

Sit-lie law faces torrent of critics at City Council hearing

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 STAFF WRITER

Despite a wave of public testimony against the downtown sit-lie ordinance, City Council is considering extending its term until at least October 23, 2009.

The 2-year-old Sidewalk Obstruction Ordinance was scheduled to expire June 8. A Street Access For Everyone committee report finding that the ordinance was predominantly enforced against homeless people was presented to council in November.

Rather than having the council decide whether or not to renew the controversial ordinance permanently, Commissioner Amanda Fritz proposed prolonging its term to give her and Commissioner Nick Fish — both relatively new to council — time to study the ordinance and discuss it with the wider community.

At the April 29 council meeting, Fritz said many city processes have been in flux, between budget cuts and bureau reorganizations. She and Commissioner Fish realized they wanted more time to look at the ordinance.

Fritz said she's heard from people in outlying neighborhoods that they care about the law, and she wants time to include them in the process. She's heard from businesses who think the ordinance has been helpful, and from advocates who think it violates the civil rights of those on the streets.

"We could just vote it up or down today, but then what?" Fritz said. "One side would



Tobiah Tillman protests the sit-lie ordinance during the City Council debate on the issue Wednesday, April 29

be happy, and one side would be mad, and there would be much less incentive to come to the table" and discuss it.

Testimony on the ordinance extension stretched over an hour and a half, with 23 people signed up to speak. Many protesters sat in the audience with signs reading "No Sit/Lie!"

"Looking at this ordinance, I see inhumane treatment for my fellow humans,

and it breaks my heart," said Tobiah Tillman, the first to speak. "When you have human beings that are out on the streets right now that have all the odds against them... for them to be picked out of their sleeping spots after all of that, it just makes it harder for them to regain their composure, regain their jobs, and get them in a position of stable living."

April Burriss noted the SAFE committee's findings that of 170 people cited between August 2007 and September 2008, 133 were homeless. "I believe that (homeless) people are really being targeted unfairly," she said. "Obviously this is not about sidewalks."

"What would be wrong with just not having this in place while we think about it?" she concluded, to applause in the chamber.

Sandra McDonough, president of the Portland Business Alliance, was the only speaker in favor of the ordinance. She said the law and the SAFE committee have been able to address problems in the community that were never dealt with before, and she suggested that the system could be expanded to "a number of neighborhoods beyond downtown Portland and the Lloyd Center."

Leo Rhodes, who has been homeless off-and-on for 20 years, suggested the commissioners set their alarm clocks for every 20 minutes at night, get up, carry a full bag in circles around their house, and go to sleep in a different room. Then maybe they would understand the experience of

living outside and being constantly moved along, he said.

Commissioner Randy Leonard, a longtime critic of the sit-lie ordinance, said he was struggling to understand Fish and Fritz's argument that they want to extend the ordinance because they heard citizens express concern about it.

"Why not let the ordinance expire and have those conversations?" he said.

"If you tell somebody to move along that is sitting downtown, and they have no place to go, what happens? Do they just evaporate?" Leonard continued. "You have to give safe places for people to go when you tell them to move along. You have to give them toilets. You have to address the issues that make them homeless, and for us not to do that is short-sighted."

"I'm very disappointed that we're going to vote next week" on extending the ordinance, Leonard said. "I've heard what these folks had to say, and I agree with them: This is the wrong thing to do."

"I agonized over this issue," Fritz said. Extending the ordinance would be "changing my mind from what I thought I would do when I was campaigning, (but) I won't make this decision feeling like I'm rushed and don't have all the information I need."

There was audible unrest in the chamber as the council agenda moved on. The commissioners will vote May 6 on the temporary extension, which requires three of five votes to pass.

Group seeks Justice Department probe L.A. police

STAFF REPORTS

For more than two years, the Los Angeles Community Action Network (LA CAN) has been documenting what they call the systemic police misconduct of a controversial program called the Safer City Initiative, a program meant to increase law enforcement resources in order to target serious crime in L.A.

LA CAN, which is a member of the Western Regional Advocacy Project, of which Street Roots is also a member, is now requesting a Department of Justice investigation "to seek civil remedies due to policies and practices that foster a pattern of misconduct by employees of the LAPD's Central Division."

LA CAN is asking organizations opposed to Safer City Initiative to sign on to a letter to Chairman of the Domestic Policy Subcommittee Rep. Dennis Kucinich to launch an independent investigation of the widespread abuse of poor and homeless individuals taking place in the Skid Row neighborhood.

According to the report put out by LA CAN, the area known as Skid Row in downtown L.A. has 13,000 to 15,000 residents, 75 percent of whom are African Americans. After passage of the Safer City Initiative in Skid Row in 2006, 50 additional uniformed police and dozens of undercover narcotics officers were deployed to the 50-square block area. LA CAN says this has led to an "unprecedented concentration of police resources in a neighborhood with relatively low rates of serious and violent crime."

During the first year of the initiative: 9,000 arrests were made, 64 for every 100 residents; 10,342 citations were issued in its first 10 months, between 48 and 69 percent greater than the rest of the city; and African Americans were stopped 4.5 times more often than African Americans citywide.

"For decades, Skid Row has seen the most extreme and concentrated poverty and racial segregation in Los Angeles," the complaint by LA CAN states. "Yet, instead of instituting policies and programs to address racism, poverty and homelessness, a law

enforcement strategy to attack the symptoms of extreme poverty was developed and implemented. This expensive and ineffective response to homelessness and poverty has resulted in massive civil and human rights violations against poor and mostly Black people."

According to LA CAN, under the city's enforcement practices, a crosswalk violation is deemed sufficient reason to handcuff someone, place them against the wall, search their person, and run a warrant check. LA CAN also reports that officers often respond to a single non-violent incident with 10 to 15 uniformed officers, particularly threatening to the 50 percent of the Skid Row population that suffers from mental illness. Other parts of the city use SMART teams, which are non-uniformed and trained to respond to situations involving people with mental illness. These are not used in Skid Row.

On June 3, 2007, Faith Hernandez — a black female Skid Row resident — was beaten by four officers in front of dozens of witnesses and then arrested for resisting

arrest and battery of an officer," according to LA CAN's report. Hernandez weighs 90 pounds and is mentally ill. The alleged assault happened with an ink pen. Witnesses filed misconduct complaints. Only one witness was initially contacted with no follow up, according to the organization's report.

In the first year of the city's initiative, \$6 million was spent on the 50 additional police officers in the Skid Row community while only \$5.7 million was spent on homeless services citywide.

In October 2008, the ACLU of southern California released a detailed report on racial profiling in LA. The report finds "evidence that African-Americans are over-stopped, over-frisked, over-searched, and over-arrested."

More than 35 organizations oppose the L.A.'s Safer City Initiative and hundreds of residents have filed complaints in various public settings. The only concrete response was a public hearing held by the LA Police Commission to evaluate the initiative and its impacts.

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