Sleepouts in Defiance of Santa Cruz Sleeping Ban

by Alex Darocy

On August 11, community members in Santa Cruz held their fifth in a series of sleep-outs organized at City Hall to protest local laws that make it illegal for homeless people to sleep in public. Police arrested many of the demonstrators who were attempting to sleep in the courtyard as an act of civil disobedience.

Police also issued 24-hour stay-away orders to at least two of those present, and a journalist who has been documenting the whole series of protests was arrested and taken to jail. After police left, most of the protesters remained and slept on the sidewalk until the next morning.

Undaunted by the arrests and citations, demonstrators returned to City Hall and carried out their next action one week later, on the evening of Tuesday, August 18, followed by still another sleepout on August 25.

The courtyard area of Santa Cruz City Hall is closed to the public at night, which is one of the issues addressed by homeless rights demonstrators. Their desire is to see city parks opened at night so that people without homes will have a place to go where they are not targeted by police.

Another focus of the protests has been the local Sleeping/Camping Ban, which prohibits sleeping in public in the city without homes will have a place to go.

The photos revealed the human face of war, the face of defenseless civilians struck down in a nuclear holocaust. The women came on Ash Wednesday, Feb. 16, 1983, when she walked down the railroad tracks at the Bangor Naval Base, in protest of Trident submarines.

As the three women walked down the tracks used to transport nuclear warheads and missile motors into the naval base, they posted photographs of the atomic bomb victims of Hiroshima and Nagasaki — a prophetic warning of the catastrophic consequences of Trident nuclear submarines.

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The path of nonviolence is a lifelong journey that leads in unexpected directions to far-distant destinations. One of the most meaningful milestones on Shelley Douglass’s path of nonviolence came on Ash Wednesday, Feb. 16, 1983, when she walked down the railroad tracks into the Bangor naval base with Karol Schulkin and Mary Grodin from the Ground Zero Center for Nonviolent Action.

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Many of those participating in the camps are now calling themselves, “Freedom Sleepers.”

They first arrived at City Hall at 3 p.m. for the August 11 protest. The weather was warm and some individuals took advantage of the solar shower set up by both organizers in the courtyard.

A duo played music in the courtyard through the campers’ PA system as the City Council meeting began inside. Adjacent to council chambers, snacks were provided on a Food Not Bombs booth.

The statement they released after their arrest reads, in part, “We objected not to Trident in particular, but to the entire arms race, and to the new first-strike policy which Trident represents.

“Our resistance had to be deep enough to address the societal causes of the arms race — our own selfishness and greed, our system’s exploitation of people for profit, the oppression of people based on their race, age, or sex. If a nonviolent campaign was to be successful in the deepest sense, it had to include these sources of violence and take into account the pervasive nature of many forms of violence in our lives.”

The history of nonviolent organizing for social change encompasses a vast and imaginative diversity of movements for peace and justice — a far richer legacy of resistance than the public generally realizes.

The larger picture of nonviolence involves literally thousands of creative campaigns to protect the entire web of life wherever it is imperiled — "reweaving the web of life," as a groundbreaking anthology of feminist writings on nonviolence once described it.

In fact, there are as many forms of creative nonviolence as there are threats to life on the planet. In the life of Shelley Douglass, we can trace a path that begins with antigwar actions, then leads to an invective array of nonviolent methods to resist multiple forms of injustice and violence.

Living for Peace in the Shadow of Death

by Terry Messman

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Their journey into the Trident base was both a political call for nuclear disarmament and a spiritual call to turn away from the ways of war. The three women spoke from the heart of their faith traditions by praying for peace and seeking to understand the meaning of their actions.

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In fact, there are as many forms of creative nonviolence as there are threats to life on the planet. In the life of Shelley Douglass, we can trace a path that begins with antigwar actions, then leads to an invective array of nonviolent methods to resist multiple forms of injustice and violence.

Shelley Douglass shares bread with Archbishop Raymond Hunthausen at peace vigil on the railroad tracks at the Bangor Naval Base, in protest of Trident submarines.
Protesting the Holocaust Laboratory at Livermore

“The killing of civilian noncombatants for political purposes is terrorism and mass murder — nothing else. It should not have happened. It did not need to happen. It should never happen again.”

— Daniel Ellsberg

by Terry Messman

O n August 6, 1945, at 8:15 a.m., an entire city was shuttered and the world was changed forever when an atomic bomb was dropped on the unsuspecting residents of Hiroshima by a U.S. B-29 bomber, the Enola Gay.

The bomb fell silently from the sky for 43 seconds, then a catastrophic explosion turned the city of Hiroshima into a raging inferno, blasting buildings into nothingness, and incinerating tens of thousands of children, women and men.

An estimated 80,000 human beings were destroyed instantly in the first heart-stopping moments of the Unforgettable Inferno. Fire, while countless others died slowly in the months and years to come from terrible burns, injuries and exposure to lethal radioactivity. By the end of 1945, an estimated 140,000 people had died in Hiroshima and at least another 90,000 had died in Nagasaki from the second atomic bomb attack on August 9, 1945.

Countless people were literally vaporized, leaving only shadows on the walls and sidewalks of Hiroshima — ghostly reminders of the lives that had been reduced to atoms by the atomic blast.

On August 6, 2015, more than 300 people gathered at Lawrence Livermore National Laboratory for the 70th anniversary of the annihilation of Hiroshima to protest the nuclear weapons designed at the facility that some activists have called a “holocaust laboratory.”

HAUNTING SHADOWS OF HIROSHIMA

Following the rally, protesters marched to the gates of Livermore and blocked the entrance to the weapons laboratory, staging a die-in on the roadway while chalk outlines were drawn around their bodies.

After more than 50 people were arrested and taken away by police for this act of civil disobedience, only the chalk outlines remained as a memorial to the victims of Hiroshima and Nagasaki who were blasted into shadows on the walls of the laboratory building turned into rubble by U.S. nuclear weapons.

Chizu Hamada, the organizer of No Nukes Action Committee, formed after the Fukushima meltdown to protest Japanese and U.S. government nuclear policies, described the enormous loss of life and the unparalleled human suffering caused by the atomic bombings of Hiroshima and Nagasaki.

She urged the gathering to carry on their protest against bombs that over 200,000 people who died in Hiroshima and Nagasaki. In an extraordinarily moving appeal, Hamada asked protesters to keep working for nuclear abolition through the fate of the entire world hangs in the balance.

“We must keep on protesting,” Chizu Hamada said. “We must never give up because the spirits of Hiroshima and Nagasaki victims are here now, and are wishing the abolition of nuclear weapons.”

The rallies, marked by an overwhelming sense of the Hiroshima Day action at Livermore as a living testimony to the lasting dedication that has kept alive the anti-nuclear movement for decades. Daniel Ellsberg and Country Joe McDonald, two of the most prominent voices of the anti-war movement, came to Livermore this year, demonstrating their longstanding faithfulness to the cause of preventing war and abolishing nuclear weapons.

Ellsberg has been a dedicated and indispensable force for peace and disarmament for more than 40 years. Since releasing the Pentagon Papers in 1971, Ellsberg has spoken out tirelessly against nuclear weapons, and has been arrested more than 100 times for acts of civil disobedience.

Country Joe McDonald wrote and performed one of the greatest of all antiwar anthems, “I Feel Like I’m Fixin’ to Die Rag,” and composed several other politically charged songs, including “Superbird” and “An Untold Protest.”

McDonald went on to record a classic album, “Thinking of Woody Guthrie,” featuring his beautiful versions of Guthrie’s radical populist anthems. McDonald is one of the very few musicians who has remained personally involved in antwar activism, veterans rights, and environmental causes for the past 50 years.

Jackie Cabasso, executive director of Western States Legal Foundation, and Marylia Kelley, executive director of Tri-Valley CAREs, have been two of the leading Bay Area organizers for nuclear disarmament for the past three decades.

Cabasso co-founded Western States in 1982 and Kelley launched Tri-Valley CAREs in 1983. Both organizations began at the height of the anti-nuclear movement in California in the early 1980s, but while many other peace groups folded, Cabasso and Kelley have remained constantly dedicated and are now recognized as leading voices in the movement for nuclear disarmament.

VOICES OF THE HIBAKUSHA

Perhaps the most moving expression of devotion to the cause of peace and disarmament has been demonstrated by the hibakusha. Japanese survivors of the atomic bombs in Hiroshima and Nagasaki who have often suffered lifelong injuries and diseases caused by atomic radiation.

Of all the powerful voices that spoke out for disarmament on the 70th anniversary of the Hiroshima bombing, the most poignant moment came when Takashi Tanemori, a survivor of the first atomic blast, appeared at the gates of Livermore Laboratory. He seemed to speak as the voice of conscience for all those who were forever silenced by the atomic attacks that leveled Hiroshima and Nagasaki.

Takashi Tanemori was only 8 years old when the bomb fell on Hiroshima. The brilliant white flash of the atomic blast was the last thing he ever saw, for on that day, Takashi lost both parents, his two siblings — and his eyesight.

He described that devastating moment in his book, Hiroshima: Bridge to Forgiveness. “Without warning! Blinding, burning, shocking white light! I covered my closed eyes. I saw pure white light through my covered eyes....

“In an instant my school and all Hiroshima had evaporated. When I regained consciousness, I woke in Hell. The three-story wooden frame school had collapsed into a heap of matchsticks. My first floor classroom lay shattered and flattened on the ground. Beneath the heap, I lay buried on my back, unable to move. I couldn’t see anything.”

Takashi Tanemori would never see anything again for the rest of his life. He spoke out at Livermore this year as a living witness to the threats of ending nearly all life.

Ellsberg’s arrest at Livermore this year came more than 30 years after his first arrests at Livermore Laboratory.

The kind of peace that was bought with the continuous building and modernizing of nuclear weapons is an illusion, said Ellsberg told the gathering, has “made the threat of using nuclear weapons, and deploying of nuclear weapons, something odd. In all of the museums and sites and the Nevada Test Site, the Vandenberg AFB missile test station, the Concord Naval Weapons Station, the test site and the Nevada Test Site.

Ellsberg was arrested at the first major protest held by the Livermore Action Group in February 1982, and was arrested at Livermore again in June 1983 on the International Day of Nuclear Disarmament. Many activists still remember the impassioned seminars on nuclear weapons that Ellsberg gave in jail to several hundred of his fellow prisoners after the June 1983 civil disobedience.

Ellsberg’s arrest at Livermore this year came more than 30 years after his first arrests at Livermore Laboratory.

The threat of using nuclear weapons is a policy of "outrageous folly and criminality" that could lead to a nuclear war. "And yet these threats go on," he said, "and they are threats of ending nearly all life."

Daniel Ellsberg speaks at Livermore Lab about the "outrageous folly and criminality" of nuclear weapons.

— Ellen Danchik photo

See Livermore Protest page 3
Ellsberg learned that the bomb was dropped at 8:15 a.m. on the morning of August 6, 1945, but it took 43 seconds to fall from the plane flying at 31,060 feet. It was said to have been dropped in the plane time to get away. So even as the bomb fell on the unsuspecting city below, people went about their daily business for nearly one more minute.

