Public Land for the Public Good

How the community came together to halt a luxury tower for the rich and win affordable housing for the people of Oakland.

by Sam Tepperman-Gelfant and David Zisser

The City of Oakland is currently considering five proposals for development on a prime piece of publicly owned land on the shore of Lake Merritt, just blocks from downtown and key transit hubs. Most, if not all, of the proposals include affordable housing, and one is a visionary, community-developed plan for 98 affordable units and plenty of green space.

If this sounds good to you, be sure to thank the neighbors.

In January, this outcome was unimaginable to all but a dedicated group of neighbors who make up Eastlake United for Justice (EUJ). At the time, the City was barreling forward with plans to sell the East 12th Street parcel at a discount for the development of a monstrous tower of luxury apartments for households making $120,000 and up — more than three times the median income for the neighborhood.

While the outcome seemed inevitable to some, Eastlake United for Justice had a different vision for the site and one overarching demand: use public land for the public good. Through fearless and relentless organizing using a range of strategies, including legal enforcement in partnership with Public Advocates and others, EUJ stopped the moving train of luxury development and steered the process towards a more equitable outcome.

Necessity, and a deep love for Oakland, brought EUJ together. “So many people came together because we all know the real material consequences of gentrification and displacement on low-income communities of color in Oakland,” said Tia Hicks, who was born and raised in Eastlake.

“Alarming rises in rent and home sales in this city are pushing long-term, working-class residents out to more suburban areas that do not have adequate resources by TJ Johnston

No new jails will be built — that’s the clear message that activists sent to lawmakers in two Bay Area cities, and one that was heeded.

In a unanimous vote on December 15, the San Francisco Board of Supervisors turned down $80 million in state funds to pay for a jail with 384 extra beds. That relieved them of the responsibility for spending $240 million on the project over a 20-year period. The Board of Supervisors also agreed in principle to explore ways of enhancing mental health and drug treatment programs not tied to the criminal justice system.

The vote by the supervisors happened less than two weeks after activists from the No New SF Jail coalition staged a dramatic protest during a budget committee hearing in the board chamber, temporarily shutting down the meeting.

Similarly, the Richmond City Council in Contra Costa County passed a resolution last July not to allow construction of a new jail with 480 new beds in its neck of the woods. The City of Richmond also challenged the environmental impact report that supported the jail expansion.

As a result, the California Board of State and County Corrections turned down the County’s application for the jail.

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As a result, the California Board of State and County Corrections turned down the County’s application for the jail. Community-based organizations opposed to the jails hailed these rejections as victories of enhanced social services over the prison-industrial complex. The No New SF Jail coalition organized the drive. Among its members were Critical Resistance, Californians United for a Responsible Budget (CURB) and the Coalition on Homelessness.

In the East Bay, an alliance of labor, immigrant and faith-based groups fought against an expansion of the West County Detention Facility in Richmond. The East Bay group included Contra Costa Interfaith Supporting Community Organization, Faith Alliance for a Moral Economy and the National Nurses Union.

Anti-jail advocates on both sides of the San Francisco Bay say money can now be

See Activists Halt Jails on Both Sides page 6

Public Land for Public Good page 7

Activists Stop Construction of Massive New Jails in San Francisco and Richmond

“The contrast was dramatic. Funding could be found for a jail, but not for a hospital. I think that aggravated and motivated a very passionate outcry from people in Contra Costa County.” — Kristi Laughlin, director of Faith Alliance for a Moral Economy

by TJ Johnston

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Liberty City and the Christmas Miracle

A Column on Human Rights
by Carol Denney

Maybe it was a Christmas miracle. In the waning days of 2015, some funding was found in Berkeley to support an expansion of hours at twoday-time drop-in centers, additional shelter beds through the holiday freeze, and a shuttle connecting the youth shelter to Youth Spirit Artworks, among other services for Berkeley’s poor and homeless population.

Public money that presumably has been standing around at the water cooler shooting the breeze was finally put to work. In Berkeley, the question is never, “does Berkeley have the money?” Berkeley ranks tenth for income inequality among U.S. cities, according to Bloomberg, the organization which compiles some disparity figures for cities nationwide with more than 100,000 people.

Even adjusting for a sizeable student population doesn’t change the basic portrait of Berkeley as a playground for the 1%, slowly eroding what was once an impressively diverse and thriving small-town economy.

Only a few decades ago, easy jobs and cheap housing were everywhere in Berkeley. And one could meet basic needs on the minimum wage, which was $1.65. And while the University of California had just stopped being completely free, thanks to then-governor Ronald Reagan, the registration fee was still around fifty bucks.

The new Berkeley rules are not the only way homelessness and prison are linked. Sam Levin reported in his article, “Alameda County Seeks Santa Rita Jail Expansion,” that our government continues to look for funding for the prison system. Until March 2015, the Berkeley City Council had been allowing the Public Safety Realignment budget funds to go mostly to jail programs instead of to community programs to assist re-entry.

City Councilmember Linda Maio says she sees no contradiction in her role in crafting new anti-homeless “two square feet” laws and this midnight effort to “close the gaps” in services for the homeless and poor, and perhaps she is sincere. Consider it a call to arms, of those who are incensed at seeing people huddled in doorways in thirty degree weather, especially knowing the high percentage of people in any homeless population who are people of color, who are veterans, who are disabled, who are struggling with serious illnesses, and the growing number of homeless families represented even in the inadequate county-based counts.

