

San Francisco Gets Tough With the Homeless

Heather Mac Donald

A cop-turned-mayor keeps his pledge to take back the streets—and teaches some important social policy lessons.



San Francisco's Matrix program targets disorder.

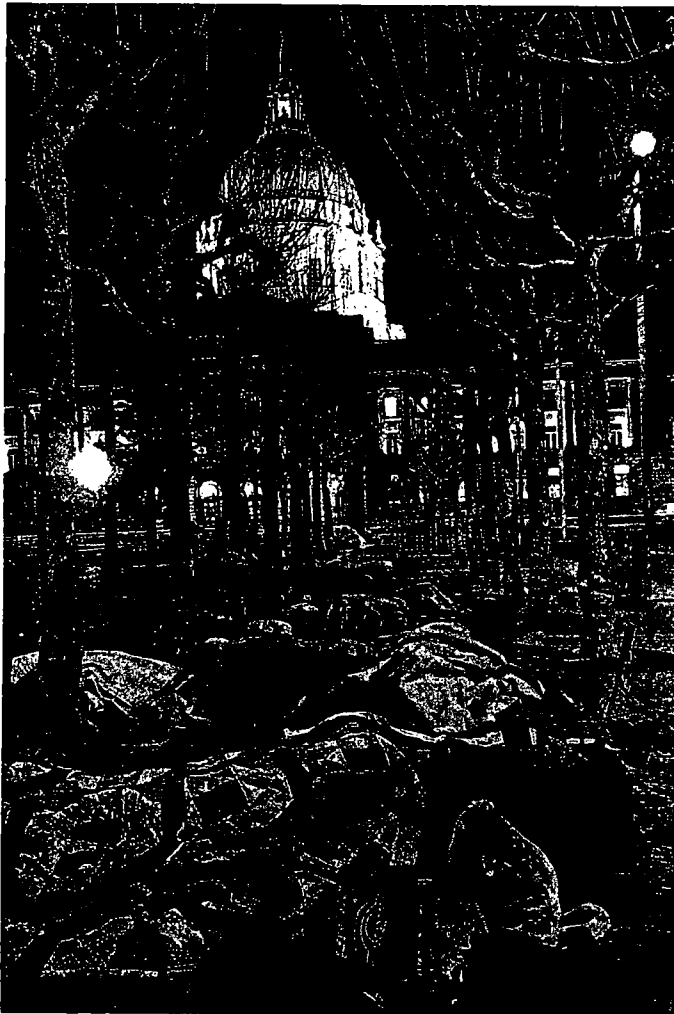
Cities across the country are engaged in a great experiment: having lost control of their public spaces, can they reclaim them?

Over the last three decades, judicial rulings and changing social attitudes stripped governments of the legal and moral authority to enforce public order. Courts struck down loitering and vagrancy statutes—traditional tools for controlling antisocial behavior and even preventing crime. Elite opinion wrapped panhandling, graffiti, and public inebriation in the protective mantle of self-expression and political protest, branding attempts to penalize such conduct as oppressive and racist.

The timing for this loss of authority could not have been worse. As the breakdown of the family, exploding drug use, and the lack of long-term care for the mentally ill brought legions of dysfunctional people into the streets, cities found they had few means left to respond to increasing disorder. The results are visible in nearly every large or medium-sized city today. Certain areas—usually public parks—have become de facto safe zones for lawlessness. Sidewalks resemble obstacle courses. Businesses located where beggars and vagrants congregate are losing customers to private malls; neighborhoods are losing residents to the suburbs.

But a revulsion at what the liberal social attitudes of the last three decades have wrought is now sweeping the country, producing some surprising turnarounds. Despite fierce criticism from civil libertarians and homeless advocates, cities that once led the campaign against bourgeois values are now leading the effort to resuscitate those values. Debate has been raging in Berkeley, California, home of the Free Speech Movement and the People's Park, over a proposed ordinance to prohibit panhandling at night, outside store entrances, near ATMs, or directed at people getting in and out of their cars. "We're losing good, loyal customers because they are afraid, intimidated, or just tired of being attacked five times between

their car and our store," says Barbara Maiss, manager of a stationery store. Opponents of the ordinance decry the "death of compassion in Berkeley." Voters will decide the issue in November.



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Civic Center Plaza, formerly a homeless encampment, has regained some of its luster thanks to *Matrix*.

So too in Seattle. In 1980, the city decriminalized defecating and urinating in public—an outgrowth of the “do-your-own-thing, give-everyone-his-space” spirit of the 1970s, according to City Attorney Sandra Cohen. Today, Seattle has a serious hygiene problem behind buildings and in doorways; tourists complain bitterly when tour guides take them through alleys in the historic Pioneer District. In 1993, the city recriminalized public urination and defecation, prompting the Seattle Homeless Advocacy Group to proclaim urinating in doorways “a political statement that there are not enough toilets.”

More controversially, Seattle passed another ordinance in 1993, which outlaws sitting or lying on downtown sidewalks from 7 AM to 9 PM. A federal court upheld the law in March 1994; protesters, wearing T-shirts depicting the city attorney as a Nazi, have occupied the offices of city council

members and torn down signs notifying people of the law.

Santa Cruz, California, which only a few years ago outlawed “lookism”—discrimination on the basis of personal appearance—passed a “truth in begging” law in March 1994 that prohibits panhandlers from lying about their needs or the intended use of the alms, and from begging while under the influence. The law also forbids begging in front of buildings, at bus stops, while seated on or leaning against public benches or public property, or within three feet of the person solicited.

Neil Coonerty, the council member responsible for the anti-lookism law and a radical even by easygoing Santa Cruz standards, was the panhandling ordinance’s main champion. The reason: his downtown bookstore was losing business. The new law, he said, “will send a message that there are limits to



A Matrix officer covers his beat in front of City Hall.

our tolerance in Santa Cruz." Following the vote on the ordinance, someone shattered the front window of his store with a brick.

All in all, more than two dozen cities have passed laws against aggressive panhandling. The New York City Police Department is training a team of plainclothes police officers to encourage the homeless to move to shelters; Cincinnati has removed the public benches used by beggars; Atlanta prohibits loitering in abandoned buildings or entering a parking lot without reclaiming a car; and half a dozen cities with large homeless encampments have tried, with mixed legal results, to enforce laws against camping in public spaces.

No city, however, has waged the campaign to reclaim the streets more vigorously than San Francisco, and nowhere has the effort yielded more significant results. For in its twin efforts to restore order and help the homeless get off the street, San Francisco is discovering what many social workers have secretly known for years: you can lead the

homeless to housing and services, but you can't guarantee they will use them. Increasing the resources available to the homeless without also penalizing the failure to use them may have only a marginal effect on the condition of the streets. This discovery has profound implications for the Clinton administration's homeless policy, which has made record spending on housing and services its centerpiece.

San Francisco's fairy-tale setting belies an often nightmarish street scene. The city's generous welfare policies and limitless tolerance have drawn an army of vagrants, addicts, and hippie wannabes eager to recreate the Summer of Love. Until recently, wildly gesticulating men routinely hounded pedestrians; petty scam artists accosted tourists waiting for the cable car at Powell Street. For many business owners, opening shop in the morning meant waking the vagrant in the doorway and cleaning up leftover food and human waste.

The Transbay Terminal, a heavily used commuter

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hub, doubled at night as a de facto psychiatric ward and crack den for two to four hundred transients. In June 1993, state police reported 203 crimes at the terminal, including homicide, attempted rape, kidnapping, and robbery. Amtrak pulled out of its lease after a fatal shooting in August 1993.

The symbolic center of San Francisco's homeless problem, however, was Civic Center Plaza, a large open space in front of City Hall. A shantytown of lean-tos, tents, mattresses, and couches in the center of the plaza housed hundreds of men and women. Dubbed "Camp Agnos" in mockery of former mayor Art Agnos's failed social policies, the encampment was a breeding ground for crime. People ascending the urine-soaked stairs of the parking lot underneath the plaza were greeted by the sight of prostitutes earning their pay in broad daylight and junkies shooting up heroin. Maintenance workers had to clean up around the residents or fight with them to move.

