation to sell San Francisco officials, including Mayor Gavin Newsom, the district attorney, city attorney and city supervisors, on Portland's downtown plan, known as "Street Access for Everyone."

The ordinance states: "Sitting, lying down, or leaving one's belongings on a public sidewalk in a (designated) High Pedestrian Traffic Area during certain times (7 a.m. to 9 p.m.) would not be permitted."

The twist is that, although "sitting on the sidewalk will earn a citation," which will successfully force homeless people off the street, amenities "that make life more pleasant" would be provided, such as bathrooms and benches.

In his Dec. 16, 2007, article, "S.F. leaders hear about Portland's approach to homelessness," *San Francisco Chronicle* columnist C.W. Nevius picked up the sit/lie idea. He used his column to attempt to build public support for an "initiative that could address one of the most persistent problems in downtown San Francisco — the unpleasant, and infamous, street scene." Nevius briefly pushed this, then the idea died when he got distracted. He picked it up again in 2009.

Such ideas travel from place to place, through informal trips, news, or conferences. Bob Offer-Westort, an organizer with the Coalition on Homelessness, said the process whereby local laws spring up is part of a "national system of stupidity."

The "Sidewalks Are Still for People" protest was held on Harvey Milk's birthday, in resistance to San Francisco's sit/lie ordinance. Carol Harvey photo

Dysfunctional ideas can metastasize, moving from city to city, eroding human rights. Certain bad ideas spread not just locally, but regionally and nationally. Sidestepping real social issues, mayors share bad policy ideas like corporatized business improvement districts which privatize public space.

Portland brought the sit/lie idea to San Francisco conservatives. Then, publicity and a victory for San Francisco's sit/lie ini-

See **Sidewalks Are for Sitting** *page 11*

Town and Gown Join Together to Oppose Sitting Ban

by Terry Messman

The attempt by big commercial real-estate interests to push a sitting ban through the Berkeley City Council ran into a new wave of opposition this past month. Public protests by The Stand Up for the Right to Sit Down coalition stirred up support from unexpected sources — the University of California student government, and the City of Berkeley's own Peace and Justice Commission.

Town and gown spoke with one voice, as the ASUC Senate and city commissioners both voted nearly unanimously to condemn the sitting ban as a discriminatory attack on the poorest, most vulnerable residents, and a violation of international law.

First, on May 2, the Berkeley Peace and Justice Commission voted, without a single dissenting vote, to urge the City Council to reject a sitting ban proposal.

Two days later, on May 4, the ASUC Senate voted 18-1 in favor of a resolution to notify Mayor Tom Bates, the City Council and the Chamber of Commerce that a sitting ban in Berkeley is a misguided attempt to criminalize poverty and a failure to actually deal with homelessness.

The Peace and Justice Commission drafted a letter to the City Council that stated: "An ordinance prohibiting sitting would cause harm to the most vulnerable members of our community because it would be selectively enforced against those who are or appear to be homeless or poor. Moreover, criminalization of the poor will not solve any of the economic problems faced by the merchants of the City of Berkeley."

Peace and Justice Commission members are appointed by City Council and School Board members, and it is their official responsibility to advise the council on issues of peace and social justice.

The letter concluded: "The Peace and Justice Commission asks the Berkeley City Council to not enact any ordinance that would ban sitting in commercial districts and further criminalize the homeless population of the City of Berkeley."

INTERNATIONAL HUMAN RIGHTS

George Lippman, chair of the Peace and Justice Commission, said that the 14 members of the commission passed the measure without a dissenting vote, although a small number abstained.

In an interview with *Street Spirit,* Lippman looked at the proposed sitting ban from the perspective of the commission's focus on upholding international human rights. Lippman is the former director of the Meiklejohn Civil Liberties Institute in Berkeley, a prominent think tank that does extensive research on human rights and international law.

He said, "A single standard of human rights has emerged over the past 70 years or so — a human rights framework expressed in the Universal Declaration on Human Rights and in the treaties that emerged, the covenants and conventions which are binding law in the United States, in fact the supreme law of the land."

The "real meat of the Universal Declaration of Human Rights," according to Lippman, is that human rights include not only civil and political rights, but economic, cultural and social rights as well.

He said, "Nothing defines the right to human dignity more clearly than such elemental human needs as this: as the right to sit, the right to rest, the right to eat, the right to relieve yourself in dignity."

At times, Berkeley's various commissions have been faulted for focusing, not on issues of direct relevance to local residents, but on far-flung resolutions about issues overseas. Lippman said it is often important for the commission to weigh in on international human rights concerns.

Is this illegal? The right to sit down may be outlawed in Berkeley. Robert Terrell photo

"We couldn't idly sit by and watch while the rights and well-being of the homeless were assaulted. We think that by bringing to bear the full weight of the student community on the City Council, we can effectively stop the ordinance."

— Chris Andersen, Suitcase Clinic

Yet, he added, one of the strengths of the resolution in opposition to a sitting ban is that it defends human rights at home, in our own neighborhoods and back yards. Not all human rights violations occur in Burma. Some occur down the street in Berkeley.

"We sometimes get criticized for focusing on worlds that seem to be far from our shores, far from the concerns of people who live in Berkeley," Lippman said. "While I think it's certainly within our mandate that we support international peace and conflict resolution and social justice around the world, this is something we want to do more of, which is focus on human rights within Berkeley."

Discrimination and harassment against the homeless, he said, is a violation of their rights to dignity and legal personhood, and is therefore illegal under international and, consequently, domestic law.

Lippman said he found out about the sitting ban proposal in the first place from *Street Spirit*. He said, "I want to say before I forget: the way I found out about this was from your newspaper, *Street Spirit,* actually. From a man on the street, on University, near the bike store Mike's Bikes. I saw the headline on it and I said 'Oh, I should go to that meeting.' And I did and that's how I found out more about it."

THE STUDENTS SPEAK OUT

On May 4, more than 60 UC students from the Suitcase Clinic, Habitat for Humanity, and CalPIRG, packed an ASUC Senate hearing and convinced the UC student government to vote 18 to 1 to pass a resolution opposed to the sitting ban proposal. The letter was directed to Berkeley Mayor Tom Bates, the City Council, the Chamber of Commerce and the Business Improvement Districts.

In an interview, Chris Andersen, class co-coordinator of the Suitcase Clinic, pointed out that an anti-sitting ordinance would make the very existence of nearly every homeless person an illegal act.

"At its core," Andersen said, "a Sit Ordinance would make being too poor to afford housing a crime. If you have no other place to go, then it's impossible to avoid getting ticketed."

More than 100 UC students volunteer at the Suitcase Clinic, providing meals, legal help, housing and job referrals, and offering massage, haircutting and footwashing to the poor. Students work with medical professionals to offer medical, optometry, chiropractic and dental services.

It is eye-opening for many students to see at first hand the severity of suffering endured by homeless people. Andersen spoke out against the sitting ban proposal because it would only increase that suffering. "A Sit Ordinance would hurt severely our homeless clients. Increasing burdens of tickets will increase their financial strain, as well as inhibit their access to some government social services."

PASSIONATE ABOUT JUSTICE

Andersen said that members of the Suitcase Clinic got involved in organizing against the ordinance because they are "passionate about social justice."

When they learned about the proposed sitting ban, he said, "We knew that we couldn't idly sit by and watch while the rights and well-being of the homeless were assaulted. We think that by bringing to bear the full weight of the student community on the City Council, we can effectively stop the ordinance."

A side benefit of organizing against the proposal is the way it has united the campus service organizations. Suitcase Clinic, Cal Habitat for Humanity, and CalPIRG are all large social justice groups with at least 100 members each, he said, and they met regularly to decide how to present their best case to the ASUC Senate.

"ASUC Senators Farrah Moos and Courtney MacDonald were also instrumental in getting the other ASUC senators on board," Andersen said.

Stephanie Falwell, a UC student majoring in molecular and cell biology, has worked with the Suitcase Clinic for a little over a year. As an advocacy group discussion leader at their Tuesday night clinics, she helps homeless people get involved in social justice issues that affect their lives.

So, it was natural for her to speak out at the ASUC hearing for the rights of people on the street. She told the hearing that it was wrong for those pushing a sitting ban to assume there was a causal link between homelessness and crime. "I told them it's a matter of getting them help and that we have no right as students to deny help to these people," she said.

"Nothing defines the right to human dignity more clearly than such elemental human needs as the right to sit, the right to rest, the right to eat."

— George Lippman, Berkeley Peace and Justice Commission chairperson

In an interview, Falwell described the long-term damage caused by treating homeless people as criminals. "When you give people citations for sitting on the street, you're first off criminalizing homeless people," she said. "But when and if they don't show up to their court date, then there is a warrant out for their arrest and when you get arrested and have a criminal record, then it's just that much harder to get housing or any other services."

An anti-sitting law would only pile up new hardships on homeless people and would especially hurt the disabled. She said recent studies have shown that "71 percent of individuals living in Alameda County who are homeless have some sort of disability" that already makes it difficult for them to access lifeline services.

"I think that by passing this ordinance," Falwell said, "we're actually preventing people from getting the services that could help them. That's personally why I'm against it, at the core level."

Homeless people are already gun-shy about being accosted by the police and by the private security teams of the Downtown Berkeley Association. They will be all the more difficult to approach if they constantly fear they're going to be persecuted simply for sitting down.

"It's a hindrance because we do outreach on the streets," Falwell said. "And I think that by dispersing people every which way, that will make it harder for us to go out and help introduce our services to people sitting on Telegraph or in the downtown Berkeley area."

Chris Andersen and Stephanie Falwell both expressed amazement that the ASUC Senate voted to oppose the sleeping ban by such a lopsided margin.

Andersen said, "The Senate members were very impressed and moved by our presentation. A number of the senators made public comments afterward expressing their opposition to a Sit Ordinance and their support of our work. It was a stunning victory in that sense."

The night before the vote, Falwell said, "there was kind of a rumor that it might not actually pass." The students held onto their hopes, she said, "and on the morning of the vote, we kind of felt that it might pass, but by a very, very slim margin."

Falwell was increasingly excited as the votes began to swing in their favor. "I was counting on my fingers how many votes were yes," she said. "I was really relieved when we passed the majority. But it was just really exciting to see that all the things we said really mattered because people who we thought would vote against it ended up voting to send the letter."

Andersen said, "Winning this victory in the ASUC Senate was a big morale boost for the students. I think there will be a lot more Suitcase Clinic members and other students who will stay involved in larger advocacy efforts to empower and support the homeless.

Grass-roots democracy appears to be on the rise in Berkeley. When all is said and done, the big merchants, real-estate interests, and cynical politicians who pushed this sitting ban may regret the day they woke up a new generation to fight for the rights of people living on the streets.

Oakland Tenants Are Targeted for Displacement

by Lynda Carson

The tenants of Marin Way Court in Oakland have been targeted for displacement by the Arroyo & Coates real estate firm of San Francisco. The tenants have been speaking out against the activities of David Silver, executive vice president of Arroyo & Coates, and Jamie Clifford, senior vice president, since their building was taken over recently.

A "Notice To Occupants," delivered to tenants at Marin Way Court on April 18, 2011, warned residents that the apartment complex has new management. In the same notice, tenants were accused of not having a valid lease, and were ordered to move out of the units immediately, or risk facing criminal and civil liabilities.

On April 27, tenants of Marin Way Court held a protest rally in front of the 20-unit housing complex, located at 2000 International Boulevard in Oakland. Aiyahnna Johnson, a tenant at the complex, said, "We had a great protest rally and everybody from the complex appeared, including around 30 people."