To all those who stood up to be counted in support of people on the streets: thank you for your speeches, your letters, your poetry, your song, your theater, your grit, your stamina, your creativity and your fire.

“modest proposal” that Ireland’s destitute are shown beds in prison.

In March, they voted to commit 50 percent of those funds to programs in the community. Then, in June 2015, the Berkeley City Council voted to allow the Sheriff to seek funding for a jail expansion. November 2015, they received $54 million dollars for a jail expansion — one focused on mental health.

Thanks to the initiative of homeless people, the sleep-in grew into several weeks of relative safety for people otherwise being shoved out of parks like trash or hustled off public streets by the merchant groups’ hired patrols.

The group of homeless people harbored at Old City Hall developed a functional government and leadership, communication tools, and crafted “no drugs or alcohol” rules. They were better versed on their rights than the average bear.

It’s similar to Jonathan Swift’s famous “modest proposal” that Ireland’s destitute could overcome their poverty by selling their children as food to the rich, thereby reducing the surplus population of poor people, and ending childhood hunger.

As an intern for the American Friends Service Committee Healing Justice program, my work is mostly focused on mass incarceration issues. So when I heard that the Berkeley City Council had voted to add more laws that criminalize homelessness, my first thought was how this relates to our prison-industrial complex.

The number of people in prison has been decreasing recently. After a huge leap in the prison population in the 1990s and 2000s, closely linked to the “war on drugs,” the numbers are now coming down.

Jails May Become the New Housing for the Homeless

by Nikki Hunt

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I ask, why do we need an expanded jail facility in a system that is experiencing a decrease in numbers? Why would we not be working to get funding for community programs instead?

When I heard about the new Berkeley rules, I thought about how many homeless people have mental health issues. A new mental health jail facility would be the perfect place to take in homeless people with mental health issues, people who have had their unpaid fines turn into arrest warrants.

We will have more of whatever we spend our money on. If we spend money on prisons, there will be great pressure to fill them with prisoners. We can choose differently. We can insist that our legislators choose differently.

If we refuse to choose more humane options, welcome to the new affordable housing of the future: prisons and jail cells for those caught on the street without homes.

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The number of people in prison has been decreasing recently. After a huge leap in the prison population in the 1990s and 2000s, closely linked to the “war on drugs,” the numbers are now coming down.

Yet, our society has invested so much money and created so many jobs with the prison-industrial complex that a decrease in prisons is not necessarily a welcome thing. No one wants to lose their job even if it means our society is heading in a healthier direction. And no politician wants to be accused of working to eliminate jobs! So, the pressure to keep the prisons full is great.

Criminalizing homelessness could be a great way to keep the prisons full. Misdemeanors can turn into arrest warrants, which can turn into arrests. This could be seen a double win — keeping the prisons full while also “solving” the homelessness issue by giving homeless people beds in prison.

I’m curious at Jonathan Swift’s famous “modest proposal” that Ireland’s destitute could overcome their poverty by selling their children as food to the rich, thereby reducing the surplus population of poor people, and ending childhood hunger.

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I had wanted to camp at least once at Liberty City once I had learned how to set up camp and do it properly. I had been homeless for two years in Berkeley, myself, and the things bound up in protest reminded me so strongly of my own sentiments while I was without housing in this city.

So I borrowed a sleeping bag and mat from a friend, and I headed over to check out the situation at the occupatation of Old City Hall. After letting a few people know I was coming.

When I got there, I was warmly welcomed. A couple people toured me around the demonstration and explained its boundaries: there was a set of people directly involved with the protesters and then there were others who were not, for a variety of reasons. A speed dealer and his junkies had been moved on. Word had been put out about that. It was made clear that the protest itself was to remain clean and within legal bounds.

There was a table set up in the middle of the community’s meals were served, and various members routinely made sweeps for trash. Decisions were being made by consensus through a general assembly. Liberty City had itself set up.

Not long after I arrived, one of the protesters who had oriented me offered me a tarp for the ground, and then after some thought, my own tent for the night. He said he’d feel better about my safety in a community accountability. I believe that to be true.

I decided that since I used to sleep in a community’s meals were served, and various members routinely made sweeps for trash. Decisions were being made by consensus through a general assembly. Liberty City had itself set up.

I had been homeless for two years in Berkeley and the things bound up in protest reminded me so strongly of my own sentiments while I was without housing in this city. I had heard so much about, and partly because I had wanted to meet the participants. I kept things organized and legal, what restrooms. I had a conversation on the way to Trader Joe’s and back to use their dawn. I stayed in bed until a few others community accountability.

He could treat the dog as he liked. Certainly no louder than any nighttime gatherings at Cal. There was a table with food where the community’s integrity. I pray that this can change. I believe there is hope. Discussing alternative housing solutions is also part of the Homeless Task Force’s Tier 2 Recommendations to City Council. I feel grateful for their perseverance, even with health issues and amid an El Niño year. Because I fear we’ve fallen prey to the kind of undiscerning intolerance that robs communities of their diversity, I’ve seen them steel themselves against that right up until this past week with such heavy rain.

I hope that sooner, rather than later, we will find the courage to listen to what they have to say about us. I believe that they and those who continue to support them have the greatest good in mind.