For years, San Francisco tried, and failed, to solve its homeless problem with money and services. In addition to its \$55 million General Assistance budget—a welfare grant for able-bodied men and women without young children—the city spends \$50 million a year on homeless services. It funds 4,155 beds in a dozen shelters, alcohol treatment programs, free health and dental care, housing grants, feeding centers, and an array of other services for a homeless population estimated at between three and six thousand.

The indirect costs of homelessness dwarfed even these hefty direct costs. An April 1992 study attributed to the homeless a \$173 million drain in retail and restaurant sales in the city. The San Francisco Convention and Visitors Bureau used to receive constant complaints about harassment from tourists; a city whose largest industry is tourism—\$4 billion annually—takes such complaints very seriously. Some of the city's regular convention clients began to consider a change of venue.

quality of life produced the upset victory of former police chief Frank Jordan over Mayor Art Agnos in 1991—the first time an incumbent had been unseated since 1943. Jordan had promised to crack down on panhandling and to put the homeless in work camps. For many, San Francisco's embrace of a tough cop over a former social worker symbolized a revolution in the city's political culture.

Early in his term, though, Jordan seemed to abandon his original goals. Rather than moving aggressively against street crime, he spoke of addressing "root causes" and avoiding "punitive measures." His popularity plummeted amidst the widespread perception that his administration had lost its focus. But in 1992, Jordan showed that he had not forgotten why he was elected, by proposing a ballot initiative against aggressive panhandling. The measure passed by a 10-point margin, over the opposition of the leftist Board of Supervisors (San Francisco's equivalent of a city council) and every liberal group in the city.

Hours after the initiative passed, police officer Steven Murphy was stabbed by a beggar who had hounded him for money and had just slashed his truck tire. "This is the kind of stuff that happens when the police are not allowed to do their job," warned Murphy, after four hours of surgery for a severed artery in his arm.

As if taking this admonition to heart, the next August Mayor Jordan announced Matrix—a month-long program for enforcing in the downtown area 18 city and state ordinances that had fallen into disuse. Designed to ensure order in public places, they covered offenses such as public drunkenness, public urination and defecation, trespassing, street sales of narcotics, dumping of refuse, graffiti vandalism, camping and lodging in public parks, and obstructing sidewalks. Teams of 12 to 18 officers made regular tours through the Civic Center Plaza, a four-block stretch of Market Street, and Union Square—a once-posh shopping district that had succumbed to urban squalor.

Seething frustration with San Francisco's declining

Matrix represented a major law-enforcement **33**

Portland, Oregon, Reaches the Limits of Kindness

Critics of San Francisco's tough approach to street disorder argue that the only effective long-term solution is to address the "root causes" of homelessness: society must provide more and better housing and social services.

This debate need not be carried out in the realm of theory. One city stands out as an exemplar of everything homeless activists have ever asked for. Portland, Oregon, has a comprehensive plan for responding to homelessness, shelter for all, extensive drug rehab programs, and clean and sober housing. It eschews punitive measures against disorderly conduct. Yet despite the best efforts of all, and some notable successes in the area of alcohol treatment, Portland's homelessness problem shows no signs of abating.

In the early 1980s, Portland concluded that law enforcement for quality-of-life offenses was futile. Instead, the city assembled its business leaders, homeless service providers, advocates, and government officials to craft a nonpunitive approach to homelessness. The task force produced a 12-point plan, adopted in February 1986, that sets out the city's "core values" regarding homelessness and the responses necessary to realize them.

The most consequential value is that "no one incapacitated by alcohol or drugs should be left untreated on the streets of Portland." This commitment gave rise to the Person Down program. Anyone "down" on the street from a drug or alcohol overdose is immediately picked up by medical person-

nel in a special van and taken to the city's detox center. From there, he can enter a variety of treatment programs leading to drug-free housing and job training.

As a result, the number of late-stage chronic alcoholics on city streets has declined from two thousand to two hundred over the past decade, according to Richard Harris, director of housing and chemical dependency services at Central City Concern, an SRO provider. Between 50 and 72 percent of the formerly homeless in Harris's several drug rehab programs have graduated clean and sober.

But although alcoholics may be largely gone downtown, they have been replaced by drug dealers. And despite the cooperation of the entire community, Portland's 12-point plan has yet to produce a significant reduction in homelessness. It may no longer be necessary to step over beggars to get into a restaurant, but the park on the waterfront is packed with vagrants. Many Portland residents have concluded that nothing will ever stem the flood of panhandlers and bums.

Portland points proudly to the fact that no one need sleep outdoors in the city, due to its efforts to expand and improve its shelter capacity. That doesn't mean that people *don't* sleep outdoors, however. But consistent with the city's non-punitive philosophy, responding to unauthorized camping is largely left to non-coercive community initiative: citizen patrols put up signs in their neighborhoods asking people not to camp out. According to

change. "Before, when the police arrested the homeless, they came under political criticism," says police Commander Dennis Martel, who heads the enforcement effort. "When you're getting whacked, you stop doing things. Our officers backed off, and the problems only got worse." But the public response

to Matrix was jubilant. Seventy-five percent of the calls to the mayor's communications office were favorable, expressing such sentiments as, "I hope [Jordan] doesn't back down from pressure from the liberals," and "It's about time something was done; keep it up!"

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Wayne Pearson, a Portland district attorney, the homeless tear down the signs and sleep on public or private property anyway. Yet Pearson claims that "community satisfaction [with the citizen patrol program] is rather high." The homeless are "nice people," he adds. "They don't want to be where others don't want them to be." Pearson admits, however, that "parts of Portland have a different view of this. They say that defecating in public is not a right."

The failure of Portland's efforts is putting strains on the original coalition behind the 12-point plan. The business community is starting to ask how much more the city will have to spend to solve homelessness. And several years ago, when the city's commissioner of housing and community development lifted a cap on the number of downtown shelter beds, she upset a carefully crafted agreement that had been the basis for business support of Portland's generous homeless policies.

The seemingly endless demand for new social service facilities is also taking its toll on residential communities. Many people are starting to rebel against the placement of drug rehab programs and shelters in their midst, as well as the arguably excessive cost of such facilities. Their voices, however, do not receive a sympathetic hearing from the Bureau of Housing and Community Development, which views such complaints as discriminatory. All in all, Portland's problems are looking more and more like those of other cities.

On September 1, Jordan announced that the program would be extended for another month and would include the Mission District south of Market Street. Just a week later, however, in response to public demand, the police declared that Matrix would become part of regular law enforcement city-

wide. Officers in each of San Francisco's ten police districts drew up plans to integrate the program into their beats.

The Matrix enforcement effort unfolded like a military campaign, retaking the city block by block. Every ten days or so, Matrix teams would announce a sweep of an additional area, chosen on the basis of citizen complaints. Cleaning up Civic Center Plaza took ten intensive days in January 1994. The effort yielded an additional benefit: police uncovered a Honduran drug ring based in Oakland that had used the Civic Center homeless as runners and stored cocaine in their shopping carts. Forty-six people were arrested for drug or weapons possession.

Homeless advocates have furiously opposed Matrix from the start. But the elimination of a large encampment in Golden Gate Park—a wild green refuge in the center of the city—especially fanned their ire. For years the encampment had rendered one end of the park off limits to normal use. The city concluded that the settlement had to be bulldozed to clear away heaps of hazardous debris. "I walked in myself and almost threw up," said head gardener Jon Huttinger. "There was no way I would send my people into that area."