One more minute of life...

Ellsberg asked people to join him in committing civil disobedience by blocking the gates at Livermore. “It’s never really a good day to die,” he said. “But this is a good day to get arrested.”

Ellsberg then invited people to join him in committing civil disobedience by blocking the gates at Livermore. “It’s never really a good day to die,” he said. “But this is a good day to get arrested.”

Country Joe McDonald sang one of the most effective anti-war anthems of all, “I Feel Like I’m Fixin’ to Die Rag,” a great derisive blast against the masters of war who would march people lockstep into battlegrounds and graveyards.

Country Joe McDonald performed a mini-concert of anti-war anthems at the Livermore demonstration.

And it’s five, six, seven, Open up the partly gates. Well there ain’t no time to wonder why, Whoopee! We’re all gonna die... McDonald’s blistering song of demise exposes the duplicity of military leaders who indoctrinate the brainwashed masses to fight and die and never wonder why. Both these songs are hilarious send-ups of the absurdity of war, but there is another, very different dimension of McNicol’s political songwriting. He wrote “An Untitled Protest,” a quietly powerful lament that depicts the full tragedy of war for its youngest victims.

“A New Long-Range Stand Off nuclear warhead design and the start of plutonium burner will sound in remembrance of the second atomic bomb dropped on Nagasaki. “The mistake of Hiroshima is an endless warning to the future of humankind. If Hiroshima is ever forgotten, it is evident that the mistake will be repeated and bring human history to an end.”

In actuality, the mistake of Hiroshima was repeated, and only three days later, at Nagasaki, obliterated on August 9, 1945. Cabasso quoted the passionate outcry of Nagasaki Mayor Hitoshi Motoshima: “Nagasaki has to be forever the last city in the world bombarded by nuclear weapons.”

That is why we’re here,” Cabasso said — to ensure that nuclear weapons are never used again. After people march to the west gate of Livermore Lab, Cabasso explained, sirens will sound in remembrance of the second atomic bomb dropped on Nagasaki. “The sirens will signal a die-in,” he said.

“The chalk outlines that we’ll leave behind today are solemn reminders of the shadows of human beings vaporized by atomic bombs 70 years ago that still haunt the walls and sidewalks of Hiroshima and Nagasaki.”

Country Joe McDonald performed a mini-concert of anti-war anthems at the Livermore demonstration. And it’s five, six, seven, Open up the partly gates. Well there ain’t no time to wonder why, Whoopee! We’re all gonna die...
Iought to be good news that the Department of Justice (DOJ) issued a statement of interest on August 6, 2015, in a case in Boise, Idaho, which criticizes the increasing willingness of cities to criminalize sleeping in public, and other inevitable conditions of homelessness. It sounds like music to those who care about human rights. The DOJ statement affirms that “on any given night in the United States, half a million people are likely to be experiencing homelessness.” The federal government’s 2012 U.S. Interagency Council on Homelessness (USICH) certainly is an effort to steer cities away from criminalization, but the tools for civil rights attorneys have not changed. The political pressure to prettify the streets for shoppers has not changed. And the experience of people forced to live in public has not changed.

Cities such as San Francisco are already responding that their laws do not criminalize homelessness, but are a necessary response to maintaining public safety from blocked sidewalks. The Department of Justice can sue cities with unconstitutional laws. But it might not want to in a political climate in which it is consistently criticized for interfering with states’ rights, as it has with the issue of gay marriage.

Berkeley attorney Osha Neumann commented that the Boise case has “been dragging through the courts since 2009 and has arisen out of arrests of homeless people in 2006. It still hasn’t been resolved, and we still don’t have an opinion we can cite as precedent from a court saying that it’s not OK to arrest homeless people for sleeping outside when there are no shelters, no money and no power. We made that argument to federal court when we were fighting the eviction of people who were living on the Albany Bulb and a federal judge was supremely uninterested.”

Neumann pointed out that the federal government also has not restored funding for low-income housing, and he confirmed that the Justice Department “could certainly launch an investigation of cities that are criminalizing homelessness and if necessary take enforcement action, including working with the cities to end abuses as they did in Ferguson.”

Partie Wall, the director of Berkeley’s Homeless Action Center, agreed that the absence of force, local police will continue to sweep and arrest people without laws by the force of state violence.”

She goes on to note that “Berkeley has been unpersuaded by federal policy on its criminalization of homelessness. USICH issued a report back in 2012, explaining why criminalization actually erodes efforts to solve homelessness. That year, Mayor Bates signed on to a US Conference of Mayors statement in support of the USICH report. He nonethe- less championed Measure S in 2012, and has been central to the Maio-sponsored new legislation to further criminalize Berkeley’s homeless population.”

It ought not be good news, but cities and politicians who see their own laws as per- fectly fair or even beneficial can continue to use them. Berkeley Councilmember Lori Droste, for instance, thinks that arresting people gets them into recovery programs. Berkeley’s council majority thinks there are enough shelter beds, lots of services, and that police contact is just another kind of outreach. In Santa Cruz, people who lay down to sleep get ticketed.

It’s a DOJ versus BPD smackdown. It’s the property-based Business Improvement Districts nationwide who want a Disneyland effect for their commercial districts and the city councils who support them will keep facing off against the Department of Justice’s querying state of interest about cruel and unusual punishment. If you’re on the street, you know who’s winning.

Court to Los Angeles: ‘Stop Destroying Homeless Belongings’

The homeless individuals represented by the law office of Carol A. Sobel of Santa Monica just whipped a federal judge. It’s a narrow ruling, and it’s not a unani- mous ruling, but it helps protect homeless and poor people’s property, including “medications, legal documents, family photographs, and bicycles that are left momentarily unattended in violation of a municipal ordinance.”

The City of Berkeley did this recently to people in Martin Luther King Jr. Civic Center Park. It took only 20 minutes for the police to decide that the personal property of someone who was at a nearby appointment was abandoned and to haul it away.

The severity of the loss can be incalcula- ble for homeless people, who’ve suffered when they’ve lost their belongings to the smallest, most precious things they have: the tools they use to work, the papers they need to establish eligibility or the photographs that connect them to family.

Some, but not all, of the belongings were recovered and returned to their own- ers, but the practice of sweeping up unat- tended personal belongings as though they were trash has a familiar ring in Berkeley. In the late 1980s, then-mayor (and now state senator) Loni Hancock sent trash compactors up to People’s Park for sweeps of homeless people’s belongings for instant destruction. The Department of Justice’s recent statement of interest saying laws against invol-untary human behavior are cruel and unusu- al punishment may have little legal weight yet in a courtroom, but this decision by the Ninth Circuit Court of Appeals is a clear rebuke to the City of Los Angeles for trash- ing the unattended possessions of poor and homeless people and has some modest, it means a hell of a lot.

Los Angeles is enjoined, or prohibited, from “confiscating and summarily destroying unattended property in Skid Row” and the court ruling cites the Fourth and Fourteenth Amendments to the Constitution.

The Fourth Amendment to the Constitution says clearly on this question: “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

Section 1 of the Fourteenth Amendment also says clear: “No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person, within its jurisdiction the equal protection of the laws.”

This is one of the most litigated parts of the Constitution, but the district court states, “We conclude that the Fourth and Fourteenth Amendments protect homeless persons from government seizure and summary destruction of their unan- themed, unattended, unattended, unattended, unattended, personal property.”

City officials who insist that property confiscation is simply part of their obliga- tion to maintain public health and safety can, according to the court, fulfill that mis- sion without declaring, as Los Angeles attempted to declare, “that the unattended property of homeless persons is uniquely beyond the reach of the Constitution, so that the government may seize and destroy with impunity the worldly possessions of a vulnerable group in our society.”

Heaven knows that cities like Berkeley, which is apparently still bent on having a U.S. Department of Justice opinion on whether square feet of property in one’s possession at any given time for more than an hour, will continue to try to find creative ways to legally skirt the Fourth and Fourteenth Amendments of the Constitution. The odd euphoria that even self-proclaimed progres- sive cities have regarding their own uncon- stitutional laws seem as yet to have no end and no cure.

My guess is that with an eye on the streets they know that when police officers (or the “ambassadors”) think nobody is watching, constitutional protections are no match for the well-funded, politically supported, and heavily marketed power of the police, with layers of overlapping jurisdictions capable of destroying the lives of vulnerable people as a matter of policy. Urban voters may support city councils either overtly or through euphemism and implication. Meanwhile the sweeps we see in the Bay Area and nationally are consid- ered a routine matter of sanitation by cities which have, in many cases, stopped considering the issue of homelessness as even a modest factor in their equation.

Without the drought, for instance, homeless people in many cities would still find themselves and all their belongings thoroughly power-hosed each morning, a practice wistfully missed by the Block by Block patrols and the police who designed it as keeping the streets clean.

But at least a little Constitutional light peeps in the window now and then, illu- minating the need for practical, rather than criminal, approaches to a housing crisis that affects us all.

“Everyone has the right to….” suffer from poverty on the streets.

Robert Terrell photo
Barriers to Healthcare for the Homeless Community

by Kamran Abri

The possibilities for homeless individuals entering the emergency medical system in this country are extremely limited, to the point that anyone who works in the arena of medical services for the underserved is familiar with the predictable difficulties.

Time and time again, we hear stories of people on the streets needing medical services being turned away from emergency departments; being “dumped” onto county hospitals by private entities; or being forced to use hospital emergency rooms as their only source of medical care, whether for significant or routine medical needs.

What we see as a result of these trends is the overburdening of county-based emergency departments, the hemorrhaging of hospital funds, and poor care of the low-income and homeless populations that need the care most. This begs an important question: are emergency departments, and our laws regarding the treatment of uninsured patients in them, a problem?

My belief is that the systemic and economic issues of emergency rooms are not the problem. Instead, they are just the symptoms of a medical system that is still not doing enough.

When it comes to patient treatment in an emergency room, the law of the land is the Emergency Medical Treatment and Active Labor Act, or EMTALA. Hospitals under EMTALA (i.e., any hospital with an emergency department that accepts Medicare payments) are obligated to meet three criteria:

1. First, any person requesting emergency care must at least be medically screened, regardless of financial or insurance status.
2. Second, should an emergency department decide that the individual warrants further treatment, they are required to treat that individual until the issue is resolved or the patient is stabilized. Third, hospitals must transfer patients to a different, more capable facility should they feel they cannot meet the patient’s health needs.
3. To violate EMTALA means that a hospital risks losing the privilege to be reimbursed by the federal government via Medicare. These are the very criteria that make emergency rooms the only viable medical option for many homeless and uninsured persons.

Now, EMTALA and its principles by themselves seem like a logical, compassionate solution to people having sudden, isolated medical events and requiring emergency medical attention. However, our problems arise when we combine this set of laws with a health system designed to shut the uninsured out of primary care for routine needs, forcing them to go to the emergency rooms. These individuals do not just experience a single, extreme medical event that can be resolved through emergency intervention. They have a high number of chronic medical needs as well.