Genevieve Wilson chairs the steering committee for Berkeley’s Homeless Task Force and works at the Acme Bread Company in West Berkeley.

Genevieve Wilson (second from left) took part in the first overnight vigil at Old City Hall on November 16-17, and later spent a night at a Liberty City.

Liberty City continues to find ways to make their voices heard. I think they plan to hold out hope. Discussing alternative housing solutions is also part of the Homeless Task Force’s Tier 2 Recommendations to City Council. I feel grateful for their perseverance, even with health issues and amid an El Niño year. Because I fear we’ve fallen prey to the kind of undiscerning intolerance that robs communities of their diversity, I’ve seen them steel themselves against that right up until this past week with such heavy rain.

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In the Shadow of Bell v. Boise

Homeless people in Santa Cruz are being criminalized on the basis of status alone, in violation of their Eighth Amendment right to be free from cruel and unusual punishment.

by Steve Pleich

In Santa Cruz, advocates for people experiencing homelessness — including the Freedom Sleepers whose continuing actions at the Santa Cruz City Hall have been the subject of several reports in Street Spirit — have been working to directly address the criminalization of homelessness and calling for the repeal of the city’s camping/sleeping ban.

Beginning on July 4, 2015, activists have been insisting in their position that ordinances prohibiting and criminalizing lying, sitting, and sleeping in public are unconstitutional and pose a grave danger of being selectively enforced against an entire class of people.

In August, this position found unex- pected support from the Obama adminis- tration. A Statement from the Department of Justice concluded: “Thus, criminalizing homelessness is both unconstitutional and misguided public policy, leading to worse outcomes for people who are homeless and for their communities. If the Court finds that it is impossible for homeless individuals to secure shelter space on some nights because no beds are avail- able, no shelter meets their disability needs or they have exceeded the maxi- mum stay limitations, then the Court should also find that enforcement of the ordinances under those circumstances criminalizes the status of being homeless and violates the Eighth Amendment to the Constitution.”

Regrettably, the Boise case was dis- missed on standing grounds but it contin- ues to have a profound impact on the criminalization of homelessness and par- ticularly on the enforcement of camping bans in local municipalities. So close to San Francisco with its rent controls, the city’s camping/sleeping ban.

by Joseph Smooke and Dyan Ruíz

A group of community workers, along with mostly Latino and African American working- class and adherents of the Black Prayer Vigil at a suburban Bay Area neighborhood. They huddle together in the shade on the front lawn of a townhouse complex as their children play with protest signs and run around with friends.

So close to San Francisco with its rent control laws, the实施 San Mateo provides no security for tenants. The renters at 1824 El Parque Court are not the only ones threatened with eviction. San Mateo has no Rent Stabilization Board to com- plete reliable statistics. Tenants in several other buildings — 910 Clinton St. and the Park Royal among them — also got evic- tion notices in previous months.

“We see a lot of buildings being flanked by homeless and unsheltered individuals and families being left without a home, having to leave the area completely, or move in with another family member,” says Aracely Mondragón, San Mateo County community organizer for the San Francisco Organizing Project/Peninsula Interfaith Action (SFOP/PIA), which has been receiving an outpouring of the evictions at El Parque Court while esca- lating a campaign about the plight of Black and Latino working families in San Mateo and Santa Clara Counties.

With help from SFOP/PIA, renters in several cities in San Mateo County have begun to organize, which is starting to catch the attention of some local lawmak- ers. San Mateo City Councilmember David Lim was recently quoted saying that he supports just cause eviction pro- tections, but it will be challenging to get legislation passed.

San Mateo County touches on San Francisco’s southern border and is home to one of the largest and most recognizable tech firms in the world. YouTube, Electronic Arts, Facebook, and Oracle anchor this northern part of Silicon Valley, which houses three million peo- ple, and stretches south down the length of the peninsula to San Jose and back up the east side of the Bay to Fremont.

Companies on the San Francisco Peninsula employ more than 300,000 tech workers who earn an average of nearly $200,000 per year. This means that a huge number of people, roughly equal to three quarters of the population of Oakland, are making a tremendous amount of money in the Bay Area. Many are young profes- sionals wanting to live in San Francisco, but with the extraordinary demand for housing and the crowded ranks of high- wage earners, the spillover from San Francisco to neighboring San Mateo County is intense.

Despite this increasing high-end demand for housing, income disparity dominates the social and economic land- scape. At the top, high-profile tech firms are paying elevated wages to secure top talent. At the bottom, “the average income for Hispanics, who make up one in four residents in Silicon Valley, fell to an all- time low of $19,000 a year,” according to the annual Silicon Valley Index.

According to the Wall Street Journal, “Blacks and Latinos make up a sizable share of low-wage workers cleaning and guarding Silicon Valley tech companies, where the technical workforce are over- whelmingly white and Asian.” Statistics in the article make the divide even clearer. Latinos make up 69 percent of the janitors in Santa Clara but only three percent of Google’s workforce.

As the demand for housing from a high- ly compensated workforce continues to grow, landlords are eager to cash in. Why rent to a tenant when you can rent the same unit to an engineer whose paycheck is 10 times larger? Without renter protections, it’s easy for a landlord to evict a tenant or clear out an entire building or just keep rais- ing the rents. If an existing tenant can pay, they can stay, but the increases inevitably become too much.