The police warned the inhabitants and offered assistance in moving out. When the bulldozers arrived, only three people still had their belongings in the park. But the bulldozing provoked a barrage of charges from activists and the Board of Supervisors that the city had not given adequate notice. The supervisors threatened to cut the Recreation and Parks Department budget. With characteristic feistiness, Jordan refused to apologize for either the means or the timing of the clean-up. "If the encampments are depositories of human feces, rain-soaked garbage and trash, discarded needles, and other disgusting waste, we will not hesitate to use extraordinary measures to clean up the mess. I won't expose city workers to health risks under any circumstances."

Two months after Matrix began, Jordan broad- **35**



Matrix officers cite street people only for specific unlawful behavior like aggressive panhandling.

ened its mission to include social-service outreach. A team of two social workers, two mental-health workers, a substance-abuse specialist, and two police officers now roams the city, trying to coax the homeless into shelters, housing programs, or treatment for addiction or mental illness. Some speculate that Jordan expanded Matrix as insurance against a legal challenge: in Miami and in Santa Ana, California, courts had enjoined local efforts to break up homeless encampments on the ground that the city governments were not doing enough to help the homeless. Whatever the motivation, expanding Matrix made political sense in a city still deeply divided over the program.

Not that the outreach efforts have placated Jordan's foes, who charge that the social-service teams are mere window dressing for police repression. But the members of the teams themselves see helping the homeless and reviving a code of civil behavior as complementary goals. "The outreach effort separates the victims from the volunteers," says social worker Jerry Bibelheimer. "We're trying to establish

some accountability and force folks to do something with their lives, to the extent they understand they're in trouble." Bibelheimer believes that including police on the outreach teams increases the teams' effectiveness: "Though the cops are humanitarian for the most part and will bend over backwards to help, the fact that they're there causes people to say, 'Maybe I should look into this.' It's kind of coercive, but necessary."

As the police extended their efforts through the Market District, the Castro, and the Van Ness and Polk Street corridors, Matrix's critics charged that the program was merely driving the homeless and their attendant problems deeper into the city. The neighboring cities of Berkeley and Oakland complained of an influx of San Francisco's homeless.

But Matrix has reduced, not just shuffled around, both violent crime and quality-of-life offenses. In the first five months of the enforcement efforts, serious crime dropped 25 percent. If some of that drop resulted from "displacement" to localities with

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less law enforcement, that certainly doesn't invalidate the program.

Both homeless advocates and the press have criticized the small number of actual arrests and convictions as proof that the program is a waste of police resources. Most of the 16,000 police contacts under Matrix have entailed citing people and moving them along. But sending people to jail is not the point, says Jim Buick, director of Matrix in the Department of Social Services. Just admonishing people for quality-of-life offenses—as cops, up to a generation ago, had always done—conveys that antisocial behavior will no longer be tolerated.

Homeless advocates claim that Matrix penalizes the "status" of homelessness. But citations are given only for specific unlawful behavior, and, according to Commander Martel, less than 6 percent of citations have been for lodging or camping. Ten percent of police contacts have been for major felonies; the vast majority of citations are for public drunkenness and drug offenses.

Matrix has gone far toward returning order to public space. Though it would be a vast overstatement to say that people are no longer living in the streets in San Francisco, the appearance of the city has changed markedly. Before, two hundred people lived in front of City Hall; today, only a handful remain. The grass in the plaza has been resodded, the sidewalks steam-cleaned, the fountain—for years an open-air garbage pit—is flowing again. Pedestrians throughout the city face far less harassment than before the program began.

Matrix has also changed Jordan's political fortunes. *San Francisco Chronicle* columnist Herb Caen predicts that the program will reelect the mayor. A grassroots group collected donations of \$15 and \$20 to erect a billboard proclaiming: "Matrix works." The Chamber of Commerce

and the tourist industry, both ecstatic, report a major drop in quality-of-life complaints. Convention planners have kept the city on their lists.

Ironically, Matrix has made life safer for the homeless who remain on the streets. Joseph Mitchell was one of the holdouts who remained in Civic Center Plaza after the January sweep. "It was very ugly when I first came here," he told the *Chronicle* in February. "At least now, you don't have to worry about being stabbed or your stuff stolen." Homeless deaths dropped 27 percent in 1993.

San Francisco's diehard activists ignore such figures. Calling life under Matrix a "police state," Angela Alioto, president of the Board of Supervisors and a likely challenger of Mayor Jordan, introduced a measure to grant amnesty for homeless people cited under the program. The measure went nowhere.

A protest campaign, however, is thriving. The radical group Food Not Bombs regularly holds feeding sessions in front of City Hall in violation of the law; an interfaith coalition has been staging sleep-outs at Civic Center Plaza and Union Square. These



Businesses hit by disorder have strongly backed Matrix.

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sleep-outs have been quite a hit throughout the Bay Area: one minister came up the peninsula from Palo Alto, as, in his words, "an act of solidarity with homeless people—to share for one night what they live every night." A resolution signed by six hundred members of the clergy in January claimed that Matrix has "led to new levels of inhumanity and heartlessness toward homeless people."

The religious protests may have worked in Jordan's favor. Protesters have been arrested under the same anticamping laws as the homeless, buttressing Jordan's point that Matrix is not an antihome-

The results of Matrix's law enforcement component suggest that a city can successfully rededicate its police to maintaining public order.

less initiative per se. The high-blown, romanticized rhetoric of the protesters acts as a foil to Jordan's unblinkered view of the streets. After one of the many sleep-outs, Jordan announced: "If [the protesting clergy] think this mayor will allow trespassing, obstructing, assault, intimidation, aggressive panhandling, selling drugs from shopping carts, and other crimes to be committed under the guise of homelessness, they are very much mistaken."

Naturally, homeless advocates and civil liberties lawyers turned to the courts. In March 1994, Matrix survived the first round of a legal challenge by the Coalition on Homelessness, the Lawyers' Committee for Civil Rights, and the ACLU, who sought to enjoin the enforcement of camping and lodging ordinances against the homeless. In refusing the plaintiffs a preliminary injunction, federal District Judge D. Lowell Jensen declined to immunize the homeless from criminal laws. He rejected the argument that homelessness is an involuntary "status" whose attributes, such as sleeping in public, cannot be penalized. To accept that claim, said Jensen, would be "to deny the efficacy of acts of social intervention to change the condition of those currently homeless."

themselves belied their lawyers' claim that San Francisco offered the homeless no alternative to the streets. One plaintiff had turned down an offer of housing from his daughter, as well as a specially discounted SRO in a well-run city program. He also refuses shelters, saying, "These people that you're laying next to—they're not saints. They're all homeless." Two other plaintiffs actually had a place to live.

The results of Matrix's law enforcement component suggest that a city can successfully rededicate its police to maintaining public order. But the social-service outreach component holds some gloomier lessons for homelessness policy. The city's efforts to place people in shelter and housing have proved disappointing. In the first two months of Matrix's Night Shelter Referral Program, police and outreach teams offered homeless men 3,820 vouchers for a church shelter. (There is also a women's program.) Less than half accepted the vouchers, and only 678 actually used them.

More telling has been the disappointing result of San Francisco's attempt to link welfare subsidies with housing. San Francisco offers the most generous General Assistance (GA) grant in the state—a \$345 per month payment intended to keep poor people from having to live on the streets. But of the 15,000 GA recipients, 3,000 claim they are homeless. Moreover, 65 to 70 percent of people in emergency shelters receive welfare or disability payments that would be adequate to pay rent. (The rest are illegal aliens.) As for those living on the streets, 60 percent acknowledge receiving benefits which could be applied to housing—though the actual number receiving benefits is undoubtedly higher. The city, state, and federal governments are therefore paying twice for this homeless welfare population—once in the form of a GA, AFDC, or Supplemental Security Income check, and again in the form of emergency shelters and services.

To remedy this problem, San Francisco began a voluntary program in which GA recipients can turn over their check to a nonprofit group, which

arranges for a discounted room in an SRO. The recipient receives the remainder of his check, approximately \$65, in cash. Only seven hundred GA recipients—less than one in four of the beneficiaries claiming homelessness—have enrolled.