The protest was too late to prevent their homes from being sold out from under them. "The protest was held a few days before our housing at Marin Way Court was auctioned off on May 2, 2011," she said. The auction was held in front of the Eastmont Police Traffic Substation. It was sold for only $50,000 to Executive Vice President David Silver of Arroyo & Coates.

"But it seemed very odd that David Silver was the only one there to bid on Marin Way Court, and I have wondered if the auction notice was ever posted properly in a newspaper," Johnson said.

Odd indeed. Marin Way Court was an affordable housing project for the poor that consisted of 20 two-bedroom townhouses developed by the now-notorious, defunct, nonprofit developer Oakland Community Housing, Inc., (OCHI) and its affiliate San Antonio Commons, Inc.

In 1986, 1987, and 1993, the Redevelopment Agency and the City of Oakland jointly loaned an amount of $1,640,500 to San Antonio Commons, Inc. for the development of Marin Way Court. On June 5, 2007, the Redevelopment Agency authorized an additional loan of $1 million to OCHI's affiliates to operate their affordable housing developments, including Marin Way Court.

According to a balance sheet in a 990 tax filing in 2006 for OCHI's affiliate, San Antonio Commons, Inc, it still owed $1,412,649 for its mortgages and notes payable to cover the development costs associated with Marin Way Court.

According to public records, in March 2009, an additional $1.2 million loan was made to Resources for Community Development by the City of Oakland to renovate Marin Way Court, but it has still fallen into foreclosure. Then, somehow it slipped into the hands of Arroyo & Coates for a mere $50,000, according to Johnson.

Johnson said, "David Silver and Jamie Clifford of Arroyo & Coates tried to destroy our community ever since they took over Marin Way Court on May 2, 2011. They caused us a lot of stress and anxiety in our community by trying to frighten us out of our housing. They have been trying to pressure us into signing documents in an effort to force us to move out of our homes and community.

Marin Way Court tenant Aiyahnna Johnson talks to an Oakland motorcycle cop near her East Oakland home.

Photo by Annie Atkins
www.annieatkins.com.

"They caused us a lot of stress and anxiety in our community by trying to frighten us out of our housing. They have been trying to pressure us into signing documents in an effort to force us to move out of our homes. It feels like we are now living in a prison."

— Aiyahnna Johnson, Marin Way Court tenant

"It feels like we are now living in a prison. We do not know what to expect next from them. Twenty apartments were occupied when David Silver and Arroyo & Coates took control of Marin Way Court on May 2, and now there are only 11 apartments that are still occupied here, and we have been accused of being squatters."

A recent utilities bill with a due date of May 9, 2011, has the name of Aiyahnna Johnson on it for the same address at Marin Way Court in Oakland, and it confirms she is a tenant in the complex, no matter what Silver believes.

To back her statements that she is facing harassment and pressure to move out of her home, she cited an e-mail Silver sent to her on May 20, 2011, that said, "We've talked to you several times after the sale, we've posted several notices on your door and mailed you a notice. Regardless, we want to meet with you to discuss some form of an agreement for you to vacate the property."

Johnson said that she, her two children, and others in the housing complex do not want to give up their housing to Arroyo & Coates, nor to anyone else that tries to bully them out of their homes.

After I tried to reach David Silver and Jamie Clifford a few times to ask them questions, I received an e-mail on May 23 that stated, in part: "You clearly care more about getting attention vs. getting the truth. Here is what you need to know: 1) The occupant(s) you are referencing are not legal residents of the property, they broke into the unit and are squatting. 2) The occupant(s) you are referencing are not paying rent. 3) No laws have been broken, no one has been harassed. Asking illegal, non-paying squatters to leave a property is not against the law. If you continue to produce libel and defaming e-mails, we will hold you responsible and we will contact our attorney." — 2000 INTL, LLC.

(A search of Limited Liability Corporations (LLC) in California reveals that 2000 INTL, LLC, entity number 201106210312, did not legally exist until it very recently became active March 3, 2011. The Agent for Service of Process is listed as one "DJ Silver.")

On April 19, 2011, the tenants at Marin Way Court said they felt abused and bullied by what they called the Gestapo-type tactics of David Silver, Arroyo & Coates, Oakland Deputy City Attorney Dan Rossi, and six Oakland cops that came by their homes at Marin Way Court, pounding on their doors and demanding to know who was living with them in their housing.

On May 6, Marin Way Court tenants received 60 Day Notices to vacate their homes, in the form of an unsigned notice from 2000 INTL, LLC. Tenants called it another brutal tactic by Arroyo & Coates to frighten them out of their housing.

Marin Way Court has already been renamed. It is now called Ventana Town Homes, and is being managed by Evans Property Management, Inc. (EPMI). Alisha Edwards is the new manager for Ventana Town Homes (i.e., Marin Way Court) and supposedly can be reached at (510) 562-1431. But, according to local sources, she also manages at least three other properties for EPMI. The tenants in three different complexes managed by EPMI have to use the same phone number when needing to speak to the management. Not surprisingly, on May 24, the voice mail box for Edwards was full, and she could not be reached for comment.

Anne Tamiko Omura, executive director of the Eviction Defense Center, wrote on April 29 to Silver: "I am the Executive Director and Managing Attorney of the Eviction Defense Center in Oakland. It has come to my attention that the tenants at 2000 International Blvd. in Oakland have been threatened with illegal lockouts, car-towings, and criminal actions. I am very concerned about the threats the tenants have received.

"My office is currently looking into what legal action the tenants can take to protect themselves, including filing for an injunction and prosecuting claims for emotional distress, breach in the covenant of quiet use and enjoyment, and illegal lock out. I have been in contact with the City of Oakland, and they assure me that no illegal action will be taken against these tenants. My attorney colleagues at Bay Area Legal Aid have apparently received similar assurances from your company. I hope these threats of illegal action have been rescinded and that there is no need for litigation. If you would like to discuss this matter further, please do not hesitate to contact me."

In response, Omura received an e-mail on May 5 from Jamie Clifford of Arroyo & Coates that said: "Anne, We would like to schedule a time to have a conference call or an in-person meeting with you regarding this matter. The allegations in your e-mail below are false and we would like to discuss how to best resolve this matter. Please let us know when you can make yourself available."

Tenants of Marin Way Court are seeking community supporters to join them in the struggle to save their housing and community, from those that would profit by displacing them from their homes.

Lynda Carson may be reached at tenantsrule@yahoo.com

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Editor, Layout: Terry Messman

Contributors: Michelle Alexander, Dee Allen, Annie Atkins, Claire J. Baker, Lincoln Bergman, Ava Bird, Jonathan Burstein, Jim Byron, Lynda Carson, Joan Clair, Cassandra Dallett, Carol Denney, Patrick Fahey, Lydia Gans, Christine Hanlon, Carol Harvey, Gary Hicks, Judy Jones, Michael Leslie, Christa Occhiogrosso, Bob Offer-Westort, Arnie Passman, Sue Ellen Pector, Tiffany Sankary, Robert L. Terrell, Julia Vinograd, Rachel West, George Wynn

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***Contact*: Terry Messman**
Street Spirit, 65 Ninth Street,
San Francisco, CA 94103
***Phone:* (415) 565-0201, ext. 18**
***E-mail*: spirit@afsc.org**

Poetic Resistance to the Berkeley Sitting Ban

How delightful it would be if we could just sing our way right past this terrible proposal, pour enough poetry on it that it is doused entirely.

by Carol Denney

When I first heard that Berkeley might try to enact another anti-sitting law, I turned to the poets, singers, activists, and musicians I know and told them about the proposed legislation. The immediate result was disbelief. And poetry. And songs.

People started to write and sing about it because that's what they do. It was like suddenly finding a beautiful river springing to life around me.

One poem in my e-mail box made me dance around my room because it seemed so perfect for the issue. I found myself raving about it at the next meeting I attended, and found I was raving about the poem to its author, poet Gary Hicks.

So! It made sense to find a way to share it all with each other and our communities.

Harold Adler of the Art House Gallery and Community Cultural Center (2905 Shattuck Avenue, Berkeley) loved the idea of having a completely free night of shared art in opposition to the proposed anti-sitting law. Paul Kealoha Blake of the East Bay Media Center and B.B. Simmons agreed to videotape it. The Revolutionary Poets Brigade agreed to co-sponsor the event with the Stand Up for the Right to Sit Down Coalition and the art started to flow like crazy.

We began with musician and author Philip Rosheger's breathtaking works for classical guitar. Philip has played both Carnegie Hall and the local BART stations. He lost all his original folios in his housing struggles, but still has a breathtaking grasp of both the fretboard and international politics. He was too shy to speak, but his music says it all.

We covered every inch of the sidewalk-sitting issue: deep, political, funny, breathtaking, angry, short, long, and gloriously incomprehensible. We laughed a lot.

Berkeley City Councilmembers Kriss Worthington and Max Anderson were there to assure us that we had their support if the proposed anti-sitting legislation ever makes its way to the City Council.

But our strategy is to gather poetry so powerful, stories so stunning, music so moving, and singing so seductive that absolutely everybody wants to be on our side. Then we not only succeed in making sure we don't join the shameless communities which have passed anti-sitting laws, we become a model for a way to cream bad public policy with so much spectacular art that the bad policy wanders off ashamed and meditates on how it got off track.

It isn't that we aren't willing to go to jail — so many of the artists, poets, and musicians conveyed that to me as we gathered steam for the poetry event on May 20, that it was clear we had enough of them willing to sit down for justice to clog jails for miles around since most holding cells aren't designed for a big crowd.

But how delightful it would be if we could just sing our way right past this terrible proposal, pour enough poetry on it that it is doused entirely. That would be a marvelous model for the next community tempted to outlaw something as natural as sitting down. Art on!

"Sitting is a human right." **Scores of protesters brought chairs to downtown Berkeley and held a sit-in in solidarity with homeless people.** Lydia Gans photo

See **page 5 for more poems and stories created by artists in resistance to the proposed sitting ban.**

The homeless....

by Ava Bird

I have so many mixed feelings
about homeless people
and the deeper repercussions
of free enterprise:
suits and ties
disguised
as narcissistic,
ME first!
vultures
pecking away at our culture.
I must say though,
about the homeless…
that more and more
I see them camping,
napping in the doorways of the banks,
banks like:
Skank of America and Wells Fargo,
well, fuck you and go!
these gangsters of money
known as banksters.
Sleeping with
Pranksters like at&t
spying on me!
More and more,
I see homeless people
on their cellphones
with funny ringtones,
sleeping in no parking zones
moaning for a few bones
begging for a free loan,
or maybe
they just want the cops
to leave them alone!
These homeless and their carts,
Pushing and pulling around
a life savings,
Sometimes they scare me, to be honest.
The clothes they wear,
the smells they bear,
sometimes they tear my heart apart,
to see someone else's life so torn apart.
A lot of them are really smart,
with warts, and all,
and kind hearts
but lets not get started
on the homeless problem!
the homeless burden!
its just capitalism flirting!
….OUCH! ITS HURTING!!!

For You Brother & Anti-War

by Arnie Passman

Ill-dressed for comin' on coldusk,
I rush past the homeless vet,
And his sign, did he have a dog?
At the edge of the UA 7 profit province,
And pull up
When the dove faced young usherette
Comes out and asks him to move.
If you can believe it.
He gets up, howling,
"Yeah, I'll move. I fought in two wars,
but yeah, I'll move."
I shiver, and rush on
back to my four-day $7 a day
gangster Buick Lucerne.
If you can believe it?
But feel all through my heart,
No one must ever tell any vet
To move,
Or anyone already on the
sidewalk never, ever to be a vet.