An internet search reveals several San Mateo County businesses dedicated to help- ing landlords evict tenants, such as Professional Eviction Services, whose web- site says: “When you need to clear your house, apartment, or commercial property of its tenants, search no further than our eviction service company…”

“With the current market and the hous- ing crisis, we’re seeing landlords and investors taking advantage of the weak legal protections, exploiting the holes that exist in the law in order to turn a quick profit,” says Daniel Saver, housing attorney at Community Legal Services of East Palo Alto. “In the wake behind them, there’s a

San Mateo County Renters Fight Rising Evictions

“"It’s destroying communities, It’s really tearing apart families and communities and ties.” - Daniel Saver, Community Legal Services

Many low-income families living in the shadow of Silicon Valley’s enormous wealth are being threatened with evictions.

by Steve Pleich

In Santa Cruz, advocates for people experiencing homelessness — including the Freedom Sleepers whose continuing actions at the Santa Cruz City Hall have been the subject of several reports in Street Spirit — have been working to directly address the criminalization of homelessness and calling for the repeal of the city’s camping/sleeping ban.

Beginning on July 4, 2015, activists have been insisting in their position that ordinances prohibiting and criminalizing lying, sitting, and sleeping in public are unconstitutional and pose a grave danger of being selectively enforced against an entire class of people.

In August, this position found unexpected support from the Obama adminis- tration. A Statement from the Department of Justice concluded: “Thus, criminalizing homelessness is both unconstitutional and misguided public policy, leading to worse outcomes for people who are homeless and for their communities. 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 criminalizes the status of being homeless and violates the Eighth Amendment to the Constitution.”

Regrettably, the Boise case was dismissed on standing grounds but it continues to have a profound impact on the criminalization of homelessness and particularly on the enforcement of camping bans in Santa Cruz and Santa Cruz County.

Although the issuance of camping ban tickets has slowed, there is no shortage of homeless community members who are still receiving tickets and whose cases are still working their way through our local court system.

In Santa Cruz, there is little doubt that people experiencing homelessness are being criminalized on the basis of status alone, in violation of their Eighth Amendment right to be free from cruel and unusual punishment.

Our entire community, unhoused and housed alike, is living in the Shadow of Bell v. Boise. The hope is that we all emerge into the sunlight equally free.

Steve Pleich is a member of the Freedom Sleepers and an advocate for homeless rights in Santa Cruz and Santa Cruz County.
Laura's Law criminalizes mental illness. Those labeled “noncompliant” can be subjected to involuntary treatment and forced into the criminal justice system even though they have committed no offense.

by Jack Bragen

Laura’s Law, the state legislation that enables the court system and county employees to force involuntary treatment including forced medication, on people with mental health diagnoses, is spreading like cancer across California, county by county.

San Francisco Supervisor Aaron Peskin, a co-author of Proposition 63 (the Mental Health Services Act) in 2004, implementation of Laura’s Law has been approved in Contra Costa County, the City and County of San Francisco, Los Angeles County, Nevada County, Orange County, San Diego County, Placer County and Yolo County.

Those who promote this atrocity have discovered a way of spreading it by sweetening it with Proposition 63 funds, money originally intended for mental health consumer groups, patients’ rights and self-help nonprofits. Those who profit from dealing with those with mental illness via the criminal courts, in the absence of a mentally ill person having committed any offense. The presumption is that because you are mentally ill, you are about to go out and commit crimes; and since you are a threat to society, you must be protected from yourself.

Proponents of Laura’s Law claim that they are preventing crime and helping mentally ill people get treatment they need. Laura’s Law provides for court-ordered, involuntary treatment in cases in which a mentally ill person has done nothing wrong, other than possibly not taking psychiatric medication.

The stated premise is that the mentally ill person, due to the disease, lacks the insight that they are ill. While this premise may be accurate some of the time, Laura’s Law is a bad piece of legislation, and it was written in a space of hatred, fear and ignorance.

This law was originally introduced as Assembly Bill 1421, and was passed by the California Legislature in 2002. It provided for court-ordered, involuntary mental health treatment, handled by county supervisors. The law is written so that county supervisors of the various counties must approve the usage of the law’s provisions.

**Pharmaceutical Funding**

It is vastly supported by the National Alliance on Mental Illness (NAMI), a national advocacy group that receives the majority of its funding from pharmaceutical companies, because desperate parents have nowhere else to turn. I believe it is a solution to problems of “noncompliance” of their offspring.

Although many persons with mental illness need help, being put on medications is not help. In reality, Laura’s Law is not the solution. Furthermore, some people stand to gain a lot of profit from the usage of this law. It will sell a lot of medication, and it is a cost-cutting tool for cash-strapped counties with supervisors who are not inclined to adequately fund public mental health treatment. This law is also seen as a way of targeting people who have been considered nuisances but who aren’t necessarily harmless.

Although I am a “compliant” medication-taking mental health consumer, my emotional response to the spread of Laura’s Law is mostly that of fear. But also I feel outraged. I believe that this law will prevent persons with mental illness from making a good, lasting recovery.

For those of us who will likely need to take medications for the rest of our lives, Laura’s Law, if it is used in a manner that disrupts an essential learning curve. When force is used, resentment is produced.