The emergency room visit lands the uninsured individual with a huge bill that they likely cannot pay, thus losing the hospital money, for a condition that could have potentially been addressed months earlier before escalating into a serious medical issue. On the surface, it may appear that the policies surrounding emergency departments and EMTALA are the issues, but the root of the problem lies within our system of insurance and coverage for the underserved.

But surely these issues have been addressed by Obamacare? For many, yes. They are now able to afford basic medical care through government-subsidized plans and through expanded Medicaid, with estimates of the newly covered hovering at over 16 million people. That is 16 million people who now have access to primary medical care, and who are also able to access emergency services and actually pay emergency departments for those services.

The caveat to this success story is the remaining 32 million uninsured Americans who continue to rely on the criteria laid down by EMTALA as a major outlet for medical care. While the system has changed, there are still many, many people who rely on emergency departments as their sole access point to healthcare, which simply should not be happening.

There are many potential solutions to these problems: increased social and financial counseling services at hospitals, changes to the legal language of EMTALA, making Medicare reimbursement to private hospitals contingent upon their acceptance of Medicaid plans, etc. We are also still learning about the effect of the 2010 healthcare reform on emergency departments, and many unknowns remain.

One of the biggest options in terms of solutions is universal healthcare — a model that has proven effective in many flavors in countries like Canada, Britain, Taiwan, and Sweden. This is the only way that we can truly close the gap and end our overreliance on emergency care general as a standard substitute for comprehensive medical care, closing the gap for the homeless and low-income populations of this country.

However, whatever the solution may be, we cannot ignore this fact: we are currently forcing people to rely on a system of emergency medicine to meet medical needs that the primary care system has been designed to handle. This is a failure of our medical institutions to the uninsured and underserved, and must be addressed as a matter of principle and the achievement of health equality.

Sources:
I imagine a government where voting power is in direct proportion to the value of the property one owns, where majority ownership gives one the right to appoint the leaders, and where small businesses and homeowners don’t have a voice. Imagine a place where people with out homes are excluded from the community.

You might think this is still a dystopia to come (after a few more Supreme Court decisions granting corporations even more rights as persons), but unfortunately, it’s already a reality in hundreds of cities across the United States in so-called Business Improvement Districts (BIDs).

BIDs are private corporations governed by business property owners in a particular geographical region. They are chartered by state law and approved by local jurisdictions where they take over many functions once served by local governments. Better street cleaning, removal, street signage, streetscape improvements, and other maintenance tasks are part of the sales pitch that BIDs make to community officials to let them taxing power over commercial property within a district.

BIDs typically empower to hire poorly trained and poorly paid security guards to push undesirable people out of the area — supposedly the criminal element, but more often poor and homeless people who big business has decided aren’t good customers.

Marcus Harris, director of Cities of Refuge in Denver, Colorado, characterizes the approach of BIDs: “According to the Business Improvement District, quality of life is more access to Macy’s and all these improvements, and other maintenance functions once served by local governments. They are chartered by state law and approved by local governmental collapse in New York City in the 1970s. Grand Central Station and other key mercantile hubs were given over to privatized governance. BIDs are granted the power to assess commercial property owners within a district with what amounts to a real estate tax, collected on their behalf by the local government. In some cases, they take on the land use planning and capital investment typical of government.

In California, a BID can be created with the support of 51 percent of the business taxpayers in a district, but voting power is based on the tax paid, not the number of businesses in the district.

Even though they are privately managed entities, BIDs control millions of dollars of public tax revenues and expenditures, ranging from $18,000 at the lowest end to over $27 million for the San Francisco Tourism Improvement District. California leads the country in BIDs, with almost 250 districts in downtown and suburban areas throughout the state.

While most BIDs file some sort of report to their city council once a year, research into the actual practice shows that councils are uncritical of plans created by the business-led board of the private BID and rarely if ever override them. BIDs are quickly spreading from state to state and laying the groundwork for ever more direct corporate governance at the municipal level.

According to a 2011 report based on a census conducted by the International Downtown Association and professors Carol Becker and Seth Grossman, there were over 1000 BIDs in the United States and their numbers are growing rapidly.

Grossman, the founder and director of the Rutgers’ Institute of Business District Management, told me he sees business districts as improving government accountability by shifting the taxing and spending decisions about a neighborhood to the business owners, to those who have a stake in it — the business owners. They act, in effect, as a political action group.

Prior to the 50 and ‘60s, the Chamber of Commerce was a political organization,” he said. “In fact, almost all elected officials were put forth by the Chamber of Commerce. Business and government were almost hand-in-glove, way more than it is now. Business people, because of suburbia, began to move out of the urban areas... and they couldn’t vote and they couldn’t run for office. So they lost their political power in town.”

For years, the DDP has maintained an “Ambassador” program consisting of uniformed downtown ambassadors patrolling up and down the 16th street mall, helping answer the questions of visitors, and also keeping a close eye on what they perceive as unwanted or disorderly behavior. The DDP’s annual report notes that the group spent $682,922 on these kind of private “safety” enhancing activities on the 16th Street Mall in 2014. According to their report: “The Ambassadors provide additional support to the Denver Police Department by focusing on ‘quality of life’ crimes, such as aggressive panhandling and graffiti, while also serving as liaisons between struggling citizens and social service agencies.”

Excerpted from Criminalizing Homelessness in Colorado.

“Legalize Sleep.” WRAP protests the Union Square Business Improvement District on July 31, 2015.

In San Francisco, Oakland and Berkeley, the BIDs that control and patrol the downtown city centers have aggressive anti-homeless policies enforced in a joint effort with local police departments.

The City of Berkeley’s harassment of homeless people hit new lows in March 2015 when “ambassadors” employed by the Downtown Berkeley Association (DBA) were caught on video assaulting homeless people as the City Council launched a new campaign to criminalize homelessness. In a widely viewed YouTube video taken March 19, 2015, Berkeley ambassadors beat two homeless men after they chased them off the main street and into an alley. [See Street Spirit, April 2015.]

Grossman offers his frank opinion of why BIDs aim to move homeless people out of the districts. “It’s a customer service district,” he said. “So they are concerned about customers. They don’t see the homeless people as customers... If they don’t see you as a customer you are in trouble... You are either a customer or a contagion.”

While granting that BIDs don’t represent the whole population, Grossman sees them as an improvement over bribery through campaign contributions, “[I]f all they can do is ‘pay to play,’ then it becomes so self-centered. They don’t have any overall community interests. They are just trying to save their own ass or their business.”

Grossman sees BIDs as a way of reconnecting business and government. “Aren’t they getting the ear of the mayor almost the way the old chambers of commerce did? Chambers of commerce are having a voice in the decision making process.”

International Downtown Association

The International Downtown Association is coming to San Francisco from Sept 30 to October 2 to spread the gospel of privatizing governance worldwide. Join the Western Regional Advocacy Project and other community organizations to learn more about Business Improvement districts at a panel discussion.

Panel Discussion
October 1, 2015, 2 p.m.
St Anthony Foundation
121 Golden Gate Ave, San Francisco
This Is How Homelessness Happens in Berkeley

Nobdy really buys the hype about insanely tall buildings somehow saving the who for solving the housing crisis. Insanely tall buildings full of luxury housing fill up with insanely wealthy people.

by Carol Denney

A re you paying attention to housing and planning issues? You probably are, or you wouldn’t have picked up this publication in the first place. About 75 people who do care piled into the Landmarks Preservation Commission to show support for a mixed-use project of brassy lux-ury housing from being potted on top of a Berkeley city landmark on August 13, 2015. It was both thrilling and sad.

They were out there of a deep concern over a proposed mixed-use development with an 18-story luxury tower, 302 resi-dential units and commercial space on the ground floor. Part of the project would be developed on a city landmark site that includes the historic Hotel Shattuck Plaza. The development at 2211 Harold Way would be called The Residences.

As a community, we looked brilliant. Engineers, architects, a former mayor, for-mer landmarks preservation commission-ers, commissioners from other community commissions, respected authors, people who had lengthy backgrounds in historic preservation, and citizens with decades of civic involvement made an impressive case for denying a developer a project which would be out of ideas to stop the project. The politi-cians who rarely seem to wonder why a town looks like a white country club. Those who people are nearly to seem to wonder why a town would deface the original landmark site, cast shadows in the downtown area and would deface the original landmark site, cast shadows in the downtown area and block views of other landmarks, create wind tunnels and inflate rents. The ugly tower would no longer commune with the other landmark buildings nearby in any meaningful way.

It all adds up to 18 stories of profit for the well-connected handful of consultants and developers who can count on Silicon Valley techsters to fill even wildly over-priced condos and penthouses, even if the displaced cinemas are never replaced.

The beautiful souls who read through the zoning application materials, applicant statement, project plans, draft historic con-text report, geotechnical feasibility report, environmental site assessments, stormwa-ter report, LEED checklist, etc., left the meeting collectively stunned after having spent many months diligently documenting the obvious flaws in the proposal and the even more obvious tricks that were played upon the project’s fast-track matters and keep investors’ minds at ease.

This is how homelessness happens. Nobody in the room, probably not even the project’s threadbare handful of sup-porters, really buys the hype about insane-ly tall buildings somehow saving the whales or solving the housing crisis.

Insanely tall buildings full of luxury housing fill up with insanely wealthy people who rarely seem to wonder why a town once which had a thriving black community now looks like a white country club.

The project opponents are not entirely out of ideas to stop the project. The politi-cians who stack the community with people carefully instructed not to stand in the way of this project — no matter how silly it looks — can still come to their senses. What’s referred to as “architectural poison” by one speaker doesn’t have to be permanently visited on this or any other tower.

Berkeley, like other cities in the densely packed Bay Area, doesn’t have any more square footage to squander on the wealthy if it ever wants to help the rest of us get out of the rain. Rich people might sprout exper-ientially out of the tech world or sail in on personal jets from foreign lands, but some-what’s got to drive their taxis, teach their kids and pump their coffee drinks.

San Francisco is a caution, and we hit the breaking point on living in Modesto while trying to work in San Francisco a long time ago. We need planning that respects our architectural heritage, our public her-itage, our community needs, and politi-cians who are willing to play fair instead of short-circuit our democracy for personal-political gain.

Big Business and BIDs Subvert Democracy

BIDs LEAD ANTI-POOR CAMPAIGNS

The Downtown Berkeley Association has been doing an aggressive job of organ-izing for what they see as their collective interest. In mid-March, a package of anti-homelessness ordinances backed by the DBA went before the City Council in an under-handled effort to revive the core of the so-called “sit-tie-law” that Berkeley commu-nity organizations convinced voters to reject just two years earlier.

In that campaign, John Caner, CEO of the DBA, was named in a complaint, eventually sustained by the Fair Political Practices Commission, for campaign finance violations that included paying $5,530 in $100 and $50 cash payments to homeless and formerly homeless “poll workers” and deceiving them into handing over slate cards urging a vote for the mea-sure that would have criminalized them.

Caner’s latest attempt to influence the Berkeley City Council to adopt a series of new anti-poor laws has been delayed thus far by street protests and interventions by local and regional rights advocates. But BIDs across the state are maintaining constant pressure to deprive homeless people of human and civil rights.