I Ain't Yo Antichrist ... I'm Yo Uncle Sam!

by Patrick Fahey (aka Gunther The Clown)

I Ain't your AntiChrist, I'm your Uncle Sam!
You see me in everything and damn, that's where I am!
Don't blame me for getting rich and getting all I can!
I ain't your AntiChrist, I'm your Uncle Sam!

Been in Korea and Vietnam since 1954
CIA in Nicaragua and El Salvador
Got a million refugees in jail, but I don't give a damn
I ain't your AntiChrist, I'm your Uncle Sam!

Don't blame me for getting old, don't blame me for getting cold
Don't blame me for getting old, don't blame me for getting cold
MY HISTORY'S (uhh!) ABOUT TO FOLD
Don't blame me for getting old, don't blame me for getting cold
Don't blame me for getting cold, I said...COLD, COLD, COLD

Slave labor camps still in the south and ghettos in the north
I'd like to colonize the Middle East for the oil fields of course!
I'd like to colonize the whole wide world but FREEDOM'S in the way
People are still our biggest problem, we'll have to kill them all off some day!

Our lies are getting obvious, our weapons are laid bare
The truth is getting out on us, and people getting scared!
But the threat of PEACE is on the move and people still have a choice
To stick their heads way up their asses or *really raise their voices!*
Well...

I ain't your AntiChrist I'm your Uncle Sam!
You see me in everything and damn that's where I am!
Don't blame me for getting rich and getting all I can
I ani't your AntiChrist ... I'm YOUR UNCLE SAM!!!

I Am A Black Man in his Mid-Sixties

by Gary Hicks

i am a
black
man in
his
mid sixties
of a
people
with a
history
of
being told
where
we can't
stand
sit
or even
have
our feet
walking
firmly
in mid-air.

i am the
child
of an
auto worker
who
was a member
of that
union whose
workers
sat in the
plant owned
by the bosses
until justice
was had.

i am the
younger brother
of the woman
who refused
to give her
seat to the
jim crow
privileged
white man
and turned
alabama
inside out
the contemporary
i am of the
sisters and
brothers
who turned
oklahoma city
greensboro
and then the
south on
its ear

don't even
think
you
can
tell
me where
i can't
take up
space
rich
privileged
folk need
to get
ready to
get up out
of their
chairs
there are
real people
waiting to
take command
and like
the sister told
you all
in atlantic city
back when
we didn't come
for no two
seats
'specially when
all of us
is tired. i
have the
right
and soon
will
have the
power
to sit down.

Tell Big Brother Where to Go

We don't want you to have to push little old ladies and homeless veterans around even more than you do now.

Artwork by Tiffany Sankary

by Ava Bird

Dear Berkeley Police Officer:

First of all, THANK YOU for all your hard work on our streets! For showing up to car accidents, stranded motorists first and other horrors & twisted scenarios!

I am writing this letter to inform you of the changes in your job status. See, as a citizen of the community, a nice neighbor and caring member of society, we wanted to share with you some drastic changes to your chosen career path:

We know you are a professional and chose your profession as a high calling — and as some of your own cars say, "to protect and to serve." As a public service paid for by taxpayers, I guess we are sorta your boss. We pay your paychecks and, unfortunately, the bearers of some pretty scary and bad news: See, your pimp daddy, the city council, mayor, board, etc., are planning an underhanded attack on you with a new proposed law — though without guns, batons, or spray mace, they are going over your heads and attacking your very daily responsibilities.

Their callous decisions will make you a clean-up crew, the shit sweepers in these sweeping new changes in your pay structure and increased responsibilities (Was this in your job description?!?)

I know your original intention was to help humanity, serve your community, unionize and rescue your neighbors. We know it's a hard job, some of you even become alcoholics in the process, with the horrors of humanity.

I respect you as a community member, a human being, and want you to maintain dignity as a public employee! We don't want you to have to push little old ladies and homeless veterans around even more than you do now, and, in fact, this would make it illegal for even YOU to gather with your doughnuts on sidewalks — we don't want to have do a citizen's arrest!

Damn Man, I just wish we could all just get along!

And even though I don't want to see you in my neighborhood, in my rearview & hope against hope you never have to come over, I still wish you all the best, understand your chosen profession and glad I don't have to do it. I have compassion for what you do and want you to retain your dignity! We know you don't want to have to harass people more now, you'd have to be Monsanto to get away with that! Or at least a private corporation!

Officer, We are calling on You! Our public servants who protect and serve, now the tables are turned, we must "protect and serve" YOU! We, as unionized community, want clean safe streets too & are propositioning you to stand up for sitting down. We need you to "Get Tough, cop!" STAND UP! Woman and Man up! Stand up for your right to sit down now!

Please join your neighbors and fellow human beings to protest your city's ridiculous attempt to control sitting down in public spaces. We need more park benches and areas to sit and rest and listen to the birds sing, not criminalize this activity! Come on! This is fascist, sick, insane and absolutely unbelievable in the city of Berkeley. Tell Big Brother where to go, my friend.

Sincerely,

A very concerned neighbor on behalf of the Stand Up for the Right to Sit Down brigade

Song of the Wealthy Man

by Carol Denney

***Chorus:* it's the song, it's the song,**
the song of the wealthy man!
always right, never wrong!
try to be just like me if you can!
it's the song of the wealthy man!

you are not my brother we're nothing alike
I'm driving my hummer you're riding your bike!
if I were in your shoes I know what I'd see
if I were in your shoes I'd want to be me! *(chorus)*

you are not my sister no how and no way
your troubles won't ever come darken my day!
you're different it's your fault you're stuck in a ditch
you should have planned better like me and got rich! *(chorus)*

I am not your keeper so get on your knees
and if you want something you'd better say please!
it's best if you flatter obsequiously
I'll hear you much better if it's about me! *(chorus)*

if you're out of money well I'm not to blame
of course I'm a winner I made up the game!
you should have planned better it's easy to see
go talk to your broker quit whining to me! *(chorus)*

a snap of my fingers they follow like geese
I own the officials I own the police!
the sidewalks are mine and the medians, too
so get up and move before I arrest you! *(chorus)*

you're poor so of course no one listens to you
It's amazing what big piles of money can do!
I encounter agreement whatever I say
And if they try to tax me I faint dead away! *(chorus)*

raise a glass to the rich 'cause they're better than you
better shod, dressed, connected, well insured, too!
money may not buy love as the songs always say
but it buys politicians and they're here to stay! *(chorus)*

Undesirables

by Julia Vinograd

Teenagers sprout from cracks in the sidewalk
like weeds. Pliant, pushy.
Merchants want sidewalks paved over
and people without roots
pulled out by their roots.
Kittens, spikes, piercings, puppies.
Merchants worry about tattoos.
Does writing on bodies lead to writing on walls?
Is there a clear and present danger
of tattooed dragons burning their window displays?
Can tattooed pirate ships sink merchant ships
with their holds full of keychains
and souvenir ashtrays?
Teenagers wear leather jackets
over a public disturbance of soft and warm.
Teenagers wear chain necklaces bolted over smooth throats.
Chain stores. Locked out. Locked in.
They're a skinny, damp-palmed sprawl
playing peek-a-boo with death
and blocking the doorways.
A girl with purple hair lost her bellybutton ring
and wants the others to help her look.
No one pays much attention.
Night's coming and they're all out of cigarettes.
They talk about clubs and bands but it's just talk.
If there were light they might be lovely.
If there were time they might be young.

Defeat Sit-Lie Couplets

by Lincoln Bergman

The streets of Berkeley scenes have seen
Of battles, marches, freedom dreams

Groves of academe that stand
And working folks in the flatland

Not just the University
But People's Parks of what could be

A park named after Ho Chi Minh
A rising chant of We Will Win.

Yet times have changed and now it seems
Nightmares do intrude on dreams

In a place with freedom rep
Some want to take a vicious step

Pass sit-lie ordinance to announce
That in these streets po-lice can pounce

As if there aren't already laws
Protecting those sharp business claws.

This strikes a sad and sour note
Of cruelty, called the scapegoat

As if the cause of economic woe
Is poor folks with no place to go

When what has caused us all to bleed
Is sheer unmitigated corporate greed!

In a place once known for freedom
Defeat such laws—we just don't need 'em.

We lend our voices to proclaim
That Berkeley must defeat sit-lie
if Berkeley wants to keep its name!

Home Free

Song by Jim Byron

I wrote this song after I left college without a diploma, and knew I would be living a vagabond's life, and I knew that I would be homeless. But I didn't like that word, "homeless." It didn't sit right with me. I was home free. I sat on many a sidewalk singing this song. That is why I support the fight against this "sit/lie" law. We need more places to sit on the sidewalks, not a law saying no one can sit there. Period.

You are home, my friend, Home free
You are home, my friend
There's nothing you'd rather be

Some may call you homeless but that's false cos
You got your home everywhere you roam
Some may call you hopeless but that's false cos
You got hope that they have never known
Some may call you useless but that's false cos
You are used to lending your helping hand

You are home, Home with me
You are home, Home free, yeah
There's nothing you'd rather be

From the thirsty wasteland to the isles
The shining desert to the sea a' moaning
From the prosper ranges to death valley
Whispering ghost towns to the 'urbs a'growing
There's nothing that you'd wish to be owning
Than to hear the windy freedom choir sing out

Home, Home free
Home, Home free, oh yeah!
There's no place that you'd rather be

May you always be welcomed somehow
May you always be allowed inside
Trustworthy for when you have nothing to show
You surely haven't got nothing to hide
Trust me my friend nothing shall confine you now
You've got infinite karma waves to ride
You're invincible!

You're home, You're home free
You're home, You're home within
There's no one you'd rather be

Churches Should Offer Sanctuary for the Homeless

If every Christian was raised to meditate on three words, "Jesus was homeless," churches would be true places of refuge, shelter and sanctuary — open to everyone.

by Joan Clair

The poster hanging on a bulletin board in Newman Hall Church announced a presentation by Matthew Works, a homeless Christian brother, at the Jesuit School of Theology in Berkeley. The topic would be homelessness and "its connection to the Gospel" and the meaning of this for contemporary churches.

The presentation's title, "Nowhere to Lay His Head," referred to Jesus. The poster also reproduced a few of Works' artworks. I decided to check the presentation out, and I didn't come away disappointed.

Matthew Works became homeless after he stood up for himself and others in a job in which his duties were doubled without extra pay or compensation. He had been working in a warehouse in Boston and, in addition to these responsibilities, he was asked to be a truck driver and deliver the warehouse goods.

One day, while driving his truck to deliver goods, he nearly fell asleep at the wheel and barely made it to a curb where he stopped his truck. He realized that he could have killed himself and others. Instead of continuing the delivery, he drove back to the warehouse to confront his boss.

According to Works, before he decided to confront his boss, some pointed questions arose in his mind. "What would Martin Luther King do if he saw such injustice?" "What would Rosa Parks do?" "What would Dorothy Day do?" "What would Jesus do?"

Within one week of confronting his boss, Works was fired. Ironically, the individual who fired him had eight years of Jesuit training in high school and as an undergraduate.