We have seen this time and again throughout human history — force is bad in the present and past, and force will continue to be bad in the future. When force is used on people with mental illness, it doesn’t give us the chance to sort things out and to learn from our own mistakes.

**Crime against the human spirit**

For those who possibly could get past the illness and create a recovery not dependent upon taking meds, the forced treatment of Laura’s Law is an appalling crime against the human spirit.

Many who have read what I have written may realize that my perspective is dichotomous. I believe that mental illness is distressing, and that the actual biological conditioned caused conditions and should be treated. However, I also believe there is a tremendous amount of unnecessary cruelty in the mental health treatment systems. I believe that it is far better to teach by example, rather than to try to force people to see it your way. This is why, while I believe mental illnesses require treatment, Laura’s Law is a grave mistake.

Over the years, I have been medicated as I believe that this has helped me. However, I realize that this is not everyone’s ideal path. There are some who would be better off weathering their mental illness rather than having interpersonal force on them. Moreover, for them, “the treatment” is far worse than the purported disease.

Laura’s Law is now receiving Proposition 63 funds. This is money that was originally intended to go toward community-based mental health facilities.

Laura’s Law creates fear among consumers of mental health care, and it was written in a space of hatred, fear and ignorance.

Laura’s Law is a criminalization of mental illness. It turns having a psychiatric diagnosis into a crime. When someone is accused of being mentally ill and “noncompliant,” they can be funneled into the criminal justice system immediately by means of Laura’s Law.

The only recourse of a “subject” is that of going to the public defender, going to a court hearing, and trying to prove that you are not needed and treated under Laura’s Law. Someone with mental illness is guilty until proven innocent under this law. According to the text of Laura’s Law, the burden of proof is on the subject.

Laura’s Law does not provide any provision for making sure the treatment forced on people is done in a humane manner. It enables a “team” and who cannot.

Laura’s Law includes but are not limited to, the following:

1. Laura’s Law takes money away from the patients’ rights organizations by ripping off Proposition 63 funds. The original intention behind Prop 63 was partly to fund patient-run organizations.
2. It creates fear among persons with mental health disabilities.
3. It uses force to get people medicated; when forces enter the equation, resentment is produced and this interferes with the learning curve of the patient gaining insight into his or her condition.
4. It lacks an adequate system of checks and balances that would avoid the use of force.
5. It is a way to target those who county officials believe to be troublemakers.
6. It is a way to sell pharmaceuticals and tobacco to maintain the profits of the giant pharmaceutical and tobacco companies.
7. It violates basic human rights.
8. It entangles people who have committed no crime in the criminal justice system.
9. Statistics given probably do not follow people over a period of years or even decades.
10. Laura’s Law is questionable, and they are often ignored in the absence of any sort of context.

Laura’s Law is receiving a barrage of mind-damaging medications on the public.

Laura’s Law criminalizes mental illness. Those labeled “noncompliant” can be subjected to involuntary treatment and forced into the criminal justice system even though they have committed no offense.
It feels as if I have been penciled out of existence by some grand authority, or who believes I ought to be jailed, homeless or just dead.

The housing situation for disabled people has become increasingly difficult. Section 8 has adopted practices that make it a lot easier to get bumped off their list. To make matters worse, almost no landlords accept Section 8, and most of those who do are renting out units in bad neighborhoods where it is hazardous to step outside one’s front door (or stay home, for that matter).

Thus, many people who are disabled and who can’t afford the skyrocketing rents are merely one pen stroke away from homelessness.

Social Security has adopted new intimations for those labeled people. These methodologies are quite bogus and are designed to induce fear. In the interview, you are told that you are speaking “under penalty of perjury.” This strategy is apparently intended to frighten disabled people into “fessing up.”

In fear of Social Security, I flipped out and said I was taking “the Fifth Amendment.” There was no real reason for me to do that. They had succeeded in scaring me to the point where I had become irrational.

Food prices have risen. Some supermarkets have become places that cater to rich customers. Those with less money are relegated to Wal-Mart, Dollar Tree, and the food bank. If you do not have the appearance of someone who has money and you go to a supermarket, people start making remarks to you. You are presumed to be homeless, bound for a supermarket in an older car, and in clothes that bespeak not being in the rich people’s club.

Our car isn’t affordable for lower income people any more. The expenses of

Activists Halt Jails on Both Sides of Bay

“I’d rather go down in history as someone opposing something that is wrong than that money is going to continue to destroy people’s lives.”

London Breed, president of the San Francisco Board of Supervisors

freed up to bolster programs for mental health and substance abuse, and other priorities over incarceration.

KINDER, GENTLER JAILS?

The promise of such services in new, kinder and gentler jails was something the Board of State and County Corrections used to entice counties to apply for funding under Senate Bill 863, which was supposed to entice counties to build bigger jails for fewer inmates.

In November, the state board approved $500 million for 15 county jail systems, including five in the Bay Area. But opponents say jail construction increases collateral damage to their communities, and revamping these facilities is something they don’t want or need.

Jessica Calderon, an advocate at Project WHAT who counsels children of inmates — and whose father was incarcerated — said jail is a parent takes an emotional toll on families.

“In all my time working to facilitate contact visits between children and their incarcerated parents, I heard a story many times the sound of children crying when leaving the visit because they want nothing more than their parent to be home with them.”