In Los Angeles, years of successful legal challenges brought by community organizers as the Los Angeles Community Action Network (LACAN) and legal groups like the ACLU over-turned five different sleeping bans and programs that are considered unconstitutional.

But in June 2015, the L.A. City Council once again passed a set of anti-poor laws targeting homeless people. And the LAPD is back to business as usual, making sweeps in the Downtown Industrial Business Improvement District (which is run by the Central City East Association, or CCEA).

CCEA is just one of the many business lobbying groups that is helping itself to local taxing authority in Los Angeles, which now boasts nine BIDs in just the downtown area. Three of them overlap or abut the Skid Row area.

According to a news website, LAPD Sergeant Robert Bean told homeless people as he was roasting them, “People pay a lot to live here, they expect services from the city.” And, of course, the service they are looking for is driving the homeless out of their rapidly gentrifying neighborhoods.

Taking people’s bedrolls, shopping carts, and tents is only the tip of the iceberg when it comes to police actions. LAPD has been increasingly increasing police presence in Skid Row that the so-called Safer Streets initiative — intense “Broken Windows” street enforcement of minor infractions like vagrancy, drinking, drug possession, etc. — leads to a far greater number of encounters between homeless people and police. An astonishing 54 percent of 200 homeless residents of downtown Los Angeles reported being arrested in the previous year.

And with increased police contact comes the predictable massive use of force that is now widely reported across the country. For example, in March 2015, the LAPD killed a homeless man in Skid Row — recorded on video tape — when they pursued him into his tent, pulled him out of it and shot him dead in front of numerous onlookers and several cameras.

Two months later, on May 5, the police killed another man in Venice who com-mitted the crime of running from police while homeless.

While Los Angeles Police Chief Charlie Beck and Mayor Eric Garcetti make apologetic gestures in public, the L.A. city government banded together with others in the League of Cities to attack the Homeless Bill of Rights and Right to Rest legislation in the state legis-la-ture and coordinates their efforts with the Chamber of Commerce.

RIGHT TO REST BLOCKED BY LEAGUE OF CITIES AND BUSINESS GROUPS

In California, Colorado, and Oregon, where members of the Western Regional Advocacy Project (WRAP) have been running a campaign to win a “Right to Rest” bill in state legislatures, BIDs work-ing through the California Downtown Association and the business-dominated League of Cities associations worked hard to block the legislation.

One of the more absurd arguments put forward by the California League of Cities warns that ensuring that the Bill of Rights applies to homeless and poor people might result in a homeless person claim- ing protection under the Second Amendment to defend their tent by force of arms. (This argument was made in a letter to the bill’s sponsor, State Senator Carol Liu).

In a just society, we should not need enabling legislation to extend the Bill of Rights to poor and homeless people. We should all be protected by all constitution-al requirements. In a court case in Idaho, even the Obama administration’s Department of Justice has signed on to a brief stating that the arrests of homeless people for sleeping were prohibited under the 8th Amendment ban on “cruel and unusual punishment.”

Community groups continue to fight in the courts, the legislature and in the streets. This month, WRAP and other groups are taking the fight to the business community at the next meeting of the International Downtown Association at a major annual conference in San Francisco, September 30 to October 2. (See the accompanying box.)

Carol Liu, executive director of WRAP, says, “We are ready to fight the BIDs.” “This is about commercializing and applying neoliberal economics to our communities and the only way to stop that is to say, ‘hell no, we are fighting back.’”
Shelley Douglass: Living for Peace

From page 1

With her husband, the theologian and peace activist Jim Douglass, Shelley first became deeply involved in the antinuclear movement of the 1960s, when she and Jim were arrested in 1963 for holding a one-person picket in protest of U.S. war crimes in Vietnam.

From the very beginning, she was equally drawn to the Catholic Worker view that resisting not only the Vietnam war, but also the violence of poverty and hunger and homelessness. She devoted most of her waking hours to antinuclear organizing and to anti-nuclear activism in the 1970s and 1980s, yet she kept alive the hope of one day offering sanctuary to people regardless of race, class, or creed.

CONFRONTING RACISM, SEXISM AND THE VIOLENCE OF POVERTY

Her sense of nonviolence extended beyond antinuclear actions because she clearly saw the connections between the Vietnam war and the other deeply entrenched forms of violence in American life. She wrote, “We believe that violence must be confronted on all fronts, in the army, racism, economic injustice, exploitation of the land.”

Her deepening commitment to nonviolence would lead her to create a house of hospitality called Mary’s House in Alabama, organize against the death penalty, and travel to Iraq to bring medicine to children suffering from cancer.

The Pacific Life Community and the Ground Zero Center for Nonviolent Action were founded by a small group of activists who were inspired by the methods of Gandhi and King to build a movement. It meant embracing nonviolence as a way of life, trying to integrate the principles of nonviolence into their personal and professional lives.

Shelley and Jim soon moved next to the Bangor Naval Base near Seattle, where they lived in a door to door to door of the nuclear submarines, and were friends until the end, staying close even after their separation.

In her Pax Christi column, Shelley writes about the desperation and hardships faced by her neighbors in a regular column for Pax Christi USA, a prominent peace and justice organization. Jim and Shelley Douglass were recipients of the Pax Christi USA Teacher of Peace Award in 1994, an annual award given to the person who gives outstanding witness to the peace teachings of the church.

In her Pax Christi column, Shelley describes the poverty, racism and depravity she sees on the streets in Ensley, one of Birmingham’s poorest neighborhoods. “Ensley is full of poor and forgotten folks. Our city schools are wretched, our streets are cracking and decaying, we have blocks of boarded-up stores…”

In “Truth (and) Consequences,” an article written in September 2015, Douglass said that along with the exodus of Birmingham’s steel industry communities, the Ensley area never recovered from the explosive power of thousands of Hiroshima bombs. They devoted many years of their lives to resisting the nuclear submarines, and were friends until the end, staying close even after their separation.

THE RICH GET RICHER

Although the anti-nuclear movement of the 1970s and 1980s rarely made the connection between militarism and the economic injustice faced by poor people, low-wage workers, and hungry and homeless people in the inner city, Shelley Douglass repeatedly made those connections in the pages of the Ground Zero Center.

She wrote: “Anyone with eyes to see and ears to hear is well aware that we ignore the poor and suffering, while giving our attention to those who have power and money. In our government the same values apply: taxes are cut for the rich, assistance programs are cut from the poor. The rich get richer and the poor get poorer.”

Soon, her voice became even more passionate and clear and prophetic when she said that the fault lies in “this filthy, rotten system.” In “Truth (and) Consequences,” an article

From the spring of 1990, Shelley told the readers of Ground Zero that her path of nonviolence had led to one of the poorest neighborhoods in Birmingham, Alabama. There, she was able to fulfill her desire to create a haven for poor families, a Catholic Worker community called Mary’s House.

She lived there with low-income families, deprived of housing and the necessities of life by an economic system that has abandoned millions of people to poverty.

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THE NEW JIM CROW

Yet Jim and Shelley Douglass have chosen to live in the poor part of the city for more than 20 years. There are signs of great hope alongside signs of brokenness and despair on the same streets; and it has been an eye-opening experience to see the extent of racism and poverty in present-day Birmingham, a city that experienced some of the worst racial violence in the nation for more than 100 years after the Civil War.

Shelley writes about the staggering extent of injustice and racism that began with slavery and continues to the present. “In a conspiracy of silence, we ignore the fact that this country, and especially this state, is built on centuries of oppression and exploitation of people with black and brown skin who were kidnapped from their homes and forced to labor as animals to benefit white landowners. We ignore the decades of de facto slavery that followed Emancipation; we ignore the structures of racism that in the way in which people of color and poor people generally are disenfranchised and forced into a shadow caste by voting restrictions and the prison/parole system.”

Her reflections on the prison/parole system have been sharpened recently by Michelle Alexander’s book, “The New Jim Crow: Mass Incarceration in the Age of Colorblindness.” In her interview with Street Spirit, Douglass said that along with the disenfranchisement of black voters and other forms of ongoing discrimination, widespread imprisonment is another tool of racial oppression.

Shelley Douglass said, “The New Jim Crow makes the argument that it’s a conscious attempt or a semiconscious attempt to keep black people in their place — the same place that white people and the power structure have been trying to keep them in for hundreds of years.”

OPPOSING THE DEATH PENALTY

Seeking a nonviolent response to the inequities of the prison system, Shelley became involved in opposing the death penalty. She also began visiting Leroy White, a prisoner on Alabama’s death row in the Holman Correctional Facility.

After years of visiting Leroy White and growing closer to him, Jim and Shelley were at his side on his last day on earth, as he was led to a small block building where they witnessed his execution by lethal injection on Jan. 13, 2011.

In her Street Spirit interview, Shelley describes a heart-rebreaking account of what happens when the state uses its power to murder a prisoner in cold blood. Asked what she thinks of executions after having personally witnessed this death, Shelley said, “I think they’re brutal and barbaric and cruel and inhumane.”

She once wrote about the paradox of nonviolence: “Nonviolence is a way that often seems to lose when it is in fact winning.” That may be the best way to explain the many signs of hope and compassion that took place in the very midst of the seemingly hopeless and bitter struggle to save Leroy White’s life.

One such sign of hope was the change of heart by Bruce Gardner, the district attorney who had prosecuted Leroy. Gardner denounced the death penalty in a very public way, calling executions “a barbaric, abhorrent practice” and saying that Leroy should not be executed.

Another sign of hope was the fact that even though Leroy was convicted of murdering his wife Ruby, Ruby’s side of the family — which one would have expected to strongly favor his execution — showed the depth of their mercy by advocating clemency.

Another sign was the compassion shown by Jim and Shelley Douglass who visited Leroy on death row for many years and were friends until the end, staying with him all day in his last week in prison.

A HERO OF NONVIOLENCE

Above all, there was the unforgettable love shown by LaTonya, the daughter of Leroy White. LaTonya lost her mother and rightfully blamed her father for the murder. She might have harbored resentment forever; yet she somehow found a way to forgive Leroy, and formed a beautiful, loving relationship with him. Her love and forgiveness were instrumental in inspiring Ruby’s family to also forgive Leroy, and ask for clemency.

If there has ever been a hero of nonviolence, LaTonya is it.

On the last day, LaTonya repeatedly called Alabama’s governor to spare her father’s life, but he refused to grant clemency. At the very final moment, the U.S. Supreme Court intervened and delayed the execution for two hours while Leroy White was strapped to the gurney. Hope arose again for one brief moment, only to be dashed by the Supreme Court’s refusal to spare this man’s life.

Sometimes nonviolence does not win. Sometimes nonviolence means to comfort the dying and mourn the dead.

It is so very hard to comprehend this story. Does nonviolence mean standing in support of a man subjected to a terrible miscarriage of justice at almost every level of the criminal justice system, a man put to death in a horrifying way? Or does nonviolence mean standing in solidarity with Leroy’s wife Ruby, a defenseless woman and unwilling victim of her husband’s evil.