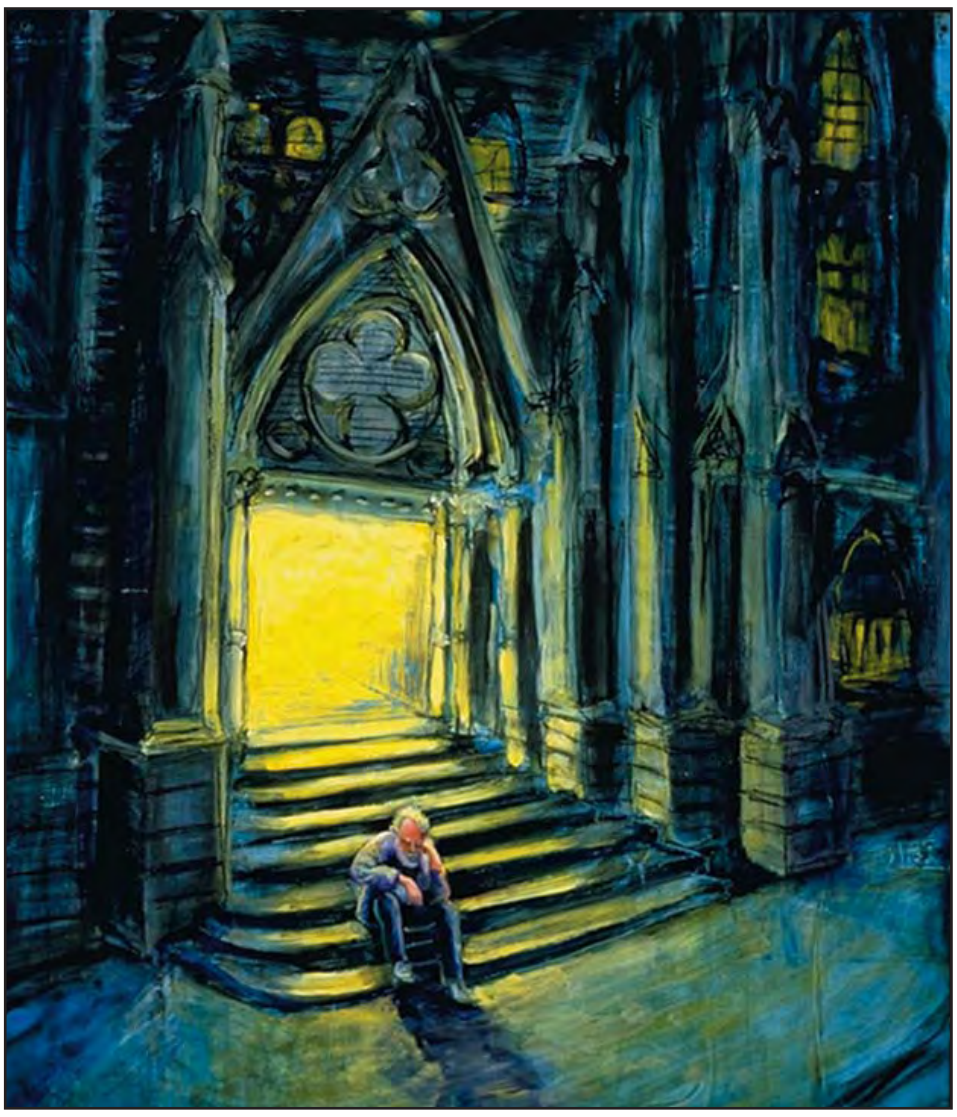
Works then went into a downward spiral which involved nonpayment of rent and eviction, and he became homeless. He says not all people become homeless as a result of alcoholism, substance abuse or mental illness. However, he says, sometimes to get help, someone has to hit rock bottom or allow oneself to be unjustly labeled as mentally ill.

Works, however, found a different path. He spent ten years on the streets, sleeping in shelters and bus or train terminals in the winter months, and finding free meal programs to sustain him. After that ordeal, he was able to get off the streets through his participation in an outdoor Episcopalian church service for homeless people held on the Boston Commons.

After the services, people were invited to speak, and Works found he had an audience, not only among other homeless people, but among seminarians and others who attended the services.

He began to be invited to speak on his own at various churches and universities in Massachusetts, and later, in more faraway locales. For more than four years, he has traveled around the country giving his talks and being reimbursed for his travel expenses, given room and board by those who sponsor him, as well as an honorarium. In interim periods, such as summer vacations, he goes back to Boston and house sits, often for ministers.

What does Works have to say that his audiences find so compelling? His message, primarily directed to Christian churches, is that Jesus was homeless and churches should give sanctuary to homeless people 24 hours a day. Although the fact that Jesus was homeless may seem to be common knowledge, Works communicates it in a way that the knowledge is felt.



Is this a crime? A homeless man sits and rests near a church. Art by Jonathan Burstein

When city governments enact laws which criminalize the homeless, the homeless, in fact, become refugees who must be offered sanctuary and asylum from the injustices of human laws.

For example, when Jesus [*Luke* 9:58] says, "Foxes have holes, and birds of the air have nests; but the Son of man has nowhere to lay his head," Works gets across the personal suffering of Jesus as a person without a home. When Works quotes from *Luke* 4:28,29, one can feel the pain of Jesus' "eviction" from Nazareth, his hometown, when it is said, "And all they in the synagogue ... were filled with wrath, And rose up, and thrust him out of the city...."

Works gives many examples to illustrate his central point that church doors should be open 24 hours a day to the homeless. He asks how churches which worship a homeless person, Jesus, on Sundays, can close their doors to and ignore other homeless people like Jesus on Monday and at any other time.

How can the altar which was used in the Episcopalian service for the homeless on the Boston Commons be withdrawn into the church building for protection at the end of the service, while all the homeless people are left outside the church without protection from the elements and other humans?

At one point, a church offered to store some of Works' artworks. He questioned the church with, "How can you want to keep my artworks in your church and offer them protection, and not me? I'm a work of art." To Works, homeless people are works of art created by God.

According to Works, nobody has a right to lock up God's house (the Christian churches in particular) and leave Jesus outside. "How can you adore him and then lock the doors on him?" Works asks.

Raised a Catholic, he also asks, "How can you take and eat the flesh of a homeless man, drink the blood of a homeless man and then lock the door on homeless people?" He mentions one person in particular who froze to death one winter on the Boston Commons.

Works sees hospitality as a part of Christian identity in the early days of the church. Likewise, sanctuary, asylum and refuge have deep roots within the Judeo-Christian tradition, and not just for refugees fleeing from other lands, although much of the idea of sanctuary was originally based on the Jews escape from Egypt.

The idea of sanctuary and asylum in the Judeo-Christian tradition is inextricably connected with the mandate that the community of faith's first obligation is to obey God. If human laws contradict God's laws, then God must be obeyed first. God in the Judeo-Christian tradition is always on the side of the poor, the vulnerable and the oppressed.

Therefore, when city governments enact laws which criminalize the homeless, homeless people become refugees who must be offered sanctuary and asylum from the injustices of human laws.

In the pre-monarchic period of Israel, the Jewish forebears lived in an agrarian state in which the ruling elite — 2 percent or less of the inhabitants — owned half or more of the land used for agriculture. Pressed by taxes, rents and high interest rates (up to 200 percent), the peasants used their land as collateral and family members became debt slaves.

Today, in the United States, "The richest 1 percent of taxpayers earn nearly 1/4 of the nation's income." [*San Francisco Chronicle,* May 23, 2011]

Ironically, when Works talks about the altar being brought back into the church for protection and the homeless people being left unprotected outside, this is the opposite of the "altar sanctuary" movement in the monarchic period of Israel. If a person fleeing from danger due to a lack of just legal procedures was able to grasp the horns of the altar in a holy site, the person was given protection.

the homeless man's blood soaked feet

by Judy Jones

i saw the homeless man
sitting in the street
and i went to him gently touching
his swollen blood soaked feet
washing them with my teardrops
and drying them with my hair

without a word his eyes said to me
all the sorrows his well worn soul
hath endured thru eternity

and i promised once again
to never sleep completely
while one person on earth
is homeless hungry
and dying alone

i saw the homeless man
sitting in the street

Jill Schaeffer clearly showed the role of sanctuary in the Judeo-Christian tradition in her study, "Sanctuary and Asylum" (edited by Schaeffer in *Studies from the World Alliance of Churches*).

Schaeffer wrote, "The authoritarian state is often the worst offender against such a process." King Solomon violated altar sanctuary to have his rival for the throne killed, according to Schaeffer ["Sanctuary and Asylum" p.13].

Criminalizing homeless people through unjust laws such as anti-sitting ordinances, and creating more homeless and indigent people through cutbacks to the most needy and vulnerable in our society, are violations of God's laws within the Judeo-Christian tradition and call for a contemporary "altar sanctuary" movement, protecting the homeless at all times.

"In the biblical frame of reference, 'sojourners' were often created internally in one state by socioeconomic causes," according to Schaffer [Ibid, p.14]. These included the debt instruments of the ruling class, drought, famine and war.

The term "resident alien" or "ger" was used in the monarchic period for people whose point of origin could just as well be inside or outside the political boundaries of a state.

Schaeffer explained, "A ger was any person forced by any cause from his/her indigenous context and therefore vulnerable and/or without full rights and privileges. The biblical definition of 'resident aliens' entitled to full protection and rights was thus ...broad and inclusive."

Matthew Works has a mission to communicate to the churches that this "broad and inclusive" biblical definition of who is entitled to protection and sanctuary must be extended to homeless people, 24 hours a day. The doors of the churches must always be open to the "resident aliens" and sojourners in our midst.

Works also has a unique perspective on Jesus. He has three penetrating insights:

1) If only Christians had been taught from childhood onward to meditate on three simple words, "Jesus was Jewish," the holocaust might never have happened.

2) If every Christian was raised to meditate on six simple words, "Jesus was a person of color," there would not have been 400 years of the transAtlantic slave trade. Africans would not have been kidnapped by Christians.

3) If every Christian today was raised from childhood to meditate on three words, "Jesus was homeless," churches would be true places of refuge, shelter and sanctuary — open to everyone.

GLIMPSES OF THE SPIRIT

Paul's Pendant

"He gave it to me. I've never taken it off since. I love it. There's something about it — what it says, what it means."

by Terry Messman

I've known Paul Boden for many years now, decades actually. He was homeless when he moved to the Bay Area in the early 1980s, and he found his way off the streets to the Hospitality House in San Francisco, first as a place of refuge from the streets, and later as a staff organizer.

Paul worked with other homeless activists to found the Coalition on Homelessness in San Francisco in 1987. In 1990, they founded the *Street Sheet* in San Francisco, one of the very first homeless newspapers in the country. After directing the Coalition for 15 years, he formed a new organization called the Western Regional Advocacy Project (WRAP), a coalition of several West Coast poverty-rights groups that work for economic justice.

Last week, on May 26, our paths crossed once again, when Paul and his wife Marykate Connor, also a longtime homeless advocate, were seated at my table as one of *Street Spirit's* invited guests at the AFSC annual dinner at the First Unitarian Church in San Francisco.

I soon discovered that even after knowing him all those years, I had overlooked something significant that was right in front of my eyes the whole time.

I noticed a turquoise pendant on a chain around his neck, and asked Paul about it. He grew thoughtful and told the story of his pendant in a deeply felt way.

"It was 1983," Paul said, "and I had just recently come off the street myself. I was volunteering at Hospitality House, and I helped this dude out. Then I ran into him on the street three days later, and he said, 'Here, I've been holding onto this for you.'

"And he gave it to me. I've never taken it off since. I love it. There's just something about it, what it says, and what it means."