London Breed, president of the San Francisco Board of Supervisors, cited her brother’s addiction and criminal history as a motivation for her “no vote” at the December 5, 2014 meeting of the Board of Supervisors, where the county approved a new jail wended through the board for almost two years, she voiced her doubts about the project. Even when she voted to apply for the state grant last July, she vowed to vote against the jail if it was too big and costly.

“T’would rather go down in history as someone opposing something that is wrong than that money is going to continue to destroy people’s lives.”

Deputy Sheriff Ross Mirakami began the push for jail expansion, continued his predecessor Vicki Hennessy. Mirakami said the facility housing the two jails at 850 Bryant Street was seismically unsafe. However, the jail population dwindled to its lowest point in over 30 years, because of pretrial diversion and alternative sentencing programs.

As of December 5, San Francisco county jails housed 1,270 inmates, in a 2,432-bed system, according to Sheriff’s Department estimates.

The No New SF Jails coalition pointed out inequities inherent in the penal system in San Francisco. While the African American population shrank to 6 percent citywide over a 40-year span, African Americans make up almost half the inmates in county jails. Also, 75 percent of inmates have substance abuse issues and 14 percent have severe mental illness, according to the city’s Department of Public Health.

But possibly the most telling sign comes from a Sheriff’s Department estimate of 85 percent of inmates held in pretrial custody. It’s likely that these inmates are unable to afford to post bail. A subcommittee of the city’s Re-Entry Council and the Coalition on Homelessness found that jails act as fact of default homeless shelters: 30 percent of the city’s homeless population have spent at least one night in jail during the last year. In a report released last year, the Coalition on Homelessness discovered that most homeless people, and some poor, housed folk, were likely to leave jail without stable housing.

Earlier in the year, Contra Costa County Sheriff David Livingston pushed his plan to add 480 beds in the West County jail without fanfare, but he hit a couple of sore spots in the community. For one, Livingston wanted to use $1.43 million in leftover state realignment funds meant for re-entry services toward the jail expansion.

PASSIONATE OUTCRY IN EAST BAY

Another critical point was the recent closure of the Doctor’s Medical Center in San Pablo due to lack of county funding.

Krisit Laughlin, director of Faith Alliance for a Moral Economy, said that was a reminder of what she saw as misplaced priorities. “The contrast was dramatic,” she said. “Funding could be found for school, but not for a hospital.”

That aggravated and motivated a very passionate outcry from people in Contra Costa County.

Among the critics was Tamisha Walker, an organizer with the Contra Costa Interfaith Supporting Community Organization, who was incarcerated in her youth and early adulthood.

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page 1

D

iable people are being sub-
ject to baffling and unkind treatment at the hands of the penal system. New rules have been written that have made it increasing-
ly hard for disabled and poor people to survive and get our basic needs met.

This is a trend that has continued for the last 30 years, but now it has reached a point where it is difficult for a disabled person to even hope to obtain adequate food and housing and transportation.

At one time, disabled people could get into good housing and could afford to go out to a restaurant once or twice a month, or maybe order a pizza. We might have been able to afford reliable transportation,

and might have been able to go grocery shopping in peace.

Former California Governor Arnold Schwarzenegger slashed SSI and Medicaid when in office, and these bene-
fits have not been restored. For most peo-
ple living on SSDI/SSI, we can’t afford to
get by unless our families help with some of our expenses.

If we seek part-time employment to try to shore up the economic gap, we soon
find we are confronted with endless amounts of red tape, as well as reductions in SSI, healthcare and housing benefits.

And this is just one example of the many ways in which it is becoming harder for disabled people to survive.

It seems like the common denomina-
tor in these jail fights is that they seemed
to move very quietly,” she said. “I think
the interview, you are told that you are speaking “under penalty of perjury.” This strategy is apparently intended to frighten disabled people into “fessing up.”

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Public Land for the Public Good

from page 1

...and infrastructure, such as social services and public transportation. Essentially, inequality is exacerbated. We refuse to stand by and let that happen. We also want to protect the cultural vitality, vibrancy, and diversity of the city — it’s what makes Oakland special.

Indeed, between 2000 and 2013, Oakland lost more than 24 percent of its African American population; the white population increased by 25 percent, and the number of renters paying over 50 percent of their income towards rent increased by 39 percent. EU members felt this housing and displacement crisis at first hand and knew that it was critical to use public land to serve the needs of existing Oakland residents.

Eastlake neighbors began by organizing themselves and also marshaled a host of resources behind their cause. They networked with other community groups, such as Black Seed, Asians for Black Lives and Causa Justa; Just Cause, to build people power. They tapped into the affordable housing community to get expert advice from housing finance economists and architects about the nuts and bolts of development so that they could engage on equal terms with city staff and developers. They met with Oakland City Council members and city staff to tell their stories and brought dozens of people to speak at public hearings.

They held rallies and protests at City Hall and at City Council meetings. They engaged in compelling media advocacy to make their case and build pressure. And they embraced legal action as an important tool to support organizing.

California law and local Oakland ordinances establish clear rules for the disposal of city-owned property. Oakland’s City Attorney, more than 90 people spoke on the project scheduled for that night.

