

Cincinnati street paper boycotts own award

Street Roots' sister paper stands in solidarity with vendors banned from site

FROM STREETVIBES

The Cincinnati Human Relations Commission announced it would present an award to Streetvibes on July 26 for giving job opportunities to people who have disabilities. But Streetvibes declined to attend the award presentation because it was on Fountain Square, where vendors are prohibited from distributing the newspaper.

"If our vendors aren't welcome on Fountain Square, the staff and volunteers don't want to be there either," said Gregory Flannery, editor of Streetvibes.

The Human Relations Commission held a celebration July 26 to mark the 20th anniversary of the Americans with Disabilities Act. The federal law forbids discrimination in hiring practices and requires public facilities to be accessible to people who have disabilities. Speakers included U.S. Rep. Steve Driehaus (D-Cincinnati) and City Manager Milton Dohoney.

Streetvibes is a sister paper of Street Roots, and both are members of the North American Street Newspaper Association with more than 30 members altogether. Like Street Roots, Streetvibes is an employment system for homeless and other low-income people. Vendors, some with physical or emotional disabilities, purchase copies of the paper for 25 cents each and offer them for a donation of \$1.

The Cincinnati Center City Development Corp. (3CDC) manages Fountain Square under a contract with the city. A city

ordinance and 3CDC rules effectively forbid Streetvibes vendors from distributing the paper on Fountain Square, according to Kelly Leon, spokeswoman for 3CDC.

Flannery says he questions the constitutionality of any ban on distributing a newspaper on public property. He also points to a 2002 ruling by the U.S. Supreme Court throwing out an ordinance that banned religious displays on Fountain Square. Justice Paul Stevens cited "the



Gregory Flannery

square's historic character as a public forum."

"I doubt that 3CDC's rules trump a Supreme Court ruling or the First Amendment," Flannery says. "Fountain Square is a public forum. How can the city of Cincinnati ban a newspaper from a public forum?"

Flannery says efforts to get 3CDC and the city to allow Streetvibes vendors to work on the square have so far been fruitless. Leon directed him to call the city solicitor's office, which didn't answer phone calls or an e-mail, he said.

Last week, on the paper's behalf, attorney William Gallagher wrote to the city solicitor.

"I write this to you hoping you will take steps to remove a practice that strikes me

as unfair and many as unconstitutional. ... 3CDC permits corporations to make money on the square on a regular basis by selling food, drinks and products," Gallagher wrote. "It permits CityBeat to distribute daily its newspaper on the square. The Enquirer is immediately accessible to someone on the square. However, members of our community who are struggling to find shelter, food and stability are denied an opportunity to sell a newspaper on public property by a private corporation allegedly working in the city's interests."

Flannery says he hopes the matter can be resolved without the need for further litigation against the city. Streetvibes is published by the Greater Cincinnati Coalition for the Homeless, which filed a First Amendment lawsuit against the city last month. At issue in that case is a city regulation that requires homeless shelters to take action against residents who panhandle.

If the Human Relations Commission presents the award to Streetvibes anywhere besides Fountain Square, the paper will be glad to receive it, according to Flannery.

"The 20th anniversary of the Americans with Disabilities Act is an occasion worthy of celebration," he says. "But to offer an award for our work with vendors at a location where they are unwelcome — prohibited by law — is insensitive at best and hypocritical at worst."

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Uncertain

by Leo Rhodes

Decades of life giving
History of the past
Changes of once was
To new age
Keep your heritage
Keep your past
The strength that bonds
your families
Never forget
Be proud, Be strong

Untitled

by C. Morse

A blue jay flies
So does my raven

It's not his time
Try not to blame him

Clip his wings
Teach it to talk

Dust on the trail
Laugh at his walk

BACKGROUND, from page 1

(ACCBO) says the effect the law would have on drug treatment programs "slipped under the radar."

"People didn't understand what impact it was going to have," he says.

The Addictions and Mental Health Division of Oregon's Department of Human Services obtained a temporary waiver from the law that is effective until July 2011. The waiver exempts drug treatment programs from the law. (It is worth noting that the director of the Addiction and Mental Health Division is Richard Harris, who for many years was the executive director of Central City Concern, a social-service agency providing low-income housing, mental health and addictions treatment).

Martin says the Division is "working on a permanent fix."

Ed Blackburn, Central City Concern's executive director, says if a permanent fix is not found, the law would have a "devastating effect" on the efficacy of some Central City Concern's programs.

Blackburn estimates that Central City Concern employs 560 people, and says "over half" of those people have histories of homelessness, drug addiction, and committing crimes. "Their involvement in Central City Concern effects the whole character of our organization," Blackburn says. "They have a very high sense of mission...and are very successful in engaging people in services."

Blackburn points to Central City Concern's Peer Mentor Program as an example of how people working in addictions treatment with criminal backgrounds provide better care to people in treatment.

The Peer Mentor Program began in 1999 and connects people in Central City Concern's drug and alcohol treatment program with mentors — people who are in recovery from drug addiction themselves. The mentors help the person in treatment stick to a tough regimen of medical and mental health treatment, case management

and group therapy, and are available during times of crisis and doubt.

It is an expertise, Blackburn says, that doesn't necessarily come from "taking classes or reading books."

"They are able to empathize and relate to people with addiction disorders," Martin says.

And in Central City Concern's experience, it has paid off. The Recovery Mentor Program has had remarkable success. In 2007, 77 people exited the program and 73 percent of those people, 56 individuals, successfully completed their treatment.

Blackburn credits the program's success solely to the mentors and the fact that they are all in recovery themselves.

"(They) are much more effective in encouraging them and keeping them engaged," Blackburn says. "They're living proof right in front of your eyes that you can radically improve your life for the better."

Martin says it is almost certain that alcohol and drug treatment programs will be permanently exempted from the law when the state Legislature meets in 2011. Moyer says a coalition of the SEIU and other groups is currently forming to work with legislators and the Department of Human Services when the Legislature is in session. Though Blackburn recognizes a solution most likely will happen, he — as well as other treatment providers — are ready to go to bat if the law remains the same and the Division of Addiction and Mental Health's waiver expires.

"We would do everything we can to stop (this law) from being implemented," Blackburn says. "I respect the intent of the legislation, but it is just misconceived."

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