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## Unusual Lawsuit: Can City Silence An Already Silent Request?

Arcata, California--Is it illegal to merely hold up a sign asking for money?

The City of Arcata thinks it is, but a citizen lawsuit contends the city overstepped its bounds and its panhandling ordinance is unconstitutional.

Arcata taxpayer Richard Salzman, who filed a lawsuit in Humboldt County Superior Court against the normally ultra-liberal city, said: "If first they silence the poor and the homeless, and we say nothing, who will speak up when they try to silence rest of us?"

He noted that the section of the ordinance against "aggressive panhandling," including blocking one's path, any physical contact or even yelling, would be left unchallenged by his legal action.

But to achieve the city's goal of criminalizing the 'speech'--or even a mute appeal--of a few beggars, Arcata has criminalized all charitable solicitations for money.

Salzman said, "The ironical aspect is that Arcata so far has spent around \$10,000 of the taxpayers' money defending a law so one would not have to to read a sign asking, 'Buddy, can you spare a dime?' How insane is that?"

The judge overruled an objection by the city's attorney and allowed a photo to be entered into evidence that illustrated the absurdity of the law during the trial on May 23rd 2012.

The court has 90 days to rule on the case. The losing party will then have the opportunity to appeal.



Richard Salzman holds sign in violation of the city ordinance

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