Expanding participation in this program has been a major objective of Matrix. From October 1993 to mid-June 1994, Matrix workers approached some three thousand people and succeeded in getting 771 to listen to their pitch for the SRO payments plan. (The others were either totally unresponsive or in need of immediate detoxification or emergency mental health care.) Merely for agreeing to think about the program, a street person is immediately given free lodgings in a designated hotel until his next benefit check arrives. Of the 771 people referred to the hotel, 555 checked in. Of those, only 160 followed through and secured permanent housing; not all of those have remained housed. The others “had trouble making it work,” according to one outreach worker, politely referring to the various social pathologies that interfere with maintaining tenancy.

These figures render moot the perennial debate in San Francisco over whether the city is providing enough beds for the homeless. Though advocates claim that 14,000 people a month are turned away from local shelters for lack of space, a local TV station, KRON, investigated the advocates’ numbers and discovered that in fact some 115 people are turned away from city shelters nightly. Yet there are an additional thousand SRO rooms available through the GA payment program that go empty each night for lack of takers.

The unredeemed shelter vouchers and empty SRO beds cause a considerable problem for the advocates. Walter Park, the housing activist responsible for the 14,000-a-month turn-away figure, claims that the money remaining after rent is deducted under the program is not enough to live on. But program participants themselves give the lie to that allegation. Brian Russell, a young SRO occupant, told KRON that “I get all my needs taken care of” through the program. According to one street

dweller, “you can eat all day long” in San Francisco’s many feeding programs. GA recipients also receive up to \$105 in food stamps and get free medical and dental care.

Advocates’ usual explanation for the vacant housing is that it is substandard. Paul Boden, head of the Coalition on Homelessness and San Francisco’s most vociferous homeless activist, claims that if the city enforced its building codes, no one would live on the streets. Yet the city does in fact enforce its codes for SROs in the GA program—inspecting them monthly, rather than once every three years, as is normal for other hotels. A typical room in the program is clean and contains adequate furniture, a wash basin, and carpeting. In addition, the non-profit organizer of the program places ombudsmen on each site to mediate tenant disputes.

The main problem with Boden’s argument, however, is its assumption that people have a right to live in the streets if they are dissatisfied with their housing. Though the causes of homelessness are many and include economic as well as social factors, homelessness on today’s scale could not have occurred without the sea-change in attitudes that made it possible to live on the streets without stigma or interference. As outreach workers across the country are discovering, given the choice between a treatment program or run-down SRO on the one hand and the street on the other, many addicts and winos prefer the street, where they can hang out and hustle for change.

Providing more housing, drug treatment, and mental health care will be unavailing unless society no longer allows the use of those resources to be optional. Welfare benefits should therefore be conditioned on production of a rent receipt. Even in San Francisco, however, such a requirement is hotly contested. Though some of Jordan’s most influential advisors advocate making the SRO payments plan mandatory, others in his administration argue that there are not yet enough rooms available that are up to code. Resistance is even stronger outside City Hall. The nonprofit organization that is Jordan’s partner in the SRO program but otherwise

his ideological foe argues that making its own program mandatory would violate civil liberties. But the momentum of reform seems strong enough that such objections will eventually lose their force.

New York City offers higher Home Relief benefits (the equivalent of General Assistance) to those with proof of rent payment—\$352 a month, versus \$201 for those who cannot verify rent. Surely New York—and all cities—would do better to tie the full amount of their welfare grants to rent.

Funding additional housing and services is in many cases irrelevant to achieving greater civility in the streets. Matrix, though it has placed few people in permanent housing, has made an enormous difference in San Francisco, suggesting that merely enforcing long-standing norms of public conduct may be far more effective in reducing disorder than

The Clinton administration would have profited by studying San Francisco before it announced its record homelessness spending program earlier this year.

any number of social programs. Additional spending on unproven programs should not be a precondition to law enforcement, though unfortunately judicial decisions in Miami and Santa Ana have mandated just such a quid pro quo.

The one service that many street people unequivocally need is the service that receives the least attention: long-term mental health care. San Francisco's psychiatric emergency room is overflowing. Though the law permits a 72-hour hold for people deemed a danger to themselves or others, hospital workers try to get patients out sooner in order to free up beds. Jim Buick of the Department of Social Services describes a situation that is being replicated in cities across the nation: "People go in absolutely nuts, get medicated, and are put out on the street again." Many soon return, and the cycle continues.

studying San Francisco before it announced its record homelessness spending program earlier this year. The administration proposes spending \$2.2 billion on housing and services in 1995—double the 1993 level and more than four times that of 1987—notwithstanding that, as Clinton himself acknowledged, "these [earlier] responses do not appear to have substantially reduced the number of people with no place to call home." Indeed, some drug and alcohol treatment providers have concluded that they are merely "enabling" self-destructive behavior. The more humane and comprehensive a treatment program is, the more it insulates the "client" from the consequences of his conduct—consequences that once served as a powerful deterrent.

In San Francisco, Mayor Jordan's reform efforts continue apace. In November 1993, a ballot measure requiring fingerprinting and a 15-day waiting period for GA benefits won 62 percent of the vote, drawing strong support in minority neighborhoods. Previously, a consent decree required the city to start providing GA benefits on the day of request to anyone who declared an intention to become a resident. Not surprisingly, this requirement had acted as a powerful magnet. The ballot initiative also increased the penalty for violations of GA rules from a 15- to a 30-day suspension of benefits. In six months, the fingerprinting program saved \$250,000 to \$300,000; 160 people who refused to be fingerprinted lost their GA benefits.

In June 1994, voters ignored the opposition of the Board of Supervisors and passed a Jordan-sponsored initiative to outlaw panhandling within a thirty-foot radius of ATMs. Any non-bank users who linger more than one minute inside the thirty-foot zone face jail time and a fine of up to \$100.

San Francisco is both a symbol of the past and the wave of the future. Pursuing freedom, it got chaos. It is now rediscovering that liberty consists not in overturning social rules but in mutual adherence to them. In time, more and more cities will reach that inescapable conclusion.

'CLINTON COPS' ON THE BEAT

POLICE: In a gang-infested area of La Habra, the first wave of federally funded officers hits the streets and talks to residents, hoping to win the community's trust — and support in fighting crime.

Story by JESSICA CROSBY
Photos by CHAS METIVIER
The Orange County Register
From La Habra

Residents had a couple of questions when officer Bill Jimenez parked his cruiser and started walking the streets of the crime-ridden Grace-Pacific avenues neighborhood.

"What's happened? Did someone call you?"

The appearance of Jimenez, one of the first "Clinton Cops" in Orange County, has caught the neighborhood by surprise.

Three weeks and many footsteps later, it's Jimenez who is asking questions — and getting answers.

► Why do residents refuse to switch on their porch lights at night? Answer: Gang members have warned that if they do, the lights will be shot out.

► How do drug dealers elude po-

lice? Answer: They make a bee-line for a row of rental units where they know the occupants are too frightened to alert police. They hide in the doorways, scale a fence or find refuge at a girlfriend's apartment a street over.

Jimenez began walking the troubled streets of this south La Habra neighborhood a month ago. He is a new breed of police officer, charged with solving pervasive crime in specific problem areas.

La Habra and Santa Ana are the

first Orange County cities to receive money from President Clinton's crime bill and begin the new Community-Oriented Policing Services — or COPS. Garden Grove has received federal money for a similar Clinton program.

The task of these "Clinton Cops" is to find new strategies to reach residents and work with them to tackle issues in more than a dozen neighborhoods.

Santa Ana's \$1.7 million grant

will help pay for 15 of these officers for the next three years.

La Habra's \$400,000 grant will fund five officers. Each city had to at least match the amount it received.

