

Humboldt County DA Sued by Homeless Camp Participants

On May 13, 2009, Paul Gallegos and the Humboldt County Office of the District Attorney (DA) were added as defendants in the federal civil rights lawsuit brought by five participants of the 2007 People Project homeless encampment demonstration. The DA's Office was served with the complaint on Mon. June 8, 2009.

The lawsuit demands accountability for violations of human rights by the police and DA during their April 25, 2007 raid on the encampment in Arcata, California. People Project plaintiffs are demanding that the day and night harassment of homeless people by police be stopped immediately.

The DA's office is being sued for its involvement in the raid and because it continues to perpetuate the criminalizing of poor people, including those who live without housing. Says plaintiff Kimberly Starr: "Although, in theory, the DA's office is responsible for prosecuting all crimes, even crimes committed by police; instead, the DA's practice, historically and to this day, is to be complicit with crimes and violence against houseless people... and demonstrators. On April 25, 2007, agents from the DA's Office went beyond complicity. They documented and actually participated in false arrests, deprivation of life-sustaining necessities, theft of property, and other abuses against People Project encampment demonstrators."

People Project plaintiffs and others were exercising their constitutional rights when raided by numerous police and other government employees. The well organized, publicized, and community supported encampment which began on April 21, 2007, highlighted the plight of Northern Humboldt's houseless population, especially discrimination from local 'law enforcement.' The encampment was established on city property as a temporary safe place to sleep, and it publicly drew attention to a crisis situation- that in Arcata there is no "legal" place for the hundreds of houseless people to sleep. The camp was established also to generate dialogue and build support for a free, people run, ecologically-sustainable campground.

During the raid on the encampment, the police seized property, including medications and survival gear, of more than 50 houseless individuals. Recently posted youtube video (http://www.youtube.com/watch?v=LWnG1vAJAbE&feature=channel_page) taken by employees of the DA's Office, show the police confiscating a bag of prescription medications from one houseless demonstrator, Hans Ashbacher, and brutalizing him. Mr. Ashbacher, a plaintiff on the lawsuit, suffered a seizure while tightly handcuffed and face down on asphalt; police slammed their knees and legs into his body. The City of Arcata never returned Mr. Ashbacher's medications.

The police and DA raid on April 25, 2007 brought to the fore ongoing discrimination and human rights violations against houseless people on the North Coast of California. A few months after the raid, Martin Cotton, a houseless man, was beat to death in Eureka (in front of numerous witnesses) by Eureka Police officers, and later Humboldt Sheriff deputies. The Humboldt DA refused to prosecute any of the officers involved in the beatings.

Sara Hamilton of Redwood Curtain CopWatch, who was present throughout much of the 2007 People Project encampment reminds us: "Every day and night police stalk, target, intimidate, and violate the bodies and property of houseless people. As a society, we must refuse to accept that behavior from anyone -and defend houseless people."

People Project, a cooperation of community members focused on human rights and building dignified community spaces as and with houseless people, knows that this lawsuit is only one step toward ending the persistent government harassment, abuse, and extra-judicial punishment of houseless folks. The People Project lawsuit points out: "...The Defendant City of Arcata has not only failed to provide any shelter or safe space for homeless people to rest, but has been heavy-handed in discouraging and punishing any groups or individuals who attempt to provide or create such spaces." The lawsuit continues, "Arcata has proven itself to be deaf to all urgings by community to respect homeless peoples' rights and to cease from day and night harassment, intimidation, and punishment of homeless people for performing or needing to perform life-sustaining activities..." ... "whereas the Defendants exhibit no intention of voluntarily changing such unconstitutional pattern and practice, and [we] can exhaust no other options, [we] appeal to th[e] Court to provide declaratory and injunctive relief regarding such discriminatory and inhumane actions by Defendants."

Rob Hepburn, a Veteran for Peace and People Project supporter alluded to the UN Declaration of Human Rights and asserted, "Not allowing a person to sleep is tantamount to torture."