And, in the end, is there any hope at all in this story of two terribly sad deaths?

If you read the interview with Shelley Douglass carefully, I believe you’ll see that LaTonya got it right. No one on earth suffered the loss of her mother more piercingly than LaTonya. And no one on earth forgave Leroy more deeply than LaTonya.

Sometimes, she found the depth of love to respond to Leroy’s desire to be her father. She built a relationship with him even behind prison walls. She became a loving daughter. On his last day on earth, LaTonya was fighting against all the odds to save her father’s life.

I believe there is great hope in this story. The hope resides in LaTonya. She demonstrated at a nearly inconceivable depth how we may love those who have wronged us. She showed us how we can both love the victim of violence — her mother — and yet find it in our hearts to forgive the one who has taken a life.

On Shelley Douglass’s lifelong path of nonviolence and peacemaking, she may have discovered the most beautiful example of nonviolence and love from the daughter of a man imprisoned on death row.

This photo was taken two hours before Leroy White was led away to be executed. LaTonya is second from left in the front row (in a black shirt), sitting next to Leroy (in a white shirt). Jim Douglass is at far left and Shelley Douglass is at far right.
People that come to your shared homes. They need jobs that pay a decent wage. The basic sort of economic human rights that are recognized around the world are not human rights in the United States.

Interview by Terry Messman

Street Spirit: You’ve devoted many years of your life to nonviolent resistance to nuclear weapons. How did you first become involved in the Ground Zero Center for Nonviolent Action?

Shelley Douglass: The Pacific Life Community was the original group that started the Trident campaign. The crucial thing about it was that the whistle was blown on the Trident by the man that was designing it, Bob Aldridge. Jim and I had met Bob Aldridge when we were in the middle of the Hickham trial in Honolulu. [Jim Douglass, Jim Albertini, and Chuck Julie were on trial for an act of civil disobedience at Hickam Air Force Base in protest of the Vietnam War.]

We didn’t know very much about Bob Aldridge until he came to visit us at our home in Hedley, British Columbia, several years later. He had a very moving story about how he had spent his life designing nuclear weapons, and he and his whole family had made the decision that he should resign from his job for conscience. They had taken a tremendous cut in income. They had 10 kids, and his wife had gone back to work, and the whole family was working to sustain the decision.

After he told us this story, Bob wanted to know if we knew where the Trident was going to be home-ported. We had never even heard of the Trident. He told us it was going to be stationed just below the border. We were living in British Columbia then — just north of this U.S. border and the Trident was going to be home-ported in Washington state, just to the south.

He kind of handed it to us. You know, Do some research and find out where this is going. And we were all burned-out activists from the Vietnam War. We had gone through a lot of life and we had been broken up, and we had been nonviolent to each other. So none of us in our whole little community of friends were very anxious to be acting again.

Spirit: Given that history of exhaustion and burn-out, what did it mean for you to take up this struggle?

Douglass: We had a retreat at the Vancouver School of Theology where I was studying, and we decided that we would give it a try, but we would do it by committing ourselves to nonviolence as a way of life. So we would deal with our own sexism, our own economic privilege and our own racism — all the things that we felt had made us the way we were.

So we decided to make this experiment in nonviolence as a way of life, and the Trident campaign would be the political action arm of it. But confronting our own interior, or Trident was at least as important as that external political resistance.

The Pacific Life Community was international from the beginning, involving activists from Canada and the U.S., and it was very carefully tried to confront issues of shared birth privilege and colonial domination as much as learning about Trident.

Spirit: What did your protests of Trident look like as your campaign began?

Douglass: We did all kinds of legal demonstrations around Trident. The first action we did was an Independence Day garden planting in July 1975. A few of us climbed a fence into the Trident base and planted a vegetable garden on the security perimeter road, and got arrested for that.

Spirit: That was one of the very first acts of civil disobedience against Trident?

Douglass: Yes, that was a small action. We had a whole series of events in Vancouver on Trident Concern Week in November 1975 where the city officials made a statement about the Trident. We did a lot of public education and we had a parade through the city with the “Trident Monster.” It was this very enormous sculpture thing that people carried through the city. It was as long as the Trident submarine — two football fields long — and a long line of people carried poles with a black flag tied to it for every one of the submarine’s 408 nuclear warheads.

Then in 1976, the “Trident Monster” was brought across the U.S.-Canada border and down to the Trident base where we had a parade and we walked the Trident Monster home onto the base. There was a big crowd of people, including a couple hundred people who went through the fence onto the base, including kids who were wanting to be part of it. A bunch of us were arrested and various people went to jail for that action.

Spirit: Did cutting through the fence at the naval base foreshadow a longer jail term?

Douglass: Yeah, we went to jail for that one. I was jailed for three months for that action because we had been on the Trident base. We were arrested and put in bases. When you go to jail for something like that, you don’t deny it. Rather, you tell why you did it. I went to jail a bunch of times, but that was my first long time in jail.

Spirit: What is it like for you to spend your first long sentence in a jail cell?

Douglass: It was pretty amazing because we formed a community with the women we were in with the King County Jail. There were almost a dozen of us from the Trident campaign who were there in jail. All of our consciousness-raising things we did in the community spread through the jail because we wound up doing them with the other prisoners, as much as we did it with each other. It was very interesting.

Spirit: What kind of consciousness-raising did you do with the prisoners?

Douglass: Well, one of the main things the prisoners liked was weather reports.

Shelley and Jim Douglass help organize vigils for peace every week in downtown Birmingham, Alabama.

Spirit: Weather reports? What kind of weather is there in jail?

Douglass: It’s a reality phrase. It means sitting in a circle and telling how you are. We would do that in the morning and the evening, and the other prisoners wanted to take part in it. It became obvious quickly that no one had ever asked them how they were before. We had long sessions of weather reports in the tasks that we were in doing. It was as if we had formed a community there. It was pretty amazing.

Spirit: The women in jail responded because someone was actually interested in their feelings and experiences?

Douglass: Nobody had ever asked them what they were going through before. So the idea that they could sit down and talk about what was going on in their feelings, and share things without hostility or judgment, was a new thing. I don’t know where they took it, of course, after we all separated, but it was pretty amazing while it was going on.

Spirit: You and two other women from Ground Zero, Mary Grondin and Karol Schulkin, did an action on Ash Wednesday in 1975, when you climbed the fence and walked into the Rangeor base.

Douglass: Yeah, we went over the railroad tracks and into the house where Jim and I lived, which is where the railroad tracks go into the base, and then we walked up the tracks.

Spirit: Didn’t you leave photos of the victims of atomic bombs in Hiroshima and Nagasaki all along the tracks as you walked into the base?

Douglass: Yes, we had some signs with pictures on them and we walked up the tracks and prayed. We passed various people. We passed a school bus and all the kids were watching us, but we weren’t stopped until we got quite far into the base. We didn’t reach the weapons storage area; that was a long way away, but we got fairly far in.

Spirit: Eventually you were arrested and sentenced to jail for 60 days. Why was it worth going to jail to walk up those railroad tracks on Ash Wednesday?

Douglass: Well, we wanted to put a train through the nuclear weapons. If we had walked all the way to the end of the tracks we would have wound up at the storage area for the nuclear weapons.

Spirit: By leaving photos of the atomic bomb victims along the tracks, were you trying to make people aware that this was happening when the train reaches its destination? The final destination is a holocaust.

Douglass: Right, we were trying to raise consciousness among the people on the base. You know, in one sense they’re well aware of what it was all about; but in another sense, they didn’t want to think about it. So it’s still important to raise awareness about that issue.

Spirit: Were you able to use your trial to raise public awareness about the destructive threat of nuclear weapons?

Douglass: We had a good trial, Mary Kaufman, who was a lawyer and prosecutor at the Nuremberg war crime trials, came as part of our defense. So we had three women defendants and we had Mary Kaufman as one of our witnesses. She was very powerful about this, telling about what those nuclear weapons could do and why they were against international law. Mary was a very erudite speaker. She was a person who could put all kinds of law into very succinct paragraphs, which was good because she didn’t have much time in court.

Spirit: There is so much historic significance in having a Nuremberg prosecu- tor testify at your trial. What did she say about how nuclear weapons violate international law in light of the Nuremberg principles regarding war crimes?

Douglass: She basically said that these weapons violate international law and that, because of the Nuremberg principles, it’s no longer a defense to say that you are part of the military or that you are just doing your job. She said that international law is more important.

Mary said that the U.S. has signed conventions and treaties saying that we should disarm and that we would not use nuclear weapons first, even though Trident is a first-strike weapon. And those laws are all higher than any national or local law, so if you break a law like a trespass law, which is what we broke, to try and stop the greater evil from happening, you’re justified in doing that.

As a Nuremberg prosecutor, she said she prosecuted people who did things for Nazi Germany that had the same kind of results that the use of a Trident weapon would have. And were there to be such a
Shelley Douglass (at left with microphone) speaks out against the deaths of children caused by U.S. sanctions in Iraq.

At Mary’s House, Jaydon prepares for his first day of kindergarten. Mary’s House offers a stable home for families seeking employment and permanent housing.

One very big exception, of course, is the Plowshares action that five of our friends did at the base, which brought heavy charges and jail time.

Editor: On March 28, 2011, Stephen Kelly and Susan Crane were sentenced to 15 months in prison, Lynne Greenwald to six months, Jesuit Father Bill “Bix” Bichsel to three months, and Sister Anne Montgomery to two months after a federal jury convicted them of conspiracy, trespass and destruction of government property for cutting through fences at the Trident base.

For 20 years, no one was convicted even though you kept doing nonviolence, yet it didn’t mean the end of your campaign.

Douglass: Oh no, and it helped us clarify how to do things and what was important. It intensified the ties we had already been building in the county because people respected the fact that we said that was a mistake, instead of trying to pretend it went well or justify it somehow.

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Perhaps: What happened at the next major action when activists blocked the White Train in February 1985?

Douglass: The train was stopped, the people were arrested and the discipline was maintained. But when that case came to trial, people were charged with conspiracy as well as with blocking a lawfully operated train. When testimony began, they discovered that the sheriff had been part of the conspiracy so they had to drop the conspiracy part of the charges. [laughs] And then people were acquitted.

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Douglas: There are two things. One is the sort of reasons the jurors gave, which ranged over a whole variety. One juror said, "Well, I call the police to arrest trespassers on my beach and they didn't do it and why would they arrest those people on the tracks?" Other people said, "These folks (anti-nuclear protesters) shouldn't be arrested because what they're doing is the right thing." It varied a lot.

Spirit: You once wrote that resistance to nuclear weapons had to be deep enough to address the societal causes of the arms race, including "our system's exploitation of people based on their race, age or sex." How is race, including "our system's exploitation of people" based on their race, age or sex, and how can we be complicit in it?

Douglas: Well, the simplest way, the way we used to put it in our slideshow at the time, was that something like six percent of the world’s population controlled 40 percent of the world’s resources — way out of our share. And the whole point of the arms race is to protect what we have, which isn’t justifiable.