Why was he so moved that he has never taken off a long-ago memento given by a half-remembered homeless man?

"You know when you're coming off the street, you're just helping each other out," Paul said. "You're not in a service-provider-type thing. It's not a profession. You're just helping someone out. Like, there were people who we pooled our food stamps with and shared. So to have somebody say, 'Thank you for helping me out,' and give a gift that meant something to him — that really meant a lot to me."

It was eerie to hear the story of his pendant, because I had heard nearly the same, exact thing from my wife Ellen Danchik a few days earlier.

Ellen works with poor and homeless seniors at St. Mary's Center in Oakland. She is my hero in life, and I see at first hand her selfless dedication and kindness.

It has long bothered me that society does so little to honor the work of its "social workers" — a colorless phrase that falls so far short of describing the beautifully altruistic acts of love and mercy done by so many unsung heroes in our midst.

When I asked her if the thankless nature of her work ever got to her, she dismissed my question with a smile and said she *never* thought about that. She said it forcefully, categorically. I know Ellen. When she says she never thinks about the lack of recognition, she means *never, ever*.

Ellen added, "But when two people I helped gave me Christmas cards, and a homeless man gave me a little ceramic angel, it meant the whole world to me."

She treasures it in exactly the same way Paul will always value his pendant.

A WORLD TURNED UPSIDE DOWN

Reflecting on their values turns the world upside down.

Our society values fame and awards ceremonies: Oscars, Pulitzers, Nobel Prizes. Prestigious bodies give coveted awards to those who succeed in the race for fame and glory. In the business world, people receive promotions, salary increases, million-dollar bonuses. Yet people who do the most sacred work of all — caring for the poor and disabled and destitute — toil in nearly complete obscurity, for poor pay, and little or no recognition.

That is why a pendant can turn the world upside down. While society teaches us to seek recognition or honors from above, Paul and Ellen value, with all their heart, an inexpensive pendant or a small angel given to them, unceremoniously, by a destitute and unknown resident of the streets.

An intense Jewish prophet from Nazareth said that the first shall be last, and the last shall be first. Another poet, Bob Dylan, channeled the same prophetic teaching when he sang: "The order is rapidly fading, and the first one now will later be last, for the times they are a changin'."

The prophet from Nazareth consistently turned our entire world-view upside down. God especially loves the lost sheep, he said — the poor and homeless, the outcast and disabled. The very ones who have been discarded and discounted by society have the most privileged place of all.

Contrary to everything our society tells us, the mighty military overlords will not be first. The masters of war will be last, and the meek will inherit the earth.

The Wall Street bankers and the masters of finance that control untold billions of dollars are in a rat race for last place. "Woe to you who are rich, for you have already received your consolation." (*Luke* 6:24) Instead, blessed are the poor, for theirs is the kingdom of heaven.

Jesus turned upside down the very idea of award ceremonies for the rich and famous. After warning us not to invite the rich and well-connected, he said, "But when you give a banquet, invite the poor, the crippled, the lame and the blind." (*Luke* 14:13) I thought of how those are the very people invited in for meals at St. Mary's Center every day.

Suitcase Clinic volunteers wash the feet of homeless women. Lydia Gans photo

The ultimate example of these upside-down values occurred when the very one who was supposed to be the greatest, the messiah, washed the dusty feet of his disciples — the job of a lowly servant.

I had always found that passage to be spellbinding in its beauty. Who else but a great poet could find a way to demonstrate so eloquently that "whoever wants to be first must be last of all and servant of all." (*Mark* 9:35) What an amazing act of selflessness, so Zen-like in its paradoxical reversal of roles. Only a religious genius could have dreamed that up.

But then I was startled to realize there are people in our own community, right now, today, who are doing exactly that, without any sort of fanfare. They are lovingly washing the feet of homeless people.

They are not doing it in the hope of any kind of recognition, and they are not doing it as some sort of theological statement. They are washing the feet of the poor as an act of simple kindness, because homeless people are on their feet day and night, and their endless march to nowhere takes a tremendous toll on their legs and feet.

THE SUITCASE CLINIC

In Berkeley, more than 100 University of California students volunteer at the Suitcase Clinic. They find the time, in their busy, crowded lives of classes and study and tests, to serve the destitute ones that nearly everyone else ignores and avoids.

Some Suitcase Clinic members help at the free medical, dental and optometry clinics. They prepare meals, run drop-in centers, and help homeless people with housing referrals. Others help defend the civil rights of homeless people. Some students do massage and acupuncture.

And some wash the feet of homeless people, not because it is noble or exalted, but because it is badly needed by people who are on the move all day, with no place to lay their head and rest. No one makes a big deal about this. But it is a very big deal.

It's a sacred act, even if most of those who serve the poor don't think they are doing anything special. Yet, they are doing something so extraordinary that some faiths teach that the very fate of humanity depends on these seemingly ordinary acts of love and mercy.

Pick your own religious or political tradition, and call it what you will. In the Catholic faith, it is called the Works of Mercy, as defined by Dorothy Day, a left-wing saint who began the Catholic Worker to shelter and feed the homeless poor.

In Buddhism, we learn of the compassionate bodhisattva who selflessly renounces his or her own self-interest, and acts to save sentient beings from suffering.

In the Jewish faith, we find mystical teachings about the Lamed-Vov, a handful of compassionate people whose acts of mercy make it possible for the very world to continue. The Lamed-Vovniks are so modest and unassuming that no one even realizes their saintly role. Even they themselves don't realize their importance.

In secular political terms it is called solidarity — an injury to one is an injury to all. The spirit of brotherhood and sisterhood that labor organizer Mother Jones described so powerfully: "Pray for the dead and fight like hell for the living."

THERE IS A FOUNTAIN

"Let it be known there is a fountain
That was not made by the hands of man."

The Grateful Dead sang that.

"There is a river whose streams make glad the city of God."

The Book of Psalms sang that.

Acts of compassion flow from the inner wellsprings of the Spirit, whether we realize it or not. The Spirit is a hidden fountain, elusive and intangible, yet perennial and ever-flowing.

Once in a while, you may catch a glimpse of the Spirit, perhaps only a glimmer of light reflected off the ordinary-looking pendant worn by a friend.

The Spirit is love. It speaks to us in the still of the night to remind us that we are our brother's keeper, our sister's keeper.

It is an unseen impulse that inspires us to help another in need. It is the spirit of thankfulness that moves a poor man to give a pendant to an activist who helped him. It is the gratitude that makes that activist cherish an inexpensive necklace, and wear it in thanksgiving for the rest of his life.

It can leave a permanent imprint on those who give and those who receive. It has now been nearly 30 years since one activist received a small pendant — an emblem of mercy.

One of the beatitudes has always been engraved on my mind: *"Blessed are the merciful, for they shall receive mercy."*

Sometimes, to sweeten the deal, they receive a cool turquoise pendant as well.

Mass Imprisonment: The Moral Equivalent of Jim Crow

Editor's Note: Michelle Alexander, a renowned author, civil rights attorney and prison-reform advocate, delivered this keynote address on May 26 at "The Edges of Justice," an annual event held by the American Friends Service Committee in San Francisco. Only three days before, on May 23, the U.S. Supreme Court ordered California to greatly reduce its prison population after ruling that the state's prison system was so overcrowded that it amounted to "cruel and unusual punishment."

Alexander is the author of *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. She is the former director of the Racial Justice Project of the American Civil Liberties Union of Northern California, and an associate professor of law.

Michelle Alexander, civil rights attorney and author of *The New Jim Crow*.

"As a criminal, you have scarcely more rights and arguably less respect than a black man living in Alabama at the height of Jim Crow. We have not ended racial caste in America, we have merely redesigned it." — Michelle Alexander

by Michelle Alexander

Thank you so much for that warm welcome and introduction and for having me here. I just couldn't be more delighted to be supporting the work of this phenomenal organization dedicated to the values that I hold dear; that respects and honors the dignity and humanity of all people, no matter who they are or what they have done.

I believe that we are at a potential turning point in our history today. There is a moment of opportunity today that hasn't existed for decades. An economic crisis that is afflicting states large and small is creating a space in which, for the first time in a long, long time, people are actually willing to entertain the possibility of major criminal-justice reform.

If the Supreme Court's ruling is any indication — and you know it's bad when the Supreme Court actually rules in your favor [laughter] — there is a moment of opportunity to sort of burst through in terms of advocacy and movement-building today.

I think the question is whether those of us who care deeply about these issues will succeed in persuading others to join us in building a movement that will push past this moment of interest convergence, this moment when right-wing folks who are attempting to balance budgets without raising taxes suddenly find their interests aligned with the interests of poorer people of color and those cycling in and out of the prison system. The question for us today is whether this moment of opportunity will create the space for us to birth the kind of movement that will end mass incarceration as we know it in the United States.

Now, in my view, whether or not this moment of opportunity slips by without the type of large-scale change, truly transformative change, that I believe is possible and necessary, whether that happens turns in no small part on whether we as a nation come to grips with the caste-like system that has been reborn in America and the racial dynamics that have produced it. Many people today are arguing that we ought not make it a race issue, that we ought not talk about race in our advocacy for fear of alienating our potential allies at a time of great opportunity for criminal-justice reform.

But I fear that if we heed that advice, we will wind up actually reinforcing the very habits of thought that birthed mass incarceration and we will not have disturbed the attitudes and assumptions that sustain it. I believe in the years since Martin Luther King Jr.'s death, our nation took a tragic U-turn. We lost our way and betrayed his dream. While so many at that time were committed to marching the path of hope, inclusion and equality, there was a backlash that was brewing, one that would result in millions of Americans permanently locked up and locked out.

That backlash manifested itself as the war on drugs, the get-tough movement, politics of racial division that birthed a penal system unparalleled in world history. The systematic mass incarceration of poor people, particularly poor folks of color, has emerged as a new caste system, one specifically designed to address the social, political and economic challenges of our time. It is the moral equivalent of Jim Crow.

Now, there was a time when I rejected this kind of talk. I thought people who made comparisons between mass incarceration and Jim Crow, or mass incarceration and slavery, were exaggerating or engaging in distortions and hyperbole, and I actually thought that people who made those kinds of claims were doing more harm than good to efforts to reform the criminal-justice system and achieve greater racial equality in the United States.

JIM CROW AND CRIMINAL JUSTICE

But what a difference a decade makes, because after years of working as a civil-rights lawyer representing victims of racial profiling and police brutality and investigating patterns of drug law enforcement in poor communities of color and attempting to assist people re-enter society after being released from prison, I had a series of experiences that began what I call my awakening. I began to awaken to a racial reality that is so obvious to me now that what seems odd, truly strange, in retrospect, is that I had managed to be blind to it for so long.

Now there were a number of experiences that helped to inspire my awakening and a tremendous amount of research as well, but ultimately I came to the conclusion that what has changed since the collapse of Jim Crow has less to do with the basic structure of our society than the language we use to justify it. In the era of colorblindness, it is no longer socially permissible to use race explicitly as a justification for discrimination, exclusion and social contempt. So we don't. Rather than rely on race, we use our criminal-justice system to label people of color criminals and then engage in all the practices we supposedly left behind.

Today it is perfectly legal to discriminate against criminals in nearly all the ways it was once legal to discriminate against African Americans. Once you're labeled a felon, the old forms of discrimination — employment discrimination, housing discrimination, denial of the right to vote and exclusion from jury service — are suddenly legal. As a criminal, you have scarcely more rights and arguably less respect than a black man living in Alabama at the height of Jim Crow. We have not ended racial caste in America, we have merely redesigned it.