As it turns out, the City Attorney had told the City Council the same thing months before. A final City Council vote was scheduled to take place on July 7, 2015, but the day before, the East Bay Express published a leaked memo from the City Attorney’s office dated February 17. The memo states clearly that the East 12th Street property is subject to the Surplus Lands Act and notes that a non-profit developer had been “rebuffed” by city officials. Consequently, the Council quietly removed the item from the agenda and started the process over on July 14.

It wasn’t the only dramatic moment in this fight.

In May, Black Seed and Asians for Black Lives linked arms to shut down the City Council meeting, preventing a vote on the project scheduled for that night. And at a City Council meeting in June, the very day that Public Advocates and our co-counsel sent a demand letter to the City Attorney, more than 90 people spoke out in opposition to the project.

Community activists held an event called E 12th Wishlist, a family-friendly event with a “Design and Imagine” tent where local architects and planners invited community members to consider the best use of the site.

Thanks to the persistent organizing of Oakland activists, the City must prioritize proposals that include the highest number of affordable homes for people of the lowest incomes. Most importantly, city officials know the community will be watching how it disposes of public land in the future. The message is loud and clear: public land for the public good.

Penciled Out of Existence in America

from page 6

Owning a vehicle is far beyond what is affordable on public benefits or low-paying jobs. Then, there are the buses. If you live in Contra Costa County, you could be waiting for a bus for up to an hour in the hot sun or in the pouring rain. Then, when you arrive at the transfer point, you may have to wait just as long for the connecting bus. Thus, getting from Concord to Martinez could take as long as three hours, and you’d have to walk a fair amount of walking, and could require not having a medical condition that precludes being in the outdoors for an extended time.

And finally, the buses themselves when the schedule says. The bus could have been a few minutes early, in which case you must wait an extra hour, or it could just not show up.

Government-sponsored dental benefits provide another example of how the safety net is unraveling. It is a good thing that dental benefits have been restored under Medi-Cal. However, this was executed badly. The Medi-Cal rules are written in such a way that it isn’t reasonably possible for a conscientious dentist to do an adequate job and get compensated for it.

The City Council surprised everyone by voting in favor of the project and voting against the 100 percent luxury development. Councilmembers even expressed concern over the lack of compliance with the Surplus Lands Act. The tide was clearly turning.

In an effort to diffuse community opposition to the luxury high-rise, the developer offered $8 million to build affordable housing on another site. But in the absence of a neighborhood site being identified for the promised affordable housing, EU did not back down from its opposition to the luxury tower that would gentrify the City-owned site.

Following its success in opening the door for development that serves Oakland residents, EU kept up the momentum to illustrate the community’s vision for the project. “Our coalition immediately went to work developing a celebratory community process and doing grassroots outreach for it,” said Dunya Alwan, an EU member.

“We created an event called E 12th Wishlist, which was family-friendly, consisting of free food, performances, and a ‘Design and Imagine’ tent where local architects and planners invited community members to consider the best use of the site.”

According to Alwan, event participants enjoyed vibrant discussions and recorded their hopes and ideas for the site on hundreds of feedback cards. They also took part in a design exercise, which resulted in over 30 participant-drawn plans and elevations with elements of housing, business and services, and community and open green spaces.

Thanks to EU’s persistent organizing, the use of legal and other advocacy tactics, and strong media attention — plus, a bit of luck — the City has multiple proposals to consider and must negotiate “in good faith” with developers proposing to use the site for affordable housing. It must prioritize proposals that include the highest number of affordable homes for people of the lowest incomes. And perhaps most importantly, the City knows that community members and advocates will be watching how it disposes of public land in the future. The message is still loud and clear: public land for the public good.

Sam Tepperman-Gelfant and David Zisser are attorneys with Public Advocates, a public interest law firm in San Francisco. This story first appeared in Race, Poverty & the Environment, Volume 20-2.

Tangled Up in Wounds (Poem found under leaves in Golden Gate Park)

by George Wynn

“Oh God give me a warm home far away from the kick-ass cowards who beat me up and set fire to my tent”

“I got a right to be alive Do I deserve this: No, No, No Yes, I do like to beg I am good at panhandling I have to be to survive

“Right now I’m tangled up in blue like the song says and tangled up in my wounds and my nerves are burning with the more ready to go then ever before blues.”
Reflections on the New Year—Elegies, Praise, Poems

by Peter Marin

A

other Christmas, another New Year.... How quickly they succeed one another now, with the spaces between, though deepening, somehow always shorter! I am old enough to write my mes-

sage, want to cling, somehow, to life, and yet there are frayed connections out there to friends I want to keep alive and intact, if only through these brief, sporadic annual messages.

At my age, each year diminishes the numbers of surviving friends, and others seem far away, confronting their own problems and issues, and time and age and death become powers to be factored into the living equation of each life, and so connections — those hand-holds, life-lines, skeins and tangles of light — seem more important than ever.

And I think, too, that age, or let us call it “late-stage life,” despite all of the inter-
est in it and books about it, has yet to be fully understood or successfully described from inside. In terms of its odd and unex-

pected gifts (beside the losses), its pro-
gressions of experience, the origami

sensiveness and openings and the strange antinomies in which interior immediacy becomes something other than it was before — ah, if only more men and women spoke from within it, describing it as experience.

