

Musician Leads Fight Against Panhandling Ban

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“Often these laws are passed in response to complaints about panhandling,” she said. “The discomfort someone feels when being asked for money is certainly not a compelling interest to restrict First Amendment freedoms.”

When the Eureka City Council passed its anti-panhandling law in March, it cited an “increase in aggressive solicitation throughout the city” that “has become disturbing and disruptive to residents and businesses.” It claimed that panhandling had contributed to a “loss of access and enjoyment of places open to the public” and created “an enhanced sense of fear, intimidation and disorder.”

Bauman suggested that reasoning is unlikely to satisfy the compelling-interest requirement for strict scrutiny. The Seventh Circuit was the first U.S. appeals court to apply *Reed* to anti-panhandling laws, in 2015, striking down a ban on begging for money in certain parts of Springfield, Illinois. Since then courts have struck down anti-panhandling laws in Grand Junction, Colorado; Worcester, Massachusetts; and Tampa, Florida, and elsewhere.

Despite cities’ poor record on fighting legal challenges against these bans in recent years, Bauman says cities



continue to enact them due to pressure from business and homeowner groups, especially as rising housing costs make homelessness more visible in urban areas.

But she said laws that criminalize panhandling and homelessness are often shortsighted, waste valuable taxpayer money and fail to address the causes of homelessness.

“In the process of enforcing these restrictions that implicate some of the strongest rights that we have under the U.S. Constitution, they fail to address the underlying causes of that expression and throw millions of dollars down the drain,” she said.

Leatherman, who has been busking in Eureka for three years, says he receives a meager Social Security retirement income and \$16 a month in food stamps. He says he depends on donations to survive and take care of his dog, Boots.

After the ordinance was passed, Leatherman says, a police officer threatened to arrest him and impound Boots because he was seeking donations near the driveway to a natural foods market. The officer wrote him a citation, which made local news. Leatherman told the North Coast Journal that a passerby gave him \$20 as the officer wrote him the ticket.

Leatherman claims the ban violates his rights to free speech and equal protection. He seeks a permanent injunction. He has written a song about the brouhaha, called “A Good Chameleon’s Hard to Find (On a Thin Blue Line).”

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EUREKA’S CANCER DOCTOR

I think I located the doctor who directed the implantation of Eureka’s cancer on 3rd St. If you have short memory for Official Eureka’s law-breaking please remember that a Steel Fence still illegally blocks the public sidewalk. This effectively awards the sidewalk to Mercer-Fraser for their help. It was Mercer Fraser that was part of a brokered deal that put the Betty Chinn people in charge of the Containertration Camp on Mercer-Fraser’s large lot. This was a PR ruse to take the pressure off the destruction of another “Homeless Neighborhood” – this one in the Palco Marsh.

Now I have discovered that the doctor who wrote the diagnosis is a Eureka heavy who writes of himself as a Middle Man. Somewhere between Boss Arkley and the obedient politicians who need their marching orders, i.e. *heel*. Any actual Middle that the Middle Man is seeking is of course purely coincidental and any resemblance to a real middle is completely fictitious. As a mouthpiece for the forces of unfettered money, the Middle Man’s tipping points are most comfortable at the extreme right and getting extremer. “Outraged” nonetheless by the thefts and subsequent defecation at Betty Chinn’s legendary storage locker, the Middle Man tells us that this action “broke all bounds of human civility and may be the tipping point for community to finally set social boundaries.”

Why the Middle Man would find the motives for despoiling a storage locker “beyond him” is beyond me. These are the legitimate children of the ABA, the Abusive States of America. Peoples’ motives can be somewhat entangled after a lifetime of abuse handed down with drugs and alcohol for generations – ask the Fishy Lady - but these are the pure products of America living in an atmosphere provided for them by Eureka’s relentless human rights violations.

The 3rd St. congregation came from a community at least. But Official Eureka dispersed it to the Mercer-Fraser lot and then put people back on the street right there when Official Eureka thought it was politically safe to do so. Like displaced Syrians, our displaced refugees tried to hang together. If I was polite I would call the Middle Man’s attitude about this disingenuous, but I find the word hard to say, so how about “*political Gaslighting*.” (Wikipedia definition of Gaslighting: persistent denial, misdirection, contradiction and lying. We might call it in this day and age simply Trumping).

Oddly enough, the County Supervisor we highlighted in a past *Greenfuse* as a seasoned Gaslighter has a solid domestic connection to the Middle Man. I refer to the Fishy Lady herself who as a County Supervisor recently told an assembly of League of Women’s Voters that homelessness had been solved in Eureka. Maybe the Middle Man did her math?

But has he read her latest report describing her meeting with “*hundreds of county representatives from throughout the United States*.” She was stunned to “*realize how similar the challenges are for communities across the nation. Whether urban or rural, large or small, red or blue, wealthy or poor, it’s clear that many of the difficult issues we’re facing are also prevalent in nearly every community. Issues of homelessness, poverty, addiction and mental health are a small sampling of challenges we share. What surprises me is that most counties believe the situation is worse in their community. They think they are the epicenter.*”

“*Where is the political leadership to clear our sidewalks?*” persists the Middle Man. Is she listening? Not when she starts seeing solutions in things like including “*the*

community as a whole. To make real change we must embrace this as a community issue.” Huh? That’s crazy talk. As the Middle Man sees it: “*most of us who live and work in Eureka want these folks moved on. Law enforcement wants these folks moved on. The homeless advocates (that actually do something) want them moved on. The local surrounding businesses want them moved on.*”

The Middle Man sees this as a job for the carrot and the stick. And those of us who enjoy his schtick know that as an opinion leader of Official Eureka, he wants not only Teddy’s Big Stick, but a Big Carrot as well - if the stick breaks, you can beat people about the head with the carrot. (Can I make up a rumor that EPD has abandoned billy clubs in favor of Big Carrots (“bunny clubs”)?)

