

*Anti-soliciting laws are a tough sell; Cities fed up with panhandlers outlaw all street sales. Street newspaper advocates aren't buying it. Los Angeles Times January 20, 2008 Sunday*

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**HEADLINE:** Anti-soliciting laws are a tough sell;  
Cities fed up with panhandlers outlaw all street sales. Street newspaper advocates aren't buying it.

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**BODY:**

Bundled in layers to fend off chills, Ron Morgan snagged a section of coveted downtown sidewalk space and began hawking his only product.

"Real Change," he calls out, holding up the weekly street newspaper by that name. Homeless and low-income people push it on streetcorners, pocketing 65 cents per copy.

"I detest panhandlers. I am not panhandling. I'm working," said Morgan, who has been selling copies for three years since an injury left him disabled. "It's a good paper. People like it. I'm not begging, OK?"

Some cities beg to disagree.

Fortified with broad anti-panhandling ordinances, they have begun prohibiting street vending of all sorts -- including, in some communities, the publication geared toward homeless issues that is sold on the street.

Frustrated by people aggressively asking for handouts, cities from Boston to Honolulu have toughened anti-panhandling ordinances and stepped up enforcement. Some have made slight modifications, others have adopted sweeping rules.

Last year, Tacoma, Wash., banned all soliciting from dusk to dawn. It prohibits asking for handouts within 15 feet of many common areas: bus stops, ATMs, pay phones, self-service carwashes and gas pumps. Soliciting isn't allowed at intersections and freeway ramps, or anywhere on private property without the owners' permission. And it forbids approaching people for money as they enter or exit vehicles. The penalty is up to 90 days in jail and up to \$1,000 in fines.

Since the strengthened ordinance was adopted in April, police say they have mostly been issuing warnings; city officials say it has brought about a notable decline in panhandling.

Next month, in Federal Way, south of Seattle, the City Council is scheduled to vote on revisions to its regulations based on those adopted in Tacoma.

As Real Change, a nonprofit activist publication based in Seattle, expands, its distribution model has come up against anti-panhandling laws in some surrounding cities. Timothy Harris, executive director of Real Change, said one of its vendors in Tacoma and one in Auburn were told by police to stop selling the paper. Neither was arrested.

Tacoma's ordinance draws no distinction between a vagabond beggar, a Salvation Army bellringer, a Girl Scout cookie seller or a newspaper vendor, said Kim Gerhardt, the assistant city attorney who drafted the law. "The ordinance is absolutely blind," Gerhardt said. "If it's in a public place, it would be subject to the ordinance."

Bellringers and Girl Scouts typically secure permission from private property owners for their outdoor marketing. Others -- whether they sell flowers or carwashes or newspapers -- may apply for permits, Gerhardt said.

"We were particularly targeting areas where it was reasonable to assume people felt intimidated," Gerhardt said. "My impression is that it has been effective. There's been a dramatic decline, especially in panhandling directed at traffic."

Curtailing panhandling serves the "greater good," said David Curry, Tacoma Rescue Mission director and City Council candidate. Panhandling provides money for drugs and should be discouraged, he said.

Street newspaper advocates, on the other hand, say that selling papers gives a second chance to those who might otherwise resort to begging.

In addition to Real Change, papers in New York; Oakland; Portland, Ore.; Sacramento; San Diego and Washington are among the 37 members of the North American Street Newspaper Assn.

Strict anti-panhandling laws are part of a broader tendency to criminalize homelessness, said Tulin Ozdeger, civil rights program director for the National Law Center on Homelessness & Poverty in Washington. "If cities are using laws to restrict homeless

people from employing themselves, it really shows a discriminatory approach to people who are homeless," Ozdeger said.

Tacoma's ordinance has answered the complaints of downtown businesspeople who were tired of aggressive pleading from transients, police spokesman Mark Fulghum said. Since the ordinance went into effect, he said, police have logged fewer complaints about aggressive panhandling.

Fulghum said he was unaware of the street newspaper, but said its distributors, like any other vendor, would need permits to conduct business in the city.

Harris of Real Change describes the city's regulation as a slippery slope. "We definitely want to challenge it in Tacoma. No question," he said, but did not specify what steps his organization might take.

If the ordinance is left unchallenged, Harris expects other cities will enforce similar restrictions. "We've seen this all over," Harris said. "As downtown living gets more popular, cities become centers of affluence for people who can afford them. There's a condo boom that goes along with it, then there's a crackdown on visible poverty.

"Visible poverty makes people very nervous," he said.

Founded in 1994, Real Change has a circulation of 12,000. Last year, hundreds of people took a turn selling the paper, but about 150 were regulars, said Danina Garcia, vendor outreach coordinator. "It's not an easy job," she said. Vendors buy the paper for 35 cents from the publisher and sell copies for \$1, keeping the difference.

Vendors wear photo ID badges and must agree to a code of conduct. A little over half of them are homeless; many of the rest are formerly homeless.

Inside the ad-supported paper, articles challenge stereotypes about low-income people, life in shelters, homelessness and poverty. One recent story examined what happens to homeless peoples' belongings when they are arrested. One feature logs police reports involving street people.

Outside a downtown bakery, Gordon Mars clutched copies of the paper and pined for holiday sales.

"Sales were better in December," he said. "I made at least \$100 a day. Saved some money."

Mars said his legs were banged up on a North Pacific fishing boat. He lives in low-income housing and peddles Real Change five days a week, two to three hours a day.

"We're vendors. We're not panhandlers," he said. "We're working."

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**GRAPHIC:** PHOTO: SENTINELS: Kaj Martin, left, and Chuck Budack oppose panhandling in Tacoma, Wash. Street newspaper advocates say sales are an opportunity for those who might resort to begging. PHOTOGRAPHER:Lui Kit Wong Tacoma News-Tribune

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