More African Americans are in the correctional control system today, in prison or jail, on probation or parole, than were enslaved in 1850, a decade before the Civil War began. In 2004, more black men were disenfranchised than in 1870, the year the 15th Amendment was ratified, prohibiting laws that explicitly deny the right to vote on the basis of race. Now during the Jim Crow era, of course, poll taxes and literacy tests operated to keep black folks from the polls. Well, today, federal disenfranchisement laws accomplish in many states what poll taxes and literacy tests ultimately could not.

A black child born today has less of a chance to be raised by both parents than a black child born during slavery. Now, this is due in large part to the mass incarceration of black men. There was an article published about this in the *Economist* magazine, of all places, entitled, "How the mass incarceration of black men harms black women." In the article, it explained that the majority of black women in the United States, including about 70 percent of professional black women, are unmarried and that this is due largely to the mass incarceration of black men, which takes them out of the dating pool in the years they would be most likely to commit to a partner, to a family.

BLACK FAMILIES ARE DECIMATED

But what's worse is that by branding them criminals and felons, often at early ages, they are rendered permanently unemployable in the legal job market, for the most part, virtually guaranteeing that most of them will cycle in and out of prison, sometimes for the rest of their lives. In this way, mass incarceration has decimated black families to a degree comparable to slavery.

This is not a phenomenon that affects just some small sliver of the African American community. No, in many major urban areas, the majority of working-age, African American men have criminal records and are thus subject to legalized discrimination for the rest of their lives.

It was reported in 2002, that in the Chicago area, if you take into account prisoners — who are excluded from poverty statistics and unemployment data, thus masking the severity of racial inequality in the United States — but if you take into account prisoners, nearly 80 percent of working-age, African American men have criminal records and are thus subject to legalized discrimination for the rest of their lives. These men are a growing part of an undercaste — not class, caste — a group of people defined largely by race who are relegated to a permanent second-class status by law.

I find that when I tell people that I think mass incarceration is like a new Jim Crow, they say, "What are you talking about, you know our criminal-justice system isn't a system of racial control. It's a system of crime control. You know, if black folks would just stop committing so many crimes, they wouldn't have to worry about being locked up and locked out, stripped of basic civil and human rights."

But, of course, therein lies the greatest myth about mass incarceration; namely, that it has been driven by crime rates, which is not true.

PRISON POPULATION HAS QUINTUPLED

Our prison population has quintupled in the space of about 30 years for reasons that have stunningly little to do with crime or crime rates. Crime rates have fluctuated over the past 30 years, gone up, have gone down. Today, as bad as they are in some parts of the country, crime rates are actually at historical lows, but incarceration rates, especially black incarceration rates, have consistently soared. Most criminologists and sociologists acknowledge that crime rates and incarceration rates in the United States have moved independently of one another. Incarceration rates have soared regardless of whether crime is going up or down in any given community or the nation as a whole.

So what explains the explosion in incarceration rates and black imprisonment, if not crime rates? Well, the answer is the war on drugs and the get-tough movement, the wave of punitiveness that washed over the United States. In fact, drug convictions alone accounted for about two-thirds of the increase in the federal system and more than half of the increase in the state system between 1985 and 2000, a period of our prison system's most dramatic expansion. Drug convictions have increased more than 1000 percent since the drug war began. In fact, there are more people in prison and jail today just for drug offenses than were in prison for all reasons in 1980.

Now, most Americans violate drug laws in their lifetime, but the enemy has been racially defined. Not by accident, the drug war has been waged almost exclusively in poor communities of color even though studies have shown now for decades that, contrary to popular belief, people of color are no more likely to use or sell illegal drugs than whites. In fact, more significant differences in the data can be found that suggest that white youth are more likely to engage in illegal drug dealing than black youth, but that's not what you would guess by taking a peek inside our nation's prisons

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Prisons and the New Jim Crow

from page 8

and jails, which are overflowing with black and brown drug offenders. In some states, 80 to 90 percent of all offenders sent to prison have been African American.

People often try to rationalize this result by arguing that the drug war has benign motives; that it makes sense to concentrate on poorer communities of color in waging the war because that's where the violent offenders and the drug kingpins can be found. Most people seem to imagine that the war on drugs was declared in response to the emergence of crack cocaine in inner-city communities and the related violence. That's not true.

REAGAN'S WAR ON DRUGS

President Ronald Reagan declared his drug war in 1982 at a time when drug crime was actually on the decline, not on the rise. It was before, not after, crack began to ravage inner-city communities and became a media sensation. President Richard Nixon was the first to coin the term "war on drugs," but it was President Reagan who turned that rhetorical war into a literal one. At the time he declared the drug war, drug crime was actually on the decline, not on the rise. Less than 2 percent of the American population even identified drugs as its most pressing concern.

So why would the Reagan administration declare a drug war when people weren't much concerned about it and drug crime was on the decline? Well, because the drug war from the outset had relatively little to do with actual concern about drug crime or drug addiction or drug abuse, and nearly everything to do with politics, racial politics. U.S. historians and political scientists have now documented that the war on drugs was part of a grand political strategy by the Republican Party — known as the "Southern Strategy" — of using racially coded, get-tough appeals on issues of crime and welfare to appeal to poor and working-class whites, particularly in the South, who were threatened by, anxious about, resentful of, many of the gains of African Americans in the civil rights movement.

Now to be fair, I think we have to acknowledge that poor and working-class whites in the South really had their world rocked by the civil rights movement. Wealthy whites could send their kids to private schools and give their kids all of the advantages that wealth had to offer. But poor and working-class whites, folks who were struggling for survival, they were faced with a social demotion.

It was their kids who might potentially be bussed across town or subjected to desegregation orders. It was their kids who would be forced to compete on equal terms for scarce jobs with a whole other group of people they had been taught their whole lives to believe were inferior to them. And to make matters worse, affirmative action plans created the perception that black folks were now leapfrogging over them on their way to Harvard or Yale and to other opportunities. This created an enormous amount of anger, frustration, resentment and anxiety, and it also created an enormous political opportunity.

Pollsters and political strategists found that by using thinly veiled promises to get tough on "them" — a group not so subtly defined as black and brown — it was enormously successful in persuading poor and working-class white voters to defect from the Democratic New Deal coalition and join the Republican Party in droves.

H.R. Haldeman, President Nixon's former chief of staff, explained the strategy this way: "The whole problem is really the blacks. The key is to devise the system that recognizes this while not appearing to." Well, they did it. A couple years after the drug war was announced, crack hit the streets in inner-city communities and there were many people in the African American community who thought it was a little bit too much of a coincidence that crack would appear after, rather than before, a drug war was declared.

On May 23, the U.S. Supreme Court ruled that California's overcrowded prisons constitute "cruel and unusual punishment."

Today it is perfectly legal to discriminate against criminals in nearly all the ways it was once legal to discriminate against African Americans. Once you're labeled a felon, the old forms of discrimination — employment discrimination, housing discrimination, denial of the right to vote and exclusion from jury service — are suddenly legal.

REAGAN'S MEDIA SCARE TACTICS

But coincidence or not, the Reagan administration seized on this with glee, actually hiring staff whose job it was to publicize and feed the media stories of inner-city crack babies and crack dealers and so-called crack whores and crack-related violence in the hopes that crack would become a media sensation and bolster public support for a drug war they already declared — and persuade Congress to devote billions more dollars to waging it. And the plan worked like a charm, almost overnight.

Television sets were saturated with images of black and brown drug users and dealers and a wave of punitiveness washed over the Unites States. Soon Congress was passing harsh minimum sentences for minor drug offenses, harsher than murders receive in other western democracies, and Democrats began competing with Republicans to prove they could be even tougher on them then their Republican counterparts.

So it was President Bill Clinton who escalated the drug war far beyond what his Republican predecessors even dreamed possible. It was the Clinton administration that championed laws banning drug offenders even from food stamps for the rest of their lives, banning drug offenders from public housing and authorizing discrimination against people with criminal records for the rest of their lives, denying even federal financial aid for schooling to people who were once caught with drugs.

Many of the laws that now constitute the basic architecture of this new caste system were championed by a Democratic administration desperate to win back those so-called white-swing voters, the Reagan Democrats, the folks who had defected from the Democratic Party in the wake of the civil rights movement.

So here we are, decades later, with millions of people cycling in and out of prison, because of the get-tough movement and a drug war born of our nation's racial divisions and anxieties. And we created a caste-like system for those who are released.

DENIAL OF VOTING RIGHTS

Consider some of the rules and laws that apply to people who have been branded criminals and felons and ask yourself if they remind you of a bygone era. Obviously, the denial of the right to vote, you know, 48 states and the District of Columbia deny prisoners the right to vote, but that's just the tip of the iceberg, because once you've been released, you can be denied the right to vote for a period of years or the rest of your life.

Exclusion from jury service — one of the hallmarks of the old Jim Crow era was all-white juries, particularly in the South. Well, today in many parts of the country, all-white juries are having a roaring comeback. Why? Because once you've been branded a felon, you're deemed ineligible for jury service for the rest of your life, and to make matters worse, if you have ever had a "negative experience with law enforcement," you can be struck from a jury for cause. Now, good luck finding many African Americans who have not yet had a negative experience with law enforcement that would justify their exclusion from a jury for cause. In this way, all-white juries have been having a roaring comeback even in areas that are highly racially diverse.

Then, there is employment discrimination. Nearly every job application has that box you've got to check asking the dreaded question: Have you ever been convicted of a felony? It doesn't matter if that felony happened three weeks ago or 35 years ago, for the rest of your life you've got to check that box knowing full well your application is likely headed straight for the trash.

Housing discrimination — perfectly legal. In fact, when you are released from prison you're barred from public housing and your family risks eviction if they allow you to come home. So here you are released from prison, desperate to see your children, desperate to go home, they're living in public housing and you are barred by law from going home. Where do you go?

Discrimination of public benefits — perfectly legal. In fact, by federal law, thanks to the Clinton administration, you're barred from food stamps for the rest of your life if you're a drug offender. Fortunately, many states have opted out of the federal ban on food stamps, but there are thousands today who still can't even get food stamps to survive because they were once caught with drugs.

What do we expect folks to do when they're released from prison? You can't get a job, you're barred from housing, even food stamps may be off limits to you. Apparently what we expect them to do is to pay hundreds or thousands of dollars in fees, fines, court costs, accumulated child support — which continues to accrue while you're in prison — and in a growing number of states, you're expected to pay back the cost of your imprisonment.

And get this, if you are one of the lucky few who actually manages to get a job, up to 100 percent of your wages can be garnished, 100 percent to pay back those fees, fines, court costs, accumulated child support. What do we expect folks to do?

What is the system designed to do? It seems it's designed to send folks right back to prison — which is what happens the vast majority of time. Most people released from prison return at some point and the majority of those who do, do so in a matter of months because the challenges associated with mere survival on the outside are so immense.

BUILDING A MOVEMENT FOR CHANGE

So what do we do now? What do we do now that we have millions of people cycling in and out of prison, locked up and permanently locked out? A system that was birthed of our nation's racial divisions and anxieties and that has been sustained by the unconscious and conscious beliefs in stereotypes we have about "them." My own view is that nothing short of a major social movement has any hope of ending mass incarceration in America.

We are going to have to build a movement, one that is not color-blind, but color-conscious and compassionate to those who have been branded disposable and unworthy in large part because of the color of their skin.