Garden Grove received \$593,000 for six officers in 1993, and like many other Orange County cities, is applying for federal grants for the second phase of the program.

In each city, officers will meet regularly with residents to ask them about issues in their neighborhoods. That information will

be shared with patrol officers and other city departments, such as code enforcement.

"You can go to an area and think the problem is burglary, but when you get there you find the people are more concerned about speeding cars because they're afraid their kids will be hurt," said police Sgt. Perry Miller, who heads La Habra's team of Clinton Cops. "We're out here to find out what they really want. It starts with getting officers out of their cars to talk to people."

That's a tall order in areas like Grace-Pacific. The neighborhood is home to activist-turned-Councilwoman Dorothy Rush, whose tough line against blight and gangbangers has been rewarded with showers of bullets into her home.

It is Rush whom neighbors often call when they need police because they fear retaliation if they make the call themselves. It's a practice she and Jimenez are working hard to discourage.

By walking the neighborhood and beginning his own dialogue with residents, Jimenez hopes to earn their trust.

One recent Wednesday, a young mother with two children passed by Jimenez as he walked down Liberty Avenue. Without looking at him directly, she whispered "balas" under her breath — the Spanish word for bullets.

Jimenez paused and loudly asked with her children, handing them stickers shaped like police badges. All the while, he listened intently as she rapidly told of a teen-age boy who had swaggered through the neighborhood several days before showing off a pistol to the younger children. The

boy and a friend sat drinking beer in her yard. They left behind a bag of bullets.

An hour later, the pair returned to search for the bullets, which the woman's son had already picked up and turned over to her. Terrified, she hid inside her house until they left.

Jimenez nodded and continued on his walk. Several blocks away he pulled out a notepad and quickly jotted down her description of the pair. He made a note to retrieve the bullets and run them through the police crime lab.

This day, his assignment was to pass out bilingual fliers inviting residents to a meeting where police officers will discuss their plan to install additional street lights in the dark neighborhood.

The lights — able to withstand a .38-caliber bullet — will illuminate the area from dusk to dawn, a deterrent to gangs who use darkness as cover for their activities.

The La Habra team has been meeting with city planning officials and Southern California Edison to get the lights at cost.

Jimenez, fluent in English and Spanish, urged the residents who answered his knock to attend the meeting. No one will have to know you're going, he told them, because the meeting will be several miles away in a secured building.

As he continued his walk, Jimenez had an easy gait from years spent as a letter carrier — but his eyes were those of a policeman.

"I have to remember there's people here who don't want to see me," he said. "You can't afford to get complacent. When I approach people, I watch their hands."

Jimenez did not miss the flutter of a curtain at one stucco home he approached — though no one came to the door. Nor did he miss the silver trailer that remained illegally parked out front

despite several warnings.

On Cypress Avenue, chickens and a rooster wandered past a large swimming pool filled with water. No fence enclosed the area. Jimenez wrote down the address, which he will pass on to the city's code-enforcement team.

A block away stood a metal fence that had been howled from the weight of bodies scrambling over it. A woman in one of the nearby homes ushered the officer inside and told him gang members vault the fence when being chased by police.

Several nights before, one gang member had flattened his body against her door — just inches from where she stood looking out the window.

"Why didn't you call us?" Jimenez asked.

"No, no. It's too dangerous. I'll tell you now," she said.

The woman sent her small daughter into another room while she spoke to the officer.

The girl talks too much, she said, and she didn't want her neighbors to know she had been talking to police. But she had a favor to ask.

The family is planning a wedding shower. Relatives worry about trouble from uninvited guests. Could Jimenez send a patrol car by to keep an eye on things? she asked. And could they park a few homes away? Jimenez said police would try to send someone.

Jimenez stopped by the home of Grace Pacific resident Tom Nava, who had been at the first meeting the new police team arranged with residents in April.

Not many people came to that meeting. Those who did, however, mentioned a tree at the end of Grace Avenue that gangs use as a shield during gunfights.

Two weeks later, Nava was surprised to see it gone.

"I see you guys got that tree taken care of," Nava told Jimenez.

Two blocks from Nava's house, a city trash bin sat where the problem tree used to be. Three young men in sweat pants and dark T-shirts were reluctantly stacking pieces of the fallen tree inside the trash bin. They gave Jimenez a surly look. The officer stopped and handed each a flier inviting them to the next meeting.

"Residents don't want the gang members to know" about the meetings, Jimenez said later, "but I've been instructed to give one to them, too."

As Jimenez walked away, one of the teens took the gold flier and crumpled it in his fist. Another shoved the flier into his pocket.

In Santa Ana, police are meeting with groups of people in areas once thought of only as grids on a patrol assignment. Now those regions are defined by individual characteristics and issues. Police have redrawn their maps to reflect these pockets.

For example, the Civic Center — traditionally policed as a large building complex — is now perceived as a minicommunity. The population is transient, composed of commuters who work there by day and the homeless who seek shelter there at night. Another project area Santa Ana police are working is defined by a church with strong ties to the community. Police are advertising their new problem-solving approach in the parish newsletter.

"When people hear about this, they're just chomping at the bit to get these guys working their community," Santa Ana police Lt. David Nick said.

Not everything has been

smooth sailing in the first few months of the La Habra team's existence. There are snags, including problems getting extra patrol cars. Politics at the city level can easily kill such a project if egos aren't handled carefully. La Habra's Miller tries to keep City Council members and city planners abreast of projects. There is even some resistance from within Miller's own department, he said. Some officers think the program takes bodies away from patrols needed to do hard-hitting crime fighting. Others are hesitant to change the way they do things. The police profession is one steeped in tradition, Miller noted.

By the end of the day, Jimenez had stopped at an elementary school to discuss truancy problems. He took a description of a suspicious couple from a manicurist who thought they might be involved in a series of break-ins at local salons. And he checked on no-loitering signs police made for businesses in hopes of keeping a band of skateboarders in

check. The signs were everywhere, he was happy to see. Two had been posted outside a Chinese restaurant where a customer was recently bowled over by a runaway skateboarder.

"I didn't know if we'd make much of an impact, to walk around," Jimenez said, reflect-

ing on the first few weeks of the experiment. "The first time you talk to people, they're apprehensive. Next time, they might say hello. Now they tell me whether we're doing a good job or a bad job. They're the only ones who know what their problems are — Washington doesn't."

HOW CLINTON CRIME BILL IS WORKING IN O.C.

The Clinton crime bill, known as the Violent Crime Control And Law Enforcement Act of 1994, was signed into law Sept. 13. It is seen as a way to put money directly in the hands of local law-enforcement agencies to address grass-roots concerns. The bill's goal is to put 100,000 more officers on the street by the year 2000.

The bill will have several phases. Money received by La Habra and Santa Ana comes from \$200 million in grants awarded to cities that had applied under a similar police-hiring program in 1992 and did not receive it. Garden Grove received \$593,000 under the former program, the only Orange

County city to do so.

Garden Grove has applied for more money under Phase 2 of the current crime bill, as have at least seven other Orange County cities. Many are just now receiving notification that their requests for additional officers have been approved under a program for small and large cities. Recipients range from smaller cities such as Seal Beach and Laguna Beach, expected to add one officer each to their police forces, to larger cities such as Orange and Garden Grove, which hope to hire four additional officers each. The grants pay officers' salaries for three years and are matched with city money.

Date: 04/11/95 Time: 09:45

Judge Rules That Gun Manufacturers Can Be Sued for Killings

SAN FRANCISCO (AP) A lawsuit against the maker of guns used in a 1993 law office massacre will force the company to think about the consequences of its weapons, a widow says.

Gian Luigi Ferri killed eight people at the Pettit & Martin law firm and wounded six others before taking his own life July 1, 1993.

A judge ruled Monday that the manufacturer of the assault-type weapons Ferri used can be sued for the carnage the products caused. Ferri used two semiautomatics made by Navegar Inc., plus a .45-caliber pistol, during his rampage.