So we’re part of an empire which claims the right to not only rule the world, but to dictate what goes on. And we remain complicit with that, then to that extent we’re complicit with weapons like the Trident. So we were trying as much as possible to do the work of where we were complicit and to withdraw our cooperation as much as we could.

That was why we adopted very simple life styles — no electricity, community living. You know, all the sorts of things that people do when they’re trying not to live heavy on the earth, knowing that you can never be totally outside of the system. We’re all part of that system.

Spirit: After all these years of resistance to war, nuclear weapons and poverty, what does nonviolence now mean to you?

Douglas: What it means to me is our recognition that we’re all one and that any evil that we’re involved in as humanity, I’m involved in too. And also in any good, we’re all involved in that. We can make a choice in the way we live that either strengthens or weakens the good or the evil. So nonviolence is about being part of a world community by choice. The changes begin in us and then they spread.

So the kind of civil disobedience that we did at the Trident base that people are still doing are ways of using that power of taking responsibility and calling other people to join. We are trying to live simply and to resist as much as possible in our lives the economic violence that goes on all the time, and the system.

Spirit: How is nonviolence related to love for others and to reverence for life?

Douglas: Well, I make a big difference between love and like [laughs] and I understand love as wanting what is best for the other. That is what I think we’re called to do. That doesn’t mean we have to feel warm and snuggly about everybody, but does mean we have to make the best decisions we can for everybody’s welfare. It’s the same kind of underlying faith that we are, as humans, here to be happy, likely that may seem to us at any point — and we have to recognize that, whether or not we’re feeling it at a particular time.

Nonviolence is a statement of reverence for life. Wanting the best for the other person implies that we hold them in reverence.

Douglas: In the Catholic Worker, we were influenced by Dorothy Day and her friends, who were workers who found in the Catholic Worker a sense of community in the poorest sector of the worker and the poor through the church.

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A Lifelong Path of Nonviolence

Mary's House in Birmingham

Spirit: You described how you first became inspired by the Catholic Worker. When you came to college, did you begin Mary's House in Birmingham?

Douglass: When we moved here to Birmingham, we were sort of delegated by Zero to get this going. It had been here for two years and there were more than twice as many homes. So we made the decision to take over the Ground Zero, or do we stay here, and if we stay here, what are we for?

So that just kind of fit in with my always having wanted to be a Catholic Worker. So we decided that we would do a Catholic Worker, even though we had no money. I mean, you never have any money, when you're good at being creative, at scamming people.

Spirit: Dorothy Day described one of the primary missions of the Catholic Worker as providing houses of hospitality. Does Mary's House offer hospitality?

Douglass: Well, physically, Mary's House is a big old house, kind of like many Catholic Worker houses. It was built in 1920 in the Ensley area of Birmingham, which used to be a big steel and brick-making area. It's got four bedrooms, one of which I sleep in, and three of which we use for people who are going to be traveling, for families or single women. People come and stay while they get on their feet. It's kind of like a big family house.

Mary's House in Birmingham

Spirit: Do you seek out other services in the community to support your residents with these sources of help?

Douglass: Yes, we've been open for quite a while with a lot of good ties with various services. There's a Methodist group that has a place called Urban Ministries and their social workers work with people who are staying with us and go on to get connected with various kinds of services, like paying bills and food and places to live. There aren't enough places to live, so it's difficult and time-consuming to find a place that you can afford to live. But we do have a lot of community support. Financially, we are totally dependent on the community. Everything is done by donations and by volunteers. Nobody gets paid.

Spirit: Do any of the churches in Birmingham get involved or provide help?

Douglass: A couple of parishes give us some money. We have a lot of regular money and a lot of people from churches give us money. Also, we have some money from a Catholic thing called JustFaith Ministries. It's a nationwide series of courses that parishes do on social justice teachings of the church and they actually get radicalized when they do it. We have a wonderful little church with people who have gone through that program. And we have a lot of Methodist ties. Methodist cowokers and friends; it's a community endeavor, even though we're the people who are physically here all the time.

Opposing the Death Penalty

Spirit: You became involved in opposing the death penalty and began visiting a prisoner on death row. Why are you opposed to the death penalty?

Douglass: We've always been against the death penalty, theoretically. It goes with the territory. We don't believe in killing anyone. When we started, we were opposed to the death penalty on a kind of theological level because we're committed to nonviolence. And clearly, the death penalty is a rather easy way to start to be violent on the part of a country.

Then, from a religious perspective, we believe that Jesus meant what he said. We believe that you should love your enemy, and you don't take vengeance. So no two things meant that we were against the death penalty.

Spirit: Wasn't Jesus himself a victim of the death penalty?

Douglass: Well, he definitely was. He was a political prisoner who was executed to discourage any kind of rebellion against the Romans.

Spirit: You'd think the fact that the central figure in Christianity was executed might give people the idea that the death penalty is the way to go.

Douglass: I think the state might still think it's the way to go, but it might give Christians the idea that it's not the way to go. If Jesus were to be executed today, it might be put in the electric chair or it might be lethal injection. Then, instead of wearing crosses around our necks, we'd wear hangings of various kind of things.

Spirit: Yes, people forget that the cross was the state's instrument of execution.

Douglass: Right — for political subversives especially.

Spirit: When did the death penalty become something more personal to you than just one more political issue?

Douglass: It wasn't until we got to know Leroy White personally, as a human being, that we were kind of moved in our gut to take more action against it. It's a whole different thing when it's an issue and when it's a person you know.

Spirit: So with Leroy White, it became a person you knew and cared about?

Douglass: Right, and who had a big family outside of prison who were tremendously affected by what happened to him.

What actually led up to our working personally against the death penalty here in Alabama was that we got a letter from Hattie Nestle. She's an activist friend of ours in Massachusetts, saying that she was corresponding with a prisoner down here on death row. She said he hadn't visited in five or six years and she wanted to visit him. She didn't realize how big Alabama is. It's four or five hours travel to the death row prison, so it wasn't like we were just going to hop on down there. But she started to write to Leroy White, who was her friend, and after a year or two of writing to him, I decided that I would visit him.

Spirit: Where was Leroy White confined? What prison and what city?

Douglass: He was in Atmore Prison, which is where most of our death row prisoners are and it's not far from Mobile, Alabama. [Holman Correctional Facility is located near the town of Atmore, southern Alabama, just south of Mobile.] It's about four hours drive down and we would visit for a couple of hours, then I'd turn around and drive back. After that I'd go for a couple more years, but it was too far, too long for the time of the two of us went.

Spirit: Why did it become so important that you kept visiting him for several years? His case was nearly hopeless and the death penalty was not likely to be reversed. Some might have found it hard to keep visiting under those conditions.

Douglass: It wasn't a pleasant cause, because here was a person who was totally isolated, waiting for them to kill him, sitting in a brutal prison. Nobody was in touch with him. Nobody would even call him a person. You meet somebody like that, it becomes personal and you want to continue to support him. And we built a relationship.

It was really a process of building to build, to start with, we didn't have a lot in common. It was good when Jim and I went up, it was good to see him, but we didn't know anything about sports or that I didn't have that to fall back on. We would talk about our kids and that sort of thing.

But it was different, as we got a little early on, because Leroy told us what he was in for. He had killed his wife and being who I am, that’s the person I’m least likely to relate to. It is where you get challenged in your nonviolence and all that, because that’s the person I least likely to want to be friends with.

Spirit: He killed his wife with a shot gun and also shot her sister, didn’t he?

Douglass: Shot Hattie, shot her sister, shot his wife, didn’t kill her. He was beserk on drugs and alcohol and his little daughter was there when he did it and his stepson was in the house. The daughter got out of the house and was about as horrible as you can imagine.

Spirit: So why did you continue to care about him? Why did you drive all those miles to visit him for those years?

Douglass: I don't know that there wasn't all to Leroy.

Spirit: What is there else to understand about Leroy?

Douglass: Like all of us, Leroy was a complicated person — from his own childhood, a southern childhood. Depending on your cultural background, you guess you could say he was abused as a child. He came from a very big family, this man had gone into the military. He had actually lived in Seattle not far from where we had moved and everywhere the problems that I think that led him to be violent.

He was dismissed from the military because he attacked his commanding officer and was dishonorably discharged immediately in trying to get him any help.

Then he went to college and met Ruby and he was a really good dancer and Leroy was doing drugs pretty heavily. I think when we first met him in prison, he was still using drugs in the prison, which of course was a bad combination. But for those years that we were visiting, he began to come to terms with what he had done, and to try and build a relationship with La Tonya, his daughter.

He became a part of a community of men inside the prison who are part of a group called Project Hope to Abolish the Death Penalty. And he became really interested in working against the death penalty. So he deepened a lot in his self-knowledge, I think, during those years.

You know, you age and die on death row if they don't execute you or murder you in another way. One of the men that we visited for a couple of years had been here and had to be taken care of, and, of course, there's no nursing service or anything. So Leroy was one of the major caregivers for this man. Yeah, Leroy was never an angel, but he became a very compassionate person.

Spirit: Still, it must have been hard for him, because it was a very deeply committed nonviolent, to comprehend his murder of an unarmed woman. How were you able to continue visiting him there?

Douglass: I knew him as a person before they told us why he was on death row, and it was like facing the humanity of the enemy, because in my theoretical construct, the person who shoots his wife would be the enemy. But I already knew him, and a lot of the work that we did in Leroy’s case, I think this Leroy person that I knew face to face, with the enemy who had come with a shotgun and killed his wife.

So I was a bit more neutral in my nonviolence. At that point, we had a relationship and I wasn’t going to end the relationship because of something he had done 10 or 15 years before, but it was an uncomfortable kind of thing. You just have to live through it. Obviously, I never condoned what he did. But I felt he was doing a lot of good work, he would talk with us about his remove.

He changed over the time that we visited him. I mean, it’s not saying we because we visited him. He became a more serious person and faced up to what he had done. He talked about how he was sorry that he had done that, and he certainly understood that, and we visited him and he had done that and it hurt his family in a lot of ways and that he was responsible. That gave me more peace about being in support.
of him and visiting him.

Spirit: Many people that you might expect to be completely hostile actually asked that he not be put to death even some family members on his wife’s side.

Douglass: Yeah, all of the family, as a matter of fact, and the woman that she married. We began to have some of the kids of only one of his sisters would visit him. He’s one of nine kids, and he was one of the younger ones. He was on death row for over 20 years. Over the time the facility and recriminations began to break down.

The sister who was consistently in touch was raising his two-year-old daughter, LaTonya. LaTonya was his daughter with the wife that he killed, Ruby. As LaTonya grew up, at first she would write letters to Leroy and visit with her aunt; but as she grew older, she cut Leroy off because she was rightfully angry at what he had done. It was after several years that she eventually came to terms with it and accepted him back into her life again.

Spirit: That must have been a huge step for her.

Douglass: Oh yeah, and she’s young. I think she was 24 when he was killed for the sake of LaTonya. But over the years they had worked through this, and she had forgiven him and become close to him. She saw him as her father.

Spirit: It seems almost unbelievable. Why did his wife side with the family even wanting his life to be spared?