If we were to go back to the rates of incarceration we had in the 1970s, before the war on drugs and the get-tough move-

See **Prisons and New Jim Crow** *page 10*

Creative Sit-In Challenges Plan for Sitting Ban

from page 1

chair sitters. She had been homeless in Berkeley herself, and she said she remembered how much people on the streets need water. She carried with her copies of a printed statement she had written and is passing out all over town. It is a powerful criticism of the proposed sitting ban, calling it "an act of classism."

It reads in part, "Passing the law would be a discriminatory act of prejudice." She wrote that there would be "social uproar and public outrage" if a law was passed banning black people from hanging out in front of stores. "However, it is also very damaging and discriminatory to homeless persons to say 'we don't want homeless people sitting in front of the stores.'"

The African American mother insists that "classism is just as bad as racism when prejudice occurs." The woman would not give her name, explaining that she had been homeless with a daughter and her daughter would be embarrassed because of the stigma attached to homelessness.

The action, while it was lively and fun, might also be looked at as a metaphor for homelessness, with people constantly having to pick up their belongings and move. It soon gets quite exhausting. The participants in the demonstration began to show weariness too, though they continued to the end as planned.

This event was just one in a continuum of actions intended to alert the people of Berkeley about this draconian proposal to ban sitting. The coalition of people and organizations providing services and support for homeless people has been active in staging protests and they say they will continue to do so as long as necessary.

It all started back in February when Sally Hindman, executive director of Youth Spirit Artworks stopped in for a cup of coffee at Addie's Pizza Pie, which is next to her office. Members of the business improvement districts (BIDs) happened to be there, holding a meeting. Since Hindman is a local business person she was invited to join in.

Hindman exposed the plans for a sitting ban in her article, "Berkeley Merchants Try to Ban Sitting," in the April 1 issue of *Street Spirit*.

She was surprised when suddenly the discussion turned to the anti-sitting ordinance which, she said, "they all agreed was necessary and that they could successfully push forward on the heels of what happened in San Francisco. Everybody said, 'Oh yes we want it.' There was no dissent or disagreement of any sort. We want it and Mayor Bates is for it too.

A creative sit-down strike outside the Berkeley BART station challenged the idea that sitting is illegal. Lydia Gans photo

"I was really quite stunned. I had just gone in there to get a cup of coffee and all of a sudden I'm sitting there with all these people who are demonizing homeless people and saying how we've just got to pass this ordinance to be able to do more to get rid of them."

— Sally Hindman, after inadvertently walking in on a meeting of business people planning a sitting ban

"I was really quite stunned. I had just gone in there to get a cup of coffee and all of a sudden I'm sitting there with all these people who are demonizing homeless people and saying how we've just got to pass this ordinance to be able to do more to get rid of them. As a concerned person from the religious community that's been working with homeless people, I was upset that this was something that they would be planning. Especially, I was pretty shocked that at this really tough time economically, people would be thinking in this direction. It just seemed very disturbing."

She tried tactfully to point out to the group that Berkeley has only a six-month emergency shelter with 25 beds for homeless youth, and no drop-in center, no place for homeless young people to go during the day. From the discussion she describes, it was clear that the business representatives had no concept of the nature and extent of homelessness in our community.

"I walked out completely blown away and e-mailed my friends," she said, "people that I knew were homeless service providers who had been involved in the challenges in the past."

Very quickly a meeting was called, and a coalition was formed called "Stand Up For The Right To Sit Down." A broad contact list was developed. The members felt that they would get support from an informed public.

Attorney Osha Neumann of the Neighborhood Justice Clinic explained the plan was to "put it on the radar of the public while the business interests were trying to move it along as a stealth measure, denying that it was happening. The City Council members and Mayor Bates saying there's nothing, while all along we knew that it was happening."

The City of Berkeley already has a number of laws on the books that target homeless people or are unfairly enforced against homeless people.

The first public action the coalition members organized was a sign-painting event on Telegraph Avenue, followed by the march downtown and appearance at the City Council meeting a month ago, on April 26. The City Council protest was reported in two articles in the May issue of *Street Spirit:* "Taking It to the Streets," by Michael Diehl, and "Berkeley Merchants Plot a Police Clampdown on Youth," by Terry Messman.

On Friday evening, May 20, a music and poetry event was held at the Art House Gallery and Cultural Center, sponsored by the coalition and the Revolutionary Poets Brigade. An enthusiastic audience of about 80 people filled the hall and heard songs and poems dedicated to the sitting ban issue and the many progressive causes dear to our hearts. [See "Poetic Resistance to the Berkeley Sitting Ban" and poetry from the event on pages 4 and 5 of this issue.]

Active coalition members Carol Denney and Andrea Pritchett were among the singers who participated. City Councilmember Kris Worthington attended and spoke briefly. He explained his opposition to a sit-lie law, pointing out that enforcement would be very expensive for the city as well as for Alameda County. He indicated that at this time at least two other council members are opposed to the law.

The Chair-a-Pillar event was the brainstorm of Carol Denney. She said, "Once we have a population of people here in Berkeley that would never, I mean never, vote for a city council representative or a mayor who would waste time on an idea like making sitting illegal, then we won't have to worry about stuff like this. But right now we have people who put these people in office. So the larger issue for me is educating people."

The Chair-a-Pillar event did so in a big way!

Prisons and the New Jim Crow

from page 9

ment kicked off, we would have to release four out of five people who are in prison today — four out of five. A million people employed by the criminal-justice system would lose their jobs. Private prison companies would be forced to watch their profits vanish.

This system is not going to just fade away entirely without some kind of major shift, a dramatic shift in public consciousness. Now, how do we get this movement really rolling and seize this moment of opportunity that's been created by an economic crisis? Well, I think it must first begin by telling the truth, the whole truth, about what we as a nation have done. We have got to be willing to admit out loud that we have in fact rebirthed a caste-like system in America. And we have got to be willing to embrace all those who have been labeled criminals and build the equivalent of an underground railroad to help them as they're striving for freedom.

People returning home from prison must be given the compassion, help, support so they can get jobs, get a roof over their head, get the loving care and support they need to get back on their feet and have a shot at reuniting with their families and reclaiming their lives again. So that's work that we've got to do, one by one, for people returning home from prison, in our churches, in our community centers, in our mosques, in our schools, opening doors as people are coming home and trying to save them one by one.

But just like in the days of slavery, it wasn't enough to build an underground railroad and try to free slaves one by one. People had to be willing to work for abolition. Today it's not enough to help people with re-entry, just to try to get a few people food and shelter and clothing when they need it. We have got to be willing to do the hard work of movement-building to end this system of mass incarceration as a whole.

We've got to ensure that it is a multiracial, multiethnic movement that includes poor and working-class whites, a group that has consistently been pitted against poor folks of color, triggering successive new systems of racial and social control.

This drug war was born with black folks in mind, but it has destroyed the lives of people and communities of all colors. And the divide-and-conquer politics that birthed the system, we can see it played out in the immigration issue, as a prison-building move is under way to house suspected illegal immigrants.

So we have got to be willing to connect the dots between the discrimination and repression of people of all colors, in order to ensure that this movement that we build actually prevents the emergence of new caste-like systems in the future.

But before such a movement can even get under way, a great awakening is required. We've got to awaken from this color-blind slumber and denial that we're in to the realities of race in America; and we've got to embrace those labeled criminals, not necessarily all their behavior, but them, their humanness, for it has been the refusal and failure to recognize the dignity and humanity of all people that has formed the sturdy foundation for every caste system that has ever existed in the United States or anywhere else in the world.

It is our task, I firmly believe, to end, not just mass incarceration and not just the war on drugs, but to end this history and cycle of caste in America.

Sidewalks Are Still for Sitting

from page 1

tiative in the November 2010 election, inspired Berkeley's Business Improvement District to push for a sitting ban.

The anti-homeless law traveled from Portland to San Francisco to Berkeley. Resistance to the sit/lie ban traveled in the reverse direction, from San Francisco to Berkeley and Portland, said Offer-Westort.

"The idea of Sidewalks Are For People Day started in San Francisco, which is why I think it is really cool it was Harvey Milk's birthday we are choosing for it," he said.

Activists didn't plan a multi-city resistance. It just spontaneously came into being. San Francisco activists had decided to reclaim San Francisco sidewalks. Berkeley folks were already in the midst of their own campaign to resist a repressive sitting-ban measure supported by Mayor Tom Bates and downtown business associations. Then, Portland folks decided to take action, simultaneously.

Offer-Westort called this "the angelic metastasization of resistance and democracy." People take back public space and civil society, saying, "This is ours."

Using the identical pathways by which conservatives purvey law-and-order crackdowns, authoritarianism, and the takeover of public spaces by big business, we can build a movement to uphold human rights and democracy, and restore the people's voice.

PORTLAND, OREGON

BY BOB OFFER-WESTORT

While there have been sit/lie laws since the 1960s along the West Coast, following a Conventions and Visitors Bureau visit to Portland in 2007, Portland's now-discredited sit/lie law was the immediate inspiration for San Francisco's law.

Portland's law was ultimately found — in several successive versions — to violate the Oregon State Constitution. However, homeless people in Portland still face a "sidewalk management" ordinance, which restricts them to the curbside half of downtown sidewalks.

In Portland, activists from Sisters of the Road set up a soapbox and had birthday cake for breakfast to honor Harvey Milk's birthday.

BERKELEY, CALIFORNIA

BY TERRY MESSMAN, LYDIA GANS, BOB OFFER-WESTORT

The ACLU successfully challenged Berkeley's 1994 sit/lie law. The City appealed, but the Berkeley City Council repealed it. Ten years later, Berkeley's City Council passed the "Public Commons for Everyone Initiative," a measure sponsored by Mayor Tom Bates that regulated some street behaviors.

However, the Berkeley City Council has not yet passed a sitting ban ordinance. To date, it is a proposal. The business community insists publicly that Mayor Bates will support a sitting ban. Other members of the Berkeley City Council are reportedly willing to pass one.

A coalition of homeless activists, attorneys and service providers has begun to mobilize resistance in an attempt to erode public support before the sitting ban is even introduced to the Berkeley City Council. City Councilmember Kriss Worthington has warned that the council may try to sneak the law through later this summer when University of California students are not in session.

On Sunday, May 22, at the Berkeley BART station, the "Stand Up For the Right To Sit Down Coalition" protested the anti-sitting proposal with a unique Chair-A-Pillar simulating a sinuous caterpillar's movements up, down and around the sidewalk. For two hours, sitters at one end of a row of dozens of chairs, brightly painted by high school students, carried their seats in succession to the other end of the line. As the Chair-A-Pillar snaked around the BART station, the lively action seemed a metaphor for forcing homeless people to move their belongings constantly. [See Lydia Gans full report on the protest on page one of this issue, "Creative Sit-Down Strike Protests the Sitting Ban."]

THE HAIGHT

BY BOB OFFER-WESTORT

Despite its history as a counterculture pilgrimage site, the Haight was the epicenter of sit/lie struggles in San Francisco from the get-go.

In its all-out push for the sit/lie ordinance in 2009 and 2010, the Haight-Ashbury Improvement Association claimed to represent the neighborhood.

After the ballot measure was passed in November 2010, San Francisco police began enforcing the law in March 2011. Park Station police, who have jurisdiction over Haight Street, issued more sidewalk sit-down warnings and citations, mostly to homeless youth, than cops at other city stations. It was important for the Coalition on Homelessness and the Homeless Youth Alliance that homeless youth have a welcoming place.