"This means they cannot sell these weapons and market them to the criminal element, take the money they make and sleep well that night," said Michelle Scully, whose husband, John, died trying to protect her from the bullets.

"They will have to think about how those guns are used, the shattered lives they leave behind, the innocent people they are going to kill," she said.

Still to be decided by the court is whether the manufacturers of the magazines and ammunition used in those weapons may also be included in the lawsuits.

Superior Court Judge James Warren said that Navegar might be liable under legal theories of strict liability and negligence. Strict liability allows damages to be awarded for any harm caused by a dangerous product.

Courts have not previously held the makers of assault weapons liable for damages resulting from criminal misuse of their products.

Navegar attorney Ernest Getto said the two semiautomatics Ferri used were made legally in Florida and sold to Ferri in Nevada both states without bans on assault weapons at the time.

"We did nothing unlawful in California," he said.

Warren based his ruling on the fact the model that Ferri used, the TEC-DC-9, was a slightly modified version of one that California banned in 1989.

He reasoned that when Navegar introduced the gun into the general market it could have foreseen that it might eventually make its way into California and be used for criminal purposes.

The Center to Prevent Handgun Violence filed eight lawsuits last May on behalf of the survivors and the families of the victims. The lawsuits maintain that the manufacturers negligently made and sold products that "would be used to kill or injure innocent people in a violent criminal act."

Other defendants in the lawsuits are Hell-Fire Trigger Systems, maker of the trigger accelerator used; USA Magazines, maker of the 32-round ammunition magazine that is standard in the TEC-DC-9; and Superpawn, a Nevada pawnshop where Ferri bought at least one gun.

APNP-04-11-95 0944EDT

Date: 02/16/95 Time: 15:39

Police Chiefs in California's Santa Clara County Advocate More Gun Control

By Mike DiMarco, The Gilroy Dispatch, Calif.
Knight-Ridder/Tribune Business News

SAN JOSE, Calif.--Feb. 16--Santa Clara County's top cops - including Gilroy police Chief Roy Sumisaki and Steve Schwab, Morgan Hill's chief - want politicians to put aside differences that threaten to weaken gun-control laws.

The chiefs, who met Wednesday at the San Jose Police Department, chastised federal and state legislators for politicizing an issue they say is the leading cause of violence, injuries and death.

"As chiefs of police, we are responsible for public safety. That responsibility requires leadership," said Larry Todd, Los Gatos police chief and past president of the California Police Chiefs Association.

"It is for these reasons we have chosen to step forward into what will undoubtedly be perceived by some as a political hornet's nest. But maybe that's been the problem."

Todd blamed politicians for giving preferential treatment to "a strong gun lobby instead of the overwhelming number of honest, law-abiding citizens who want laws that make sense, rather than laws that favor special-interest groups."

The sentiment was echoed by Sumisaki and Schwab who, like Todd, are members of the Santa Clara County Police Chiefs Association.

"What the county chiefs are saying is 'It's OK to have discussions in the political arena. But in the meantime, we have people dying out here,' " Schwab said after the rally.

"We're not just talking about violence caused by criminals who get their hands on a weapon, but also kids playing with daddy's gun and the gun goes off."

Sumisaki said the chiefs want legislators to enact "commonsense" laws that a majority of lawenforcement officials say should have been adopted years ago.

"As an example, if you're caught with a concealed billy club or a martial arts weapon, it's a felony charge," Sumisaki said. "But if you're caught with a loaded, concealed firearm, it's only a misdemeanor.

"... Our position is that this isn't a Democratic or a Republican agenda item. This is just common sense. When is this senseless slaughter going to end?"

The chiefs unveiled a nine-point legislation plan penned by the CPCA. However, neither the state organization nor the county association is soliciting any particular legislators to carry the ball.

The position paper calls for: Requiring gun-owners to register their weapons with the local law enforcement agency.

Sumisaki and Schwab said officers recover many guns on the street, but can rarely determine who owns the weapon. That's because dealers are required to keep lists of buyers, but gunowners don't have to license their weapons.

"Burglars know from experience that, chances are, a gun in a home isn't registered," Sumisaki said. "It (a gun) is always the first thing stolen when

a home is robbed or a vehicle is broken into. And many of them end up on school campuses." Establishing uniform licensing standards for owning a gun,

including a background check into the applicant's criminal history, his or her mental state and successful completion of a state-approved training course.

"There are no safety regulations with owning a handgun, but we have them for driving a vehicle," Sumisaki said. "What's more dangerous - you driving an unlicensed car or you going around with a gun you can't handle?" Outlawing firearms capable of holding more than six bullets, except for use by the military or law-enforcement officers.

Both Sumisaki and Schwab said they're familiar with gun enthusiasts' lament that the Second Amendment to the U.S. Constitution ratifies a resident's right to bear arms. But the law, they said, was enacted when no national militia existed.

"I have mixed feelings because I support the Constitution," Sumisaki said, "and I understand some people's position that they should be allowed to have weapons.

"But I don't believe we need weapons to protect our homes that are made for mass killings." Forcing gun owners and dealers to lock and store unloaded weapons so they cannot be easily stolen or used.

According to the California Police Chiefs Association, more than 100,000 firearms are stolen each year in the state. And the vast majority, according to the association, are not registered. Adopting consumer product safety standards for all domestic and imported firearms sold in the country. Requiring applicants for permits to carry concealed weapons to be free from any criminal history, mental illness, convictions involving violence or drug and/or alcohol abuse. Banning all military style assault weapons. Enacting laws that make unlawful purchases, sales, possession or use of a firearm a felony that, upon conviction, prohibits the person from ever possession another gun. Allowing officers to destroy unregistered, found or unclaimed firearms, as well as those used in the commission of any crime, surrendered voluntarily to police, or discarded by a police agency.

At least some of the objectives are the focus of three laws under consideration by the Morgan Hill City Council.

Councilmembers asked Schwab and the city attorney last summer to suggest gun-control laws after firearms were used in two conflicts last year involving gang members.

The council voted 3-2 two weeks ago to request drafts of laws that would ban home gun sales, require safer firearms storage and make it a misdemeanor to carry a gun registered to someone else.

"We know that when firearms get into the hands of bad guys, it's usually a stolen gun," Schwab said of the proposed law to outlaw possession of a gun by someone other than its owner. "And we can't determine who the gun was stolen from.

"It's not my intention to go out and confiscate everyone's weapon. It's my intent to have the authority to determine why someone has a gun and whether they have the owner's permission to have possession of it."

Sumisaki said none of Gilroy's council members have requested a look at local guncontrol laws.

Councilwoman Connie Rogers - who last year hosted a program last year that

traded Bass tickets, compact discs and tapes to 105 residents who turned in their guns - said she's watching Morgan Hill's efforts to enact gun-control laws.

But, she said, she doubts local laws are as helpful as legislation adopted by state and federal authorities.

"I think I would be a little cautious about introducing any local legislation, only because it's not as effective as legislation on the state or national weapon," Rogers said.

However, she didn't rule out asking her colleagues to consider some sort of legislation to curb firearm violence in Gilroy.

"The (proposed Morgan Hill) law making it a misdemeanor to have a gun that doesn't belong to you could probably help the officers," she said. "I'd like to hear what Chief Sumisaki might propose." \$e END!Q\$3?GI-GUN-CONTROL

KBviaNewsEDGE

Date: 02/17/95 Time: 17:09

Crime-Weary Citizens Cheer Shooting of Graffiti Vandals

LOS ANGELES (AP) William Masters was out on a midnight walk when he ran into two Hispanic men spray-painting graffiti on a freeway underpass. What happens next is in dispute.

He claims he reached into his fanny pack for his 9mm handgun and fired at the men, killing one and wounding the other, only after he was threatened with a screwdriver. The survivor says nobody threatened Masters.