The Fishy Lady, can you believe it, wants “to begin a conversation. While several groups are working on the issue, community members are the missing link. Now is the time to come together and talk about this problem openly and honestly. Community forums to educate and facilitate neighborhood discussions are being planned and I invite you to join the conversation.”

Does this mean, in her relentless drive to find herself actually in some kind of actual middle before the next election, that she is inviting the kind of homeless advocates who don’t shill for the EPD? Probably not. Although in November she is hosting, with Senator Mike McGuire (ohoh) a Town Hall meeting, “*to begin the process.*” Additionally we will “*have a nationally-known speaker lined up to present on the issue the following day. This is just the beginning.*”

How about starting with an “ending” of the Steel Fence on 3rd St.? How likely? The Middle Man gets what he wants – fencing people off from any place they might congregate and forbidding them from begging at places where you might have a chance at some coins; then what – eventually *evaporating* them? Face it - local Trumpsters like this who fuel the City’s hate get what they want.

Speaking for money only at its biggest, the Middle Man of course wants to exact some pound of flesh from those louts who won’t pull their weight. The Middle Man proposes a voucher system that *certifies you eligible* to receive a meal. Though the meal is already free, the voucher could be denied - get it? A negative Ticket. Not getting one is the punishment.

Certainly “services” will be required: “*No work, no food. No free rides.*” Well the cops tried to obey that suggestion. Pressure was put on St. Vincent’s but how sincerely? The idea of demanding that the mission keep a layer of paperwork for a free meal? Correction, another layer of paperwork. Doesn’t this sound like something Pence had in his Disaster Plan for New Orleans. It was all too radical, even for the cops who backed off apologetically.

Still, the Middle Man isn’t running out of ultimatums. “**We can either allow the druggie transients to do nothing all day but loiter on our sidewalks...OR Our local government can create a “No Loitering On Public Sidewalks” ordinance. We can clear them out, offer them services or a boot in the ass. Other communities don’t tolerate this. Your choice.**” In other words, **forced evaporation.**

We can see that for the most part, when the Middle Man says it, the City and the EPD do it. Meanwhile the Fishy Lady, safe in her County Supervisor ghetto, pours on the gaslight, quoting St. Francis of Assisi: “*Start by doing what is necessary, then what is possible and suddenly you are doing the impossible.*”

Oh wow. The Gaslight is blinding me and burning my eyes. What a team.

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I have visited many of the communities around the West where wildfires have consumed houses including Summer haven above Tucson, AZ, Walden Canyon by Colorado Springs, CO, Wenatchee in Washington, Lake Arrowhead near San Bernardino, CA, Los Alamos, NM, South Lake Tahoe, CA, and others. It’s always the same thing. What you find is burnt out foundations surrounded by green trees. What this means is that embers, not a wall of flames, set individual homes on fire, which then ignited their neighbor’s homes.

If you want to save your community, you must have mandatory fire wise policies that are enforced. Many of the larger towns in Western Montana including Helena, Missoula, Butte, Bozeman, and other mountain towns are vulnerable to the same situation as has burned Santa Rosa and other communities in California. If a fire ignites in the surrounding mountains with high winds, burning embers will rain down on the homes. If these homes are not fire-proofed, entire neighborhoods could burn to the ground.

The entire antagonism to government policies, regulations, and the “it’s my property and I can do whatever I want” is an impediment to rational and reasonable policies. But when your neighbor fails to protect their home, they are demonstrating a lack of community value and a selfish attitude towards the rest of the town.

Beyond changing policies about fire-proofing communities, the other major change we need is to recognize the growing threat of wildfire is caused in part by warming climate. And it is not too much hyperbole to suggest that politicians like Donald Trump and Scott Pruitt along with the rest of the Republican Party that collectively seem to ignore science on climate change are helping to burn your home down.

The ultimate cause of rising wildfire severity and extent is not due to fire suppression, lack of logging or other excuses given by the timber industry and their lackeys in Congress including Senator Daines and Congressman Gainforte. The Republican agenda that Donald Trump, Scott Pruitt at the EPA and Ryan Zinke at Interior, refuse to acknowledge is that human-caused climate change is occurring, and that policies like burning coal, withdrawing from the Paris Climate Accord, and even more logging (which studies have shown to increase wildfire spread in many instances).

Climate change is real. Wildfires are here. The most immediate thing we can do as westerners are fire-safe our communities and towns. Next, elect people who pay attention to climate science. Finally, realize that wildfire in the forest is a good thing that maintains healthy forest ecosystems. Wildfire in your neighborhood is a bad thing that can be reduced or prevented with reasonable building codes and mandatory fire-wise regulations.

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