Members of these two organizations, in partnership with the Haight-Ashbury Neighborhood Council, which opposed the sit/lie law from day one, set up a grill at Haight and Cole and held a barbecue and "social stone soup" where friends performed sit/lie or homeless harassment poems. Neighbors brought corn on the cob, portobello mushrooms, and asparagus to complement our budget hot dogs and veggie dogs.

We played songs by the Grateful Dead (a perennial Golden Gate Park favorite), Neil Young and the Beatles. HANC Friends distributed information to passersby, inviting them to join our barbecue and the good celebration of public space that brought homeless and housed neighbors together.

With the barbecue in full swing, two confused beat cops approached. We explained our action. They said they'd check with their supervisor. On their return, they insisted our barbecue was a violation of section 720 of the Municipal Police Code (which actually prohibits news racks showing genitalia and breast images).

The sergeant offered the compromise that we could have the grill on the street, between parked cars. As he drove away, he said, "You know that sitting on the sidewalk is a citable offense, don't you?"

TENDERLOIN — POLK AND SUTTER

RACHEL WEST

US PROStitutes Collective and Legal Action for Women held their event in the Tenderloin at Polk and Sutter Streets. Our focus was reclaiming public space for all criminalized people. We offered live music, an information table. We kept a vigil for murdered sex workers. A reporter from KPOO Radio came for interviews.

Neighborhood people stopped by with stories. We spoke about the sit/lie law. People of color, immigrants, LGBTQ and sex workers face regular police harassment.

Sex workers on Polk Street, many driven into prostitution by homelessness, poverty and destitution, report being repeatedly ticketed and arrested for loitering/nuisance charges under existing police codes. As a strategy to get guilty convictions from San Francisco juries generally sympathetic to sex workers, multiple charges are prosecuted together. No evidence is needed — no tapes, no photos — just the word of the police. Now they face sit/lie enforcement.

Also reported was how sex workers, the majority of whom are mothers, young and/or transgender/LBGTQ, are forced onto the streets by crackdowns against massage parlors, as well as against web advertising like Craigslist. The censorship campaign against Craigslist which forced the closure of the adult ads section is spreading. Now Backpage and other web-based services are being targeted. Clamping down on ways sex workers can advertise undermines sex workers' safety and rights.

Rape and violence are increasing, but sex workers are afraid to report violence to the police, knowing they risk arrest under these laws. If sex workers can't report rape and violence, and police and courts refuse to act against these attackers, serial murderers like those in Long Island and Los Angeles are given a green light.

The overall message of the event was that safety must be prioritized and criminalization must end.

THE CASTRO

BY CAROL HARVEY

Under a bright sun at Harvey Milk Plaza in the Castro, a rainbow of attendees celebrated, including people of color, LGBTQ community members, a nudist, young, old and in between, homeless and housed. The emphasis was on enjoying public space by sitting and talking with neighbors in honor of Harvey Milk's birthday.

Tommi Mecca, organizer of the "Sidewalks Are For People" event in the Castro, reported the "Castro had about 50 people altogether throughout the two hours." Supporters like US PROS' Rachel West, and Martin MacKerel visited from other sit/lie events.

A core group stayed as neighbors cycled in and out, sang and spoke, standing on the kind of soapbox Harvey used as he encouraged gay neighbors to come out of the closet — until the soapbox broke.

Said Mecca, "We started with (SOS) Singers Of The Street doing two songs and ended with a photo op for the *Bay Times* newspaper." Singers Of The Street is a choir led by Dr. Kathleen McGuire that provides "a voice, a face, and a place for seeking justice, healing, and joy for those living on the margins of society, especially those who are 'homeless, unemployed, and invisible.'"

Mecca performed several original songs and harmonized Francis B. Collin's stirring rendition of John Lennon's "Imagine." Two videographers, some journalists, and a photographer recorded smart, impassioned speeches on the history of LGBTQ civil rights struggles and Harvey Milk's fight against the sit/lie ordinance in the 1970s.

One USF professor suggested that business people, instead of chasing homeless people from in front of their stores, encourage business by creating small public squares where everyone could meet, perform, and rest.

Stephany Joy Ashley, president of the Harvey Milk Democratic Club, spoke briefly. Edmund Juicy, wearing a garland of Chinese marijuana, danced in a rainbow shower of bubbles floating everywhere from Mecca's bubble pipe, and no police showed up to harsh our mellow!

Harvey Milk would have loved attending his "No on Sit/Lie" and "Sidewalks Are Still For People" birthday party as it spread through two Bay Area cities and up the coast to Oregon.

"Multitudinous Seas"

(for the deceased homeless)

by Claire J. Baker

What a midnight, what a dawn!
We hadn't said Hello correctly
before more homeless sank, were gone
into midnight beyond the dawn —
another generation coming on
like ravaged boats upon the sea.
What a midnight, what a dawn —
how to say Goodbye correctly.

Crimes of Habit

by Dee Allen

(for Sarah Menefee)

It is unlawful to SIT
On statues
On hydrants
On curbs
On stone fences
Near fountains
City government declares
public property.

It is illegal to LIE
Down on stairs
On sidewalks
On park lawns
On bus stop benches
In doorways after business hours
City government considers such
public acts blight.

But where else can a world-weary
Body searching for a warm spot
Free from harassment go to
Liberate their feet? Momentarily
Liberate their shoulders & back
From the bearing weight of
Only possessions? What else can
They do when even
Prison-like shelters won't let them
Inside?

New police chief
Wants natural reflexes, habits
To be punitive crimes.

SIT & LIE?
NO-----SIT & SPIN-----

Genocide of the poorest of the poor

by Judy Jones

genocide of the poorest of the poor
in the USA
is happening before our eyes

armed guards hired
to keep starving people
from having food to eat
and keepin em
from being able
to sit or sleep

police keep them
walking all night
until they die on their feet

genocide of the poorest of the poor
is happening before our eyes
the homeless are
being tortured to death

without sleep food and homes
their spirits die
long before their bodies
meet their demise

history will remember
the genocide of the
poorest of the poor
in the USA
as the most vicious and brutal
this country will have ever known

genocide of the poorest of the poor
in the USA

WHY

by Claire J. Baker

What was it—booze, drugs, love gone
wrong, song gone sour, poisonous
servings of war, rotten sanity,
misbegotten Wall Street bankers,
holes in the human safety net
that you, lovely lady, handsome man,
retreated to the ghetto?

Sidewalks don't converse
with each other or with you,
don't restore footing when you fall,
quickly consider one dust, debris,
disgraceful, grime, a mess.
Man & woman once primed
for survival, now without a face.

"FAUX STREET REVISITED." The viewpoint of a homeless woman sitting on the sidewalk as passers-by hurry past and ignore her. Painting by Christine Hanlon, oil on canvas

Doesn't Anybody Hear

by Judy Jones

doesn't anybody hear
the cries screams and moans
of the homeless dying in our streets

i called the police
and they sent a squad
forcing the poor to move
or go to jail

i called the hospitals
and they said
no beds could be had
for those with no green cash

i called the churches
and heard their voice machines say
"please leave your name
number and we will get back
to you as soon as we can"

i called the organizations
who service those in need
and they told me
to call the mayor who
would take care of
them all

i called the president
but his office said
he was too busy
to take my call

doesn't anybody care
doesn't anybody see
human beings
eating out of garbage cans
left to die before our eyes

can't you understand
it's your child mother
father sister and brother
with the worm eaten bodies
you are trampling
on the streets

and it's you and me
you and me

Harness The Wind

by Sue Ellen Pector

Hungry Americans line up
for food in the park,
our leaders bomb Libya
to prevent violence
and the food lines lengthen.

America splits atoms
rather than harness wind
lest wind blow
wealthy nuclear bosses
clear into food lines at the park.

Inspired by Lydia Gan's photo in *Street Spirit*

Mona Lisa of the Streets

by Claire J. Baker

I gave the woman a simple smile,
some dollars, knowing not enough.
Her aura glowed: she once had style.
I gave the woman an open smile
then plowed my way, single file
holding tears, keeping the bluff.
I gave Mona Lisa a knowing smile,
some dollars that were not enough.

Reproach

by George Wynn

She stumbles
lays with wet leaves
feels the weight
of her heavy backpack

Yes, she's afraid in the darkness
of Golden Gate Park
Yes, she has her freedom

Her family does not know her
even before they disown her
Mother and father accuse her
of being a bad daughter

She's been on the move all day
police cracking down on sit/lie laws
she's tired, oh so tired
big strong trunk of a tree her shelter
she removes her stack of Rumi
books for her pillow for the night
she reflects on the thought: I
like anyone who isn't judgmental
she dreams of meeting
a man with a sweet soul.

At City Hall

by Sue Ellen Pector

Gray-haired man
beneath blanket
asleep in jacket;
on the next park bench
another sleeper's feet.

Inspired by a photo by Tom Lowe in *Street Spirit*

Like Peasants of Yore

by Sue Ellen Pector

Survival under capitalism
is not for the general populace,
reserved instead for the
colossal captains of capital.
Increasingly now,
like the peasants and
the proletariat of yore,
today's peons are excluded
by the ruling class,
then rudely pushed aside by
the dizzy, deluded bourgeoisie.

To Live In America

by Sue Ellen Pector

To live in America,
the land that cultivated and
protected lynch mobs

to live in America,
the land that invades with impunity

to live in America,
the land that brags about
pristine rivers and
magnificent mountains,
then destroys them

to live in America,
the land that claims
to harbor the oppressed
yet denies poor folks
food shelter dignity

to live in America
is a fearsome thing.

Still Here

by George Wynn

Rain abates upon
cardboard box house
She reflects upon
sad fates
of close friends
Hands folded
in prayer:
Lord give me
strength to persevere
I'm the only
one still here.

to be alive

by Michael Leslie

bright far stars,
cool fall air,
pavement under trees
planted 100 years ago

by those long gone
bodies dissolved
into rocks
indians consider relatives.

u may be active
in your profession,
even well-known
but eventually we age.

mentioned in local
obituary —
doctors, housewives,
greatly missed.

they had to be
someone as
homeless ordinarily
aren't mentioned!

The Fall

by Sue Ellen Pector

Her weaponry
America hones and polishes
trains and tests with
nary a funding shortage.
No money found for America's
poor people.
America, whence fled your heart?
A long steep fall it was.

The Mendicant Wonders

(almost outloud)

by Claire J. Baker

having survived the night,
how to reflect on his life
& not find a scrap of mirror
too dull or far too bright.

Last Visit

by Cassandra Dallett

It was a jailhouse visit
he says, one of many.
He'd been from county to the pen
Rita to Quentin, with no plans for change.
On this day the mother of his three kids
brought his daughter,
she was little still,
cherubic in pink, a cocoa cutie,
eyes giant brown, a wide melting smile.
Though he'd been running the streets
and paying the price all her life and before it,
she was Daddy's girl.
The visit was through glass
a greasy telephone on either side.
The girl's mom held her
put the receiver into her hand
she told Daddy she loved him
in small smiling words,
when she was done
her mom took the phone back.
His daughter stood on her own
examined the wall separating her
from her father's lap.
She couldn't get around it,
her fingers pried into hard corners.
She could not touch, get close enough
for him to swing her little body up
and into his muscular embrace
to feel his kisses cover her face.
Frowning she started to pull at the steel counter
to bang on the shatterproof glass
when it did not give she began to scream
with her whole voice box she screamed
and screamed "I want my Daddy,
give me my Daddy, let my Daddy out!"
and no one could calm her
or get him out
of the box.