Prosecutors declined to charge Masters with murder, sparking outrage in the Hispanic community. Relations were further strained when Masters, on his release from jail, referred to the shooting victims as ``Mexican skinheads.''

But for many white residents of crime-weary and graffiti-scarred Los Angeles, Masters is a hero.

Masters says he is surprised by his new role, but understands what feeds it.

``We are coming back to the point where people are responsible for protecting each other and themselves,' ' he said recently.

``We spent most of the last 40 years letting the police handle it. We were told to be a good victim and the police would come along. We've got to change that attitude,' ' he said.

Masters, a 35-year-old bit-part actor, was on his customary walk just past midnight on Jan. 31 when he stumbled on Cesar Arce, 18, and David Hillo, 20, spray-painting the mark of their club on a freeway overpass.

Masters wrote down their license plate number, but the two demanded the piece of paper and he handed it over.

Then, as Masters tells it, Hillo pulled a screwdriver and Arce approached from behind as Masters tried to walk away. That's when Masters pulled out his gun, whirled and fired. Arce was killed and Hillo wounded.

``I didn't do anything until they threatened to perforate my abdomen,' ' Masters said.

Hillo said that he had a screwdriver, but was using it to climb traffic sign poles, not as a weapon. He has said the shooting was unprovoked.

The prosecutor's office said Arce was shot in the back near one side as if he was turning, and the bullet exited his chest. Both Hillo and Masters told authorities that Arce was within arm's length of Masters when Arce was shot. Hillo was about 10 feet away when he was shot in the buttocks.

Authorities were flooded with phone calls from residents outraged when Masters was arrested. And they rallied to his defense on radio talk shows when the district attorney declined to prosecute Masters, saying he believed Masters fired in self-defense.

Deputy District Attorney Robert Cohen had even considered charging Hillo with ``vicarious murder' ' because, based on Masters' story, Hillo's threat had caused Arce's death. He decided against it Thursday, saying there wasn't enough evidence.

Prosecutors still are considering charging Hillo with vandalism. Masters may be charged with carrying a concealed weapon without a permit, but he hasn't stopped packing his gun.

The deadly confrontation took place in suburban East San Fernando Valley, a tableau of tidy neighborhoods 15 miles northwest of downtown Los Angeles.

These neighborhoods, with names like Panorama City and Sun Valley, were built after World War II, and their lemon trees and

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

01-Feb-1995 02:02pm

TO: Jose Cerda, III

FROM: Theo Lubke
 National Economic Council

SUBJECT: GILROY, CALIF., POLICE FEAR REVAMPED CRIME BILL MAY ...

Date: 02/01/95 Time: 13:44

Gilroy, Calif., Police Fear Revamped Crime Bill May Trim Their Funding

By Sean Holstege, The Gilroy Dispatch, Calif.
Knight-Ridder/Tribune Business News

GILROY, Calif.--Feb. 1--Political battling in the nation's capital over crime legislation has local police nervous about receiving money promised by the federal government last year.

Last October, Gilroy received \$703,000 and Morgan Hill \$395,000 in U.S. Department of Justice grants, after the 1994 Crime Bill was enacted. That legislation is being revamped this week by the new Republican congressional majority, which controls the House Judiciary Committee.

The money would be distributed over three years, matched dollar for dollar by local funds.

In Gilroy the money will pay for six new police officers - one on patrol, another intervention officer and four additions to the Anti-Crime Team, said Lt. Lanny Brown, who applied for the grants on behalf of the Gilroy Police Department.

In Morgan Hill, two patrol officers, a narcotics investigator and a special investigator are being hired with the federal money, said Chief of Police Steve Schwab.

As those positions get filled, local governments petition the Justice Department for reimbursements. Both cities are now processing job applications. Brown hopes to have all six Gilroy officers hired by the summer.

City Administrator Jay Baksa promised in October the money would exist in city coffers to keep the new officers after the federal money runs out. The grant allows him to speed up hiring that was planned anyway.

What remains unclear is whether the money promised last year, which is yet to

arrive in either city's coffers, is jeopardized by the new Congress. As part of their Contract With America, Republicans are working on a \$20 billion revision bill, to eliminate expenditures authorized last year.

"With regards to crime bill money authorized in October, the possible threat is a little more clear," said Justice Department spokesman Bert Brandenburg.

"But I have not heard any information from Republicans suggesting that (they would pull the plug from last year's funding). They don't lack the power," Brandenburg added.

"It would mean we would have to find the money elsewhere or not hire the new officers," said Schwab, who is taking a wait-and-see posture.

"I've heard no indication of any of this, but I would assume they would cut things not funded first, before cutting grants already made," he said, adding, "But with the federal government you can never tell what will happen."

"I probably want to wait and see what happens. It is seldom that something ends up in Congress the way it starts," Schwab added.

Freshman Congresswoman Zoe Lofgren, a local Democrat elected by Santa Clara County voters in November, sits on the Judiciary Committee. She is crying foul.

"The bigger concern is that funds wouldn't be there next year, because they're changing the criteria," she said.

Among dozens of changes proposed by Republicans are amendments shifting funding priority to larger communities that have higher rates of violent crime. Money for preventative programs would give way to prison funding, said Lofgren.

"It is unfair to cities that acted in good faith, cities like Gilroy and Morgan Hill. They qualified because they had sensible plans to prevent crime, which is what we should be doing," she said.

"Our formula is based on population and violent crime statistics. The resources must be used in places where they are needed most," said Judiciary Committee spokesman Sam Stratman.

Lofgren said that punished Gilroy. "To penalize those communities that are being responsible is foolish," she said.

Stratman disagreed with Lofgren's assessment of the change in emphasis from prevention to prisons.

"The old bill had four different programs. We have two. We've rolled policing and prevention grants into one, leaving more discretion with local agencies," he said, adding the reorganization cut funding over six years from \$31 billion to \$28 billion.

"If they want to use it to finance a boys and girls club, that's okay. If they want to hire more police, that's okay too. They can spend it on midnight basketball, so long as the police are sitting at the table when the pie is

divided up," Stratman said.

Local police were not too concerned about changes to future funding mechanisms.

"It doesn't alarm me," said Brown. "You give money to those that have a higher crime rate. I can't argue with that."

"We've had our turn. Last October San Jose was passed over, while we got grants aimed at smaller cities," Schwab said.

Stratman predicted revisions to the 1994 Crime Bill would pass the committee: "We've got the votes." He added the prognosis for passage from the full House of Representatives was "good." END!Q\$3?GI-CRIME-BILL

KBviaNewsEDGE

Date: 10/23/94 Time: 12:12

Motel Shoot-Out Claims 21st Los Angeles Officer Since 1985

LOS ANGELES (AP) A police officer who was killed in a shoot-out at a motel Saturday was the city's 21st officer killed in the line of duty since 1985.

Officer Charles Heim, 33, died hours after he and his partner, Officer Felix F. Pena, met and returned gunfire in a seedy Hollywood neighborhood. Pena received a minor wound on one hand.

With the suspected gunman still at large, Mayor Richard Riordan asked for a moment of silence for Heim before joining other officers in painting over graffiti on a wall in a south Los Angeles neighborhood.

``It just hit me like a ton of bricks,'' Riordan said. ``It just emphasizes that every minute of every day the men and women of the police department are putting their lives on the line.''

Heim, whose wife is four months pregnant with their first child, was the city's third officer to die on the job this year and the 21st since 1985.

Rookie Christy Hamilton was shot to death Feb. 22 by a 17-year-old boy who later killed his father and himself. President Clinton cited her slaying in urging passage of anti-crime legislation.

Officer Clarence W. Dean died when he drove his motorcycle off a downed freeway span as he rushed to work in the pre-dawn darkness after the Jan. 17 earthquake.

``I've been on 10 years and I think you do have second thoughts,'' Officer Marty O'Lea said. ``When you see shootings, when you see innocent people get hurt, things that seem unjust ... you wonder why.''