Douglass: They were opposed because of LaTonya, and because they had stayed close to him. That’s the other mother’s family and they knew how much she came to care about Leroy. They knew that she saw him clearly as her only remaining parent and she didn’t want him killed. So although they were still very angry with Leroy for what he did, they didn’t want him killed for the sake of LaTonya—Ruby’s family, including Ruby’s sister, who was one of the people Leroy shot — were also opposed to his execution.

Spirit: So she only had two or three years with him after accepting him as her father again before the state took his life?

Douglass: Yes. She was 24 when they killed him after she had become close to him. For a long time, they were estranged. When we first visited Leroy, he would say things like, “I wrote LaTonya all this and she won’t answer my letters.” And I’m thinking, ‘Well Leroy, that is really a surprise. But over years they had worked through this, and she had forgiven him and become close to him. She saw him as her father and she’d read his letters of advice. She appealed to the lowest in the system because she said, ‘If you kill my father, both of my parents will be gone.’

Spirit: It’s kind of beautiful that she had a spirit so large that she could end up

The works of mercy.” Rita Corbin’s art depicts the Catholic Worker ideal of giving mercy to the hungry, the sick, the stranger, and the prisoner, based on Matthew 25. feeling he was her father.

Douglass: And Ruby’s side of the family asked that he not be executed because what it would do to her. So the entire family on both sides was united on that.

About a year after they killed Leroy, I went on a speaking tour with Bill Pelke, the relative of a murder victim who was trying to speak against the death penalty. We were at a little town near Selma. Leroy was from that area and I always talked about his case as the epitome of all the bad things that can happen with the death penalty in Alabama because he was guilty of the crime he was accused of, but in every other way, it was a miscarriage of justice. I was telling his story and afterward, two women stood up in the audience and said, “We are on Leroy’s family and we all know about this case.”

Spirit: The sisters of his wife were actually in your audience? What did they say about Leroy’s case?

Douglass: They basically reinforced what I had said about why he shouldn’t have been killed. It was a blessing that they did that. This was very up-close and personal for them, of course.

Spirit: Their own sister was murdered by this man and yet they still felt his execu- tion was a miscarriage of justice?

Douglass: Exactly. Yeah, by the time he was executed, even the prosecuting attorney who prosecuted him thought he should be spared.

Spirit: Just before his execution, the Huntsville Times reported that Reverend Gardner, the district attorney who prose- cuted Leroy, condemned the death penalty as a “barbaric, abhorrent practice.” What did you think about his turnaround?

Douglass: Well, it’s a good thing. And I thought it was about time. We’re all com- plicit in different ways with the system of violence and he faced the way that he was complicit and made changes, and that’s very good. It’s like the people at the Trident base who left their work in the military. You see that what you’re doing is wrong and hopefully you have the guts and the wisdom to stop that and do something else, and, in his case, to come out and oppose it.

Spirit: Gardner spoke out against the execution and said, “I’ll be in a somber, contemplative mood wishing the best for Leroy.” Does this change of heart from a former prosecutor give you any hope?

Douglass: Yeah, in terms of the death penalty, it gives me hope. Of course, it’s too late to do anything to help Leroy, but yeah, it offers hope. It’s the same question about how do we respond to the White Train with the weapons being taken off the train? There’s this tremendous violence being done and the process of nonviolence is long and slow. It’s a similar kind of thing, you know, because Leroy is dead.

Spirit: When Gardner spoke out against the execution, it was far too late to prevent Leroy’s execution.

Douglass: Well, that’s true. One of the central conflicts in nonviolence is that we all have to be converted. We all have to be converted over time, and in the meantime, a lot of suffering goes on. You know, that was one of the conflicts we had around how to act at the Trident base because the trains were going in carrying nuclear weapons and that made people kind of frantic, and the rate of nonviolent change is slow, so you have to be patient.

We were pretty involved in the process of watching all these people come forward saying that Leroy shouldn’t be executed, and saying that the judge wouldn’t have sentenced him to death except that it was six first death-penalty case and he didn’t know what he was doing. And the prosecu- tor now thinks the death penalty is barbaric, and a couple of Leroy’s lawyers who defended him said they were incompetent, and that they were tax lawyers or whatever. So nobody thought he should be killed.

Spirit: Yet he was killed. Why did no one listen when all the people spoke out?

Douglass: Well, it’s the system. The governor could have granted clemency and I don’t know why he didn’t because he was at the end of his second term. He was about to go out of office and it wouldn’t have cost him anything because he couldn’t run again. So I don’t know why he didn’t, but he didn’t.

Spirit: And Jim were present when Leroy was executed. What was that experience like for you on a personal level?

Douglass: Well, the way it works, the whole family is there. When you’re on death row, you get four visits a month and you have a list of four to six people who can visit you, but only two of them at the same visit. So I was able over almost 20 years and his visits, when he had any, were totally curtailed.

Then, the week before they kill you, you sleep in your cell and you pray. You cannot have up to 15 people at a time for the entire day, all week. So we went down on Tuesday morning with his family, and for the next four days, we all sat around. It’s like a big gymnasium with sort of lunch school tables, and the only food you get comes from the junk food room.

We stayed there from 9 to 5 every day with Leroy and his family. Most of the family came at last part of the time. It’s just really surreal that you’re going to kill this man and he’s perfectly healthy—well, not perfectly healthy, but he’s certain-ly not about to die. And they’re going to kill him on Thursday and we’re all sitting around talking. The family is reminiscing about “do you remember this and that?” and “how is so and so?”

This went on for four days and we’re all listening in the back of our heads to see if the lawyer is going to come and say there’s a stay of execution and that’s going to grant clemency. We’re all kind of waiting for that, but nobody’s really talking about that. It’s just change. I don’t know how we did that. It’s very strange.

Spirit: Was his daughter there too?

Douglass: LaTonya was there the whole time. On the last day, she tried to personally call the governor to plead for her father’s life. She ended up missing a couple of hours of that last day because she was sure the governor was going to return her call the phone. She was so determined because there was no way for him to call her in the prison. Eventually, she came back. They kill people here at 6 p.m., so at 5 o’clock the family is in and took Leroy out. And that’s like a funeral with the person there alive, with people wailing and the whole thing.

Spirit: His family was crying and anguish when they led him away?

Douglass: Oh yeah. And LaTonya was just a basket case at that point because she was sure of the fact that the governor would do something. She was wailing and crying and hugging Leroy. He was not about to die.

The worst part of it is, when this hap- pens in Alabama, there’s nowhere for the family to go. They come and take the per- son to a little motel and then they drive back to Selma, knowing that as they’re driving, Leroy’s being strapped down to the gurney. It’s just inhumane, not even to the person being killed, but to the whole family.

Spirit: Did you and Jim witness the actual execution itself?

Douglass: Yeah, we did.
Douglas: No profound last words were said. There was a chaplain who had been told that he could speak only on the day. And, you know, he said he was ready and that kind of thing. He thanked every- body and told us he loved us all, but, of course, it was not easy. We didn’t really want the whole thing, you or just don’t have anybody. Leroy had a couple different people appointed, all of whom said they were unqualified. A couple of them committed suicide from his case and never told him they had resigned, so when a date for his death came and he didn’t even know that he lost his appeals because he thought he had a lawyer representing him.

Leroy White was an African American man living in Alabama, a state with a terrible history of racial violence. How does that legacy of racism play out in the injustices you see today?

Douglas: Alabama is still a hugely racist entity. Well, the whole country is a hugely racist entity and I don’t think we’re really confronted the fact that this United States that we talk about as being the hope of the world was founded on a basis of racism and genocide. First, with the native people who lived here in the registries before any European came. And then, with the wholesale exploitation of all the black people who were kidnapped and brought over here and forced to do slavery and genocide, institutionalized terrorism which didn’t end when slavery ended. You know, it goes on. It goes on to this day. It’s not enough, and it just keeps changing its form.

Spirit: Have there been significant changes in Birmingham since the civil rights era when it was one of the most notorious centers in the South?

Douglas: On the one hand, everything is very different in Birmingham. Our city council is largely African American. Our mayors, our judges, our city councilors are African American. Our police officers, our firemen, mayors, all of the mayors since we got here have been African American. The police do a good job and they rarely use force. Any line of these officers has never been idle by anyone but white, good old boys, now are filled by people who are African American.

On the other hand, there are very few elected prosecutors in the state who are African American and there are few people who decide what charges to bring. The police forces tend to be quite brutal. It depends on where you are, but the racism is strong and to some extent still enshrined in our state constitution.

Spirit: What do you mean? How is racism enshrined in the state constitution?

Douglas: Our constitution for the state of Alabama was written in 1901 by white landowners, former plantation owners, with the explicit purpose of keeping black people and poor white people out of the political process. They were a reaction to Reconstruction where we actually had black elected officials and black people voting and being treated as human beings.

So this constitution was written in 1901 specifically to keep the plantation class, the planter class, in power. And it called for thousands of provisions that make it illega- l to educate kids together of different races. Right after Jim and I moved here in 1970, there was a referendum and took the part that makes interracial marriage illegal. But that’s only recently, in the last 20 years, and that was a close vote.

Spirit: That’s just unbelievable. And I say that to you because...

Douglas: Yeah, it was. It squeaked through. It’s very insidious because there have been two attempts in the last several years to revise the constitution to make it illegal to educate kids together. And that’s just unbelievable. And I say that to you because...

Douglas: Well, that’s why it’s not a huge issue, because it’s superseded by the federal laws for the redress of any misconception thing, but you know it’s right there in the law for the state.

Spirit: So symbolically, it’s still a griev- ing kind of racism that carries over.

Douglas: It’s not just symbolically. I don’t think that they were proposing it would be even worse because it removes any assumption that kids should have to have an educa- tion that’s the same. But knowing that it’s there is very, very careful because it’s really subtle.

And for all these things, you have to have done it in the South that the standard for a poor black person, you may not have a picture ID and it might not be possible to get one easily or at all.

Disenfranchisement of black people was a big thing in the South, and recently, disenfranchisement has become a big tool of the Republicans.

Douglas: Right. Exactly. And the disingenuousness of people who are African American men who get hit with felonies under the drug war laws. Then they’re felons so they can’t vote, they can’t live in public housing, they can’t get public assistance. There’s a whole list of things that you can’t do once you’re a felon. So you’ve never get back up again because you’re always in the custody of some part of the state — if not in prison, then you’re on probation. And this probation you’re just not able to pick yourself up again.

Spirit: Many of the guests at Mary’s House are African American families. Has that opened a new window for you into the eyes of society that I’ll never be. [laughs]

They often have beautiful homes out in the suburbs, they have private schools, and they’re doctors and lawyers and teachers and all those kinds of things. And they’re still subjected to all the indignities and the indignities of being white and work with every day in the slums have to deal with. Things like driving while black, and having the talk with your kids so that they don’t get pulled over by the police, and just con- stant assumptions about who they are that make them remove.

Spirit: Constant assumptions about who they are based on race?