Astonishing, the morphing of memories and waves of sensations that occur as changes and crises appear and pass, death comes close and draws away, the past, re-

inspected, offers new revelations, the future, fore-shortened, changes the shape of each moment, and each moment, as it deep-

ens and opens, becomes, or can become, the occasion for gratitude and peace...

Beyond that?

For some reason, these past few weeks I have been thinking again about the French notion of liberty, fraternity

(though now, of course, we’d say solidari-
ty) and equality. I think I under-

stood in a new way that these can be taken not just as political val-

ues, but also as a partial guide to how to conduct our lives.

becomes, in practice, noblesse obli-

teration: a way of even doing good that at the same time humiliates, subjugates, objecti-

fies and insults those whose destinies we claim to want to improve.

This is, in part, what the phrase “class

consciousness” means: the abyss between us and others, the limits to our empathy and care and the moral forgiveness engen-


dered by how, without thinking, we think.

Of course, I must quickly add that I know most of us, most of the time, proba-
bly do the best we can as time and cir-
cumstance and our own energies and lights and obligations (oh, so many!) per-
mit. And yet, always, thank heavens, there are those who, as we, can do even better than most of us (and I include myself here) presently do.

So once again, as always, I want to thank those of you who struggle against the grain to bring value into the world as a living thing. That is, for me, along with the generosity of spirit and care we owe to those we love, and the stubborn and diffi-
cult telling of truth and, yes, the making of art, at least some of the time, foremost among the several ways we can, individu-

ally and together, keep alive the possibili-
ty of a just and decent future.

May the new year bring to us all what we truly need!

Also, for those who want to bother, please find a few imperfect gifts, below:

elegies, praise, poems.

CHRISTMAS DAY

by Peter Marin

In their long coats, laceless boots, smelling of whiskey, of death, they stand on corners or sit curbside or lie on the grass of the park — these angels, winged minions, sent to remind us of conscience.

Ask them their names, they say Sorrows, Pestilenze, Hunger. War and Regret, hands dirty and worn in ragged gloves testing our patience, our love. Who can see them, these truths, staring us in the face, demanding we become better than we are? Who turns away? We who will bring God back into the world, born again, this day, Christmas day?

TIPS

by Peter Marin

The tips

glow in the dark with the light of the moon. Watch: my spread arms become wings

in the waves of becoming crossing what remains of the night. Am I ready? O yes: for the long journey, the bridge of sights between life and death. The last breath is the first hint of the stillness to come. Is it rest? Or forever? We will die before knowing or know after death — no more can be said before going.

SPACES

by Peter Marin

Older,

in the spaces

between leaves, cells, notes and words

I can find a home where nothing is. Or was

in forward spiraling time

at the edges of meanings, membranes,

too many dimensions to be named.

Everything slides into place,

out of sight. Waves. Particles. Strings

not angels on the head

of a dropped pin making the sound of our clapping hand.

What a ride! Lost in the mysteries beyond knowing, the antinomies drifting by, the Forms not yet

in view. The singing of

angels/ to thy/ rest

is silence, wouldn’t you know it, on the old corner

in Brooklyn, before, then after, where, even now, I am and am not as death, as it will, comes to meet me.

FOR FRED AGAIN

by Peter Marin

This rising of brightness

coming to meet us, this proximity, this strange nearness in withdrawal as, passing over, the arc

of becoming becomes a crown: the blue sky, the green and gold of the trees,

the flames of existence

burning themselves into the sweetness, the finality, of age...

Gratitude overflows the turn to become the River of Life

on whose banks we celebrate.

Our glasses are raised in the fabled Garden of the Gods

where death vanishes forever.

L’chain, we say, To life! To life!

How lucky we are to be here, together.

AGAIN

by Peter Marin

Beckoning

in the last silence

Lear is dancing on the heath with Cordelia, Gloucester and the Fool as if death did not exist.

Nothing has changed into the plenitude of Becoming without end. Waves of light pass through the flesh from suns too distant to be named. We are energies enclosed by a skin thickened inside into the mystery of awareness, barely aware of what we might be. On the porch, sipping stale coffee, we come alive in the wood, fade into the brightness between trees, then emerge in silence and thought.

Invisible membranes tremble.

The air vibrates with aliveness. Borne on wild currents of air like surfers balance or fall into teeming Leviathan seas.

All is a singing of praise, a gift for this Christmas morning.

BALANCED

by Peter Marin

Balanced

on currents of light

like surfers on their waves — here we are. The moments unfold going back to beginnings, forward to the brightening end. Astonishing, is it not: the complexities becoming simple in the immensities of thought?

Antinomies, said Kant, as the mind drifts off the charts, into the distances beyond. Plato was right, something appears: unexpected, unnamed, the visible light of Forms, though still hidden. How close the world is, fading away! The dead gather, speak in soft voices, affirming who we are. In streets, on freights, with comrades, there I was at home, always in exile, one place to another, seeking. Now it is thought, the river of life, carries me onward. The heart, like an ark on a flood, comes to shore, releasing its cargo — whatever, whoever, I loved.

Birds fill the sky, beasts the forest — a peaceable kingdom, found in the mind, vivid, alive. Eden, again! I ride the slow flow of the blood home to where it began.

I have been thinking again about the French notion of liberty, fraternity (though now we’d say solidarity) and equality. I think I understand in a new way that these can be taken not just as political values, but also as a partial guide to how to conduct our lives.