Heim and Pena met gunfire when they knocked on a door at the motel in following up a traffic stop, police said. Police evacuated the motel's 53 rooms, cordoned off the area and lobbed in tear gas after the shootout, but the gunman fled.

APNP-10-23-94 1211EDT

Date: 10/24/94 Time: 18:00

Officer Slain in Gun Battle Was a Fixture at Other Officers

LOS ANGELES (AP) Police Officer Charles Heim grew up with horses, rode horses on the job and led the traditional riderless steed at funerals for fellow officers.

But no horse will prance for Heim, gunned down during a drug investigation.

His pregnant wife, fellow Officer Beth Heim, asked that the solemn symbol of a horse with empty boots facing backward in the stirrups not be used at Thursday's funeral.

"She wants it as a tribute to Chuck," Heim's mother, Paula, said Monday. "It would also be really painful for her, for the whole family. That was his job."

Heim, 33, was shot twice in the chest Friday at a seedy motel and died the next day. The man believed to be his attacker was killed later during a standoff at another motel.

Heim, a veteran of 11 years on the force, was chosen to lead the riderless horse at police funerals because of his size and experience with horses.

"He was the only guy who could handle them," Paula Heim said. "He was a big guy and it took a big guy to keep the horse under control in all the commotion of those funerals."

The tall, barrel-chested Heim grew up riding horses and joined the department's mounted patrol unit about five years ago.

Flags flew at half-staff citywide Monday and officers wore black bands over their badges. Officers planned to add his name to their "walk of fame," a memorial of sidewalk stars at the entrance to the Hollywood police station, where he was working at the time of his death.

"We hurt. We all hurt very badly, not just because he was a Hollywood officer but because he was a police officer but even more so because he was a Hollywood officer," Sgt. Harry Ryon said.

APNP-10-24-94 1800EDT

Date: 10/19/94 Time: 08:38

San Francisco's Unique 'Police Force' Under Attack

SAN FRANCISCO (AP) They dress like police, patrol like police, make arrests like police and now they're being attacked again by police.

They are ``patrol specials'' a small, unique force born 143 years ago during the Gold Rush. Protected by the city charter, the specials own the districts they patrol and are paid by the merchants they protect.

They call themselves the original community policemen. But police officers call them anachronistic, and Police Chief Tony Ribera wants to strip them of their uniforms and most of their powers reducing them, in effect, to private security guards.

``They are a liability to themselves and their citizens,'' said Sgt. Mike Griffin, the specials' liaison with city police. ``We now have emergency vehicle pursuit standards, domestic dispute training they don't.''

Police complain that specials need only have a clean record and take the same course as security guards.

The city's 72 specials say they are all graduates of the police academy. And many claim the real dispute with police isn't over qualifications, but the lucrative private security market. Off-duty police officers charge up to \$58 an hour for security work under a program administered by their department, compared with \$25 to \$30 for the specials.

The city police commission, which governs the specials, was to discuss the police chief's request at a meeting tonight. The specials will probably sue if their powers are stripped.

Nine times in recent decades, the specials have beaten back proposed restrictions with strong support from the neighborhoods they patrol, which range from the city's gay center on Castro Street to tourist-packed Fisherman's Wharf.

Supermarket manager Cliff Herb began working at a Safeway on the edge of a rough neighborhood five years ago.

``There were local muggings, very aggressive panhandling and a severe problem with the homeless,'' he told the police commission. ``The presence of a patrol special cleaned up the location.''

Attorney Ephraim Margolin, who has successfully defended the specials in previous attempts to reduce their powers, said he ``raised an eyebrow'' when they first approached him. He became a convert after checking their history and talking to their clients.

``The police are now in central stations. The police don't know neighborhoods. They should, but they don't,'' Margolin said. ``The specials are filling a void.''

The specials began in the Barbary Coast days of 1851, two years after the discovery of gold at Sutter's Mill filled San Francisco with would-be gold barons and criminals who preyed on them.

Unable to afford more officers, the city tried vigilante committees and ultimately came up with the specials.

``We are the original community police we existed before the police department,'' said Sam Reyes, president of the specials' Police Officers Association.

Today's specials carry weapons, make arrests, write tickets, use police communications and check rap sheets. They patrol the streets in uniforms virtually identical to city police except for a shoulder patch.

The specials cover 65 districts, each awarded to a franchise owner who solicits merchants for contracts.

The districts are passed from father to son although few

remain family affairs or are sold when their owners retire. The 1992 movie ``Kuffs'' starred Christian Slater as a patrol special who inherited a district from his slain brother.

Like their police counterparts, specials often pay a high price for their work.

Reyes' former partner, Joseph Boswell, was shot to death in 1977 during a drug store robbery. His name is carved into a plaque at City Hall.

``They don't put your name on a plaque at City Hall if you're not a policeman,'' Reyes said.

APNP-10-19-94 0837EDT

Date: 11/14/94 Time: 09:59

Carjacker Blisters Neighborhood in 20-minute Gunbattle

SAN FRANCISCO (AP) A carjacker with a submachine gun pinned down terrified residents, shoppers and diners in a 20-minute barrage, wounding two officers, a paramedic and a homeless man who tried to wrestle him down.

The gunman was shot and killed by police after firing more than 100 rounds into surrounding buildings and Sunday evening traffic.

"It was like war," said Charlie Malloy, who abandoned his pickup truck when a bullet pierced the hood.

The gunman, wearing a bulletproof vest and fatigues and carrying at least three firearms, was not immediately identified. His body remained on the sidewalk for hours until a bomb squad had checked for explosives. Officers found wires and what they took to be a detonator by one of the cars.

Police were still trying to determine the gunman's motive early today.

Officers narrowly missed capturing him two hours before the shootout after he forced a woman from her Lexus in Mountain View, about 35 miles south of San Francisco. The gunman loaded several packages into her car and fled, said Mountain View Police Sgt. Tony Serrano.

Minutes later, the gunman pulled up to a stoplight, and a passing driver who saw his weapon yelled to police, who happened to be nearby. The gunman stepped out and pointed a gun at the officers, then fled. Police gave chase, but lost the car.

The gunman turned up again in San Francisco, in an area on the fringe of the swank Pacific Heights neighborhood. He forced a woman out of a BMW, and then ordered passers-by at gunpoint to unload packages from the Lexus into the BMW, said San Francisco Police Lt. David Robinson.

When the shooting started shortly after 6:40 p.m., people sought cover for blocks around. At a restaurant in the thick of it, customers and workers hit the floor.

Waiters "were down on the ground like they were praying," diner Vicki Chow said. "We all got under the table. I've never heard so many gunshots."

A homeless man, Glen Remo, said he and a friend rushed out of the alley where they live when they heard the first shots, and saw the gunman reloading.

"My friend started wrestling with him," Remo said. "He'd had a couple of beers."

When the gunman shot his friend, Remo hid behind a car.

The 35-year-old homeless man, shot in the leg, was initially suspected of being an accomplice, but later cleared, police said. He was in serious condition today.

Someone called 911 after the bullets began flying. The first officer on the scene was shot in the head as he got out of his squad car.

Police began shooting back, and witnesses said the gunfight lasted as long as 25 minutes. The man reloaded the weapons several times and continued firing until officers shot him.

"It was crazy. It was constant," said Mimi Mehrabi, who lives on the block. "It was a really scary thing. Cops were hiding behind buildings and behind their cars."

The officer who was shot in the head, James Guelff, was listed in very critical condition early today at San Francisco General Hospital. "It doesn't look good," said nursing supervisor Gloria Rodriguez.

A second officer was in serious condition with a chest wound, she said. A paramedic who was shot in the arm was treated and released.

Police were trying to determine what the gunman had hoped to accomplish.

``That's the picture we're trying to get, exactly why somebody would go to this length,'' Robinson said.

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