Douglas: Based on the color of their skin. Yeah. When we first came here to the Birmingham we began to go to a little parish called Queen of the Universe, a little black Catholic Church. We only have two African American priests in the diocese. Based on the color of their skin, we had never been there very long, but we We hadn’t been there very long, but we knew enough about these folks to know that he was talking to the wrong audience here, because they wouldn’t even think of that. When you talk to former slaves, who couldn’t read their skin, because he would not have preached that sermon had it been a white parish that he was talking to.

Spirit: It was a white priest giving this impassioned and condemnation sermon?

Douglas: Oh, of course, yeah. It was a white priest. We only have two African American priests in the diocese.
Santa Cruz Police Violate First Amendment Rights

The Freedom Sleepers plan to return every week in increased numbers to press the community to support restoration of civil rights for homeless people.

Commentary by RobertNorse

At midnight on August 11, ten police officers converged on 20 Freedom Sleepers at City Hall in Santa Cruz, some of them awake on the public access way, and some asleep on the grass. The officers refused to respect the legal right to view public agendas posted at City Hall, or the language of the "Park Closing" law. The Freedom Sleepers angrily objected to the demands of police that they leave. Two people were given additional stay-away orders for 24 hours. Israel Dawson, a UCSC documentary working to film and record the protest, was handcuffed and arrested for "not identifying himself" and "walking away," according to the officer who arrested him.

Santa Cruz homeless advocates are continuing the protests, and remain determined to raise the conscience of the community against the Sleeping Ban.

This was the most intrusive and aggressive police response yet. On the positive side, the arrest of an innocent photographer, returned to the park with the intention of forcing the public to camp or arrest them.

Santa Cruz police, apparently after conferring with sheriff’s deputies, may have been advised that the jail authorities weren’t interested in taking a dozen or more people into custody.

Police ignored the wording of the ordinance and arrest the MC 13.04.011), which exempts passageways through parks, on which I, for one, was standing. They also declined to suggest a legal place where homeless people — who made up half our group — could go to sleep.

Earlier that evening, in the Santa Cruz City Council meeting, Freedom Sleepers read the text of the Department of Justice statement supporting the right of homeless people to camp in Boise, Idaho. In response, Santa Cruz Mayor Don Lane cut off Oral Communications before 10 people in line could speak.

Meanwhile, the Freedom Speakers, angered by the unconstitutional and unnecessary police intimidation, continued to sleep on the sidewalk and plan to return in greater force for the next actions. sleepers have been held every Tuesday in the months of July and August.

The UCSC documentarians Lauren Benson and Israel Dawson had been video-recording the protests with their lighting and cameras on tripods. They had videoed extensively throughout the last four protests and sleepovers, as well as prior Freedom Sleeper breakfasts at Highway 1 and River Street in Santa Cruz.

Indybay photographer and writer Alex Darocy also covered all the Freedom Sleepers protests and published photos of the actions. All three reporters were cited or arrested earlier in the night. Add me to the list since I extensively record police interaction with protesters for broadcast on Free Radio Santa Cruz. I received my second citation and my stay-away order yesterday from City Hall order (for 24 hours).

Lauren Benson got a ticket for “being in a park after hours” (MC 13.04.011), as well as a stay-away order for 24 hours. I had the honor of getting this phony citation several minutes before Lauren. Sgt. Forbus denied my right to be on the access pathway through the City Hall courtyard and my demand to be allowed free access to the posted city agendas along that passageway.

Perhaps his primary concern was my audio recording of each ticketing encounter. Perhaps it was my loud denunciations of police shutting down the right to assemble at the seat of government. Police also cited Darocy for being in the park as he took photos of the event. This is the first time when all four reporters were cited.

Israel Dawson reported that, when told by a cop to get his ID, he started walking towards his backpack, at which point he was seized and handcuffed, charged with "resisting arrest," held three hours at the jail, and given a misdemeanor charge. His court date is in mid-September and he could face six months or a year in jail.

Police sought to drive protesters out of the park with citations and an arrest. They seemed upset that the demonstrators didn’t simply disperse, but responded with angry questions, and declared an intention to return to the City Hall courtyard in front of the mayor’s office.

Once most of the people had been pushed to the sidewalk, police began ticketing people for “blocking the sidewalk” or “lying down on the sidewalk” when they attempted to set up their bedding there — in legal areas. The police also threatened to confiscate the fruit and vegetables, peanut butter and jelly, and other food items. Abhi Samuels of Food Not Bombs responded hotly that they could take the table, but Freedom Sleepers would not be driven away.

Another officer ignored Samuel’s attempt to explain to him that the public sidewalk in front of City Hall is not covered by the ban against lying down (not just sleeping). The City Council had passed that ban in order to make Pacific Avenue hostile and off limits for poor people, street people, youth, and travelers two decades ago.

Demonstrators were very upset with the soft-spoken Indiana activist and "Stay Away" from City Hall order (for 24 hours).

Lauren Benson got a ticket for “being in a park after hours” (MC 13.04.011), as well as a stay-away order for 24 hours. I had the honor of getting this phony citation several minutes before Lauren. Sgt. Forbus denied my right to be on the sidewalk in front of City Hall and the right of the homeless to sleep and yet simultaneously enacts a law making sleep outside a crime.

After some discussion in an impromptu General Assembly, the protesters decided to maintain both their right to protest at City Hall and the right of the homeless to sleep without being declared criminals.

The Freedom Sleepers plan to return every week in increased numbers and press the community to support restoration of civil rights for the homeless (as well as the basic right to be at City Hall for peaceful petitioning, assembly, and protest at night — denied since 2010 by administrative edict). Join us in these protests if you believe in the right to sleep — and the First Amendment.

“Make Sleeping Legal.” People even display protest signs in their sleep in Santa Cruz.

She Slept Under Moonbeams
(for a person on the street)
by Claire J. Baker

Others warned her not to sleep directly under the moon's rounded light, that it would reverse her magnetic poles, disrupt her karma.

Unmoved by the omen she slept under moonbeams, opened her brave street-heart to the moon's benediction.

In a week of sleeping out, no alarming fright, she began a fresh direction in dicton full of light.

The Good Work
by Claire J. Baker

There shall be peace does for every activist, does overflowing the sky's four directions, Flocks guiding each other by touching wings. Dear needy world, the good work shall continue.
Freedom Sleepouts Continue as Support Grows

by Steve Pleich

B ody 2015, the Department of Justice in the Boise federal camp-
ing ban case and by the support of increasing numbers of people experienc-
ing homelessness, the Freedom Sleepers are continuing their highly visible sleep-
outs at Santa Cruz City Hall. Three suc-
cessful actions in July were followed by
four more sleepouts on August 2, August
11, August 18 and August 25.

Sleepers have held their ground and
kept up the pressure on the City Council to
repeal the local camping ban, despite
repeated orders to disperse from 10 to 14
police officers stationed at City Hall dur-
ing the evening protests. The police have
also resorted to the more intimidating tac-
tics of arrests and handcuffs.

The Santa Cruz ban on camping pro-
hibits sleep between the hours of 11 p.m.
and 8:30 a.m. anywhere in the city limits.
Says Freedom Sleeper and homeless com-

image 1

imal member Dreamcatcher, “This is
our chance to speak directly to our city of-
nicals in a way that the homeless are
very seldom able to do. We will not waste
this opportunity.”

Support for the Freedom Sleepers con-
tinues to build, with the latest declaration of
support coming from the Santa Cruz County Chapter of the ACLU of Northern California. Speaking on behalf of the Board, ACLU Chair Peter Gelblum said:

“In our view, the situation in Santa Cruz is legally indistinguis-
hable from the situation in Boise. We believe that the
Freedom Sleepers are working effectively to bring attention to these important issues and to protect significant constitutio-
nal rights.” — Peter Gelblum, American Civil Liberties Union

Sleepouts in Defiance of Sleeping Ban

from page 1

The Department of Justice’s statement of interest also notes that under the Violent Crime Control and Law Enforcement Act of 1994, the federal gov-
ernment may enforce the rights of individ-
uals to be free from “unconstitutional and
abusive policing.” The DOJ also men-
tioned in its conclusion that the lack of
available space in homeless shelters
should be a measure of whether camping
ordinances can be enforced:

“For the reasons stated above, the Court
should adopt the analysis in notes to evalu-
ate Boise’s anti-camping and disorderly
conduct ordinances as applied to Plaintiffs in this case. If the Court finds that it is impossible for homeless individuals to
secure shelter space on some nights because
no beds are available, no shelter meets their
disability needs, or they have exceeded the
maximum stay limitations, then the Court
should also find that enforcement of the
ordinances under those circumstances crim-
inalizes the status of being homeless and
violates the Eighth Amendment to the Con-
stitution.”

The public was only allowed 30 min-
utes to speak by the Santa Cruz City
Council, and some of the sleep activists
were not given any chance to address the
 council. The meeting eventually
adjourned at 10 p.m. Shortly after that,
the campers began to spread out in the
courtyard and turn in for the night. Some of the

protesters have houses of their own to go
to, while others in the group are houseless
and live on the street.

Police conducted a raid on the sleepout
at around midnight. When they arrived,


After the police finished the raid and
left, several individuals did return to the
scene covering every event.

About ten officers of the Santa Cruz
Police Department, led by Sgt. Forbus,
arrived during the raid. Forbus appeared
to be videorecording protesters with an
Apple iPad device. Several sheriff’s
deputies responded as well, but not until
after the courtyard had already been cleared
by the SCPD.

Many of the Freedom Sleepers were
issued citations for being in the courtyard
after hours and were told to move to the

narrow portion of the sidewalk in front of
City Hall. The sidewalk, however, was not
a safe zone either, and people were issued
citations for obstructing the sidewalk.

During the raid, videographer Israel
Dawson was abruptly arrested while in
the act of recording and documenting the
protest. As they handcuffed his wrists
together from behind, police accused him
of walking away from them when they
were trying to get his name. He was
booked into county jail on the charge of
resisting arrest.

Dawson’s assistant, Lauren Benson,
was holding a boom microphone that was
wired to Dawson’s video camera at the
time of the arrest. She was issued a cita-
tion for being in the City Hall courtyard
after hours, in addition to a 24-hour stay-
away order. Dawson and Benson have
been documenting the series of sleepouts
for Dawson’s final project in the Social
Documentation Master of Arts program
at UC Santa Cruz.

Homeless rights advocate Robert Norse
was also issued a 24-hour stay-away order by
police after he entered the courtyard area
and walked along the main pathway to

council chambers. He argued it was the
public’s right to use the pathway to access
the City Council agenda, but was issued
a citation by police regardless.

The park’s stay-away ordinance
was adopted by the Santa Cruz City Council
in 2013 as a method of eliminating “prob-
lem” behavior in public parks. Under
the ordinance, a park user can potentially
be banned for 24 hours after receiving one
citation of any type in a city park.
Repeated citations can lead to a person
being banned from a park for up to a year,
and a violation of a stay-away order can
result in a misdemeanor arrest, which is
punishable by jail time.

After the police finished the raid
and left, several individuals did return to the
courtyard area, but most in the group
decided to sleep on the sidewalk in front
of City Hall that evening, where they
stayed until the morning.