

DPW negotiating for monitors at Boeddeker Decaux

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Trierweiler, just back from a European vacation, remarked to Peachy, "The only problem they have with these (JCDecaux outdoor toilets) in Europe is that kids play in them." Peachy asked through the locked sliding door if anyone was inside. The toilet flushed and a man mumbled.

Intuitively, Peachy put his shoulder to the door and, with a practiced maneuver, popped it open. A disheveled man was slowly pulling up his pants but seemed more intent on picking up something off the floor. It was a small cardboard tray containing playing cards and knickknacks.

CAUGHT WITH HIS PANTS DOWN

Peachy told him to leave it alone and to pull up his pants. The man persisted in favoring the tray over his pants. Peachy held him by the back of his shirt and said, "The pants, not the tray." The man finally gave in and pulled up his pants. "This is a cooking kit," Peachy said, picking out of the tray what looked like an aluminum base for a votive candle. A little residue was on it. If there was dope, it was gone, flushed or used. Peachy pointed to blood on the toilet paper roll and a syringe on the floor in the corner.

The man was slow reacting, but not disoriented. Peachy suggested he answer this reporter's questions, and he did. He said he name is David, he's 41, and he has been using heroin off and on for 20 years. He is staying in a nearby shelter and would be thrown out if he got caught using drugs there. So he goes to the Boeddeker toilet once a day to fix.

David's hair was a tangled mess, his print shirt rumpled. He started picking his nose distractedly and calmly continued. The other two cops had wandered over.

David said some people "linger" after they shoot up and that crack heads stay inside the toilets the longest. Some bar the door and spend the night, although this particular toilet now is closed from 8 p.m. to 7 a.m. But after he shoots up, David said, "I get gone."

Sometimes the stench inside is so awful that even a junkie can't stand to fix there, he continued. Suddenly, the toilet's piercing alarm whistle blew. The door being on lock for 20 minutes triggered it. The warning also sounds in the JCDecaux office and a worker will come out to check on it.

But the whistle ended the interview and David was allowed to melt back into the city.

This kind of raw daily toilet traffic is what led the Christian Rescue Mission in the next block of

Jones to ask the Department of Public Works to hold hearings.

The mission wants the toilet moved pronto. The Rec and Park Department, which originally requested the commodious toilet be put on the corner for homeless folks and tourists, wants it out too.

Practically from its beginning in 1978 as Central City Park, the 2.5-acre site, renamed in 1985 for Father Alfred Boeddeker, has been the playground of drunks, bums, sexual encounters, and drug using and dealing. In the past year, community efforts have cleaned it up, beautified it and made it more habitable. In July, 200 kids paraded around the park and declared it reclaimed for children and families. There is no blatant drug dealing inside the park, police say, but they have not been able to stem erratic behavior and drug activity.

Strangely, police reports show no narcotics arrests at the toilet in the 85 days ending Aug. 13, but plenty at a crack cocaine rendezvous site a short block north. The Extra asked the TL station to furnish the latest 3-month narcotics arrest pattern in the area of the toilet. The figures submitted from the city's new Crime Maps system, irregularly available to the public on the Internet, focus on a little more than a one-block radius from the toilet. They show that three-fourths of the 104 arrests in that period occurred in the 300 and 400 blocks of Ellis Street, a block from the toilet.

NO BUSTS AT TOILET

No arrests were made within 50 feet of the toilet, the report showed, and only three arrests — marked by syringe icons on the map — were inside the park.

Three-fourths of the 104 arrests were for possession or sale of crack, the reports revealed. Two were for heroin, five for marijuana and the rest for narcotics paraphernalia and being under the influence.

The pattern surprised Capt. Brown, who expected more arrests at the toilet.

"There aren't many because the dealing isn't in plain sight," she said in an interview. "And arrests in the park are mostly for drinking and sleeping."

Even so, she is reducing car patrols and resuming foot patrols for her beat officers.

A cop will be stationed in the park seven days a week during its open hours, 9 a.m. to 8 p.m. (see sidebar).

Public opinion is divided over whether to move the toilet. A move now incurs a whopping \$15,000 hookup fee from PG&E, 10 times what the utility charged two years ago, city officials say.

And though JCDecaux, not the city, would be on the hook for the hookup, such expenses would likely be figured into contract trade-offs.

"Four or five" monitors would "very possibly" be hired and trained by DPW, according to Jake Szeto, who heads the Public Works Department's outdoor furniture division and spoke at the July 7 DPW hearing. The monitors would be nonconfrontational with no enforcement powers, Szeto said. All they could do is to remind people of the one-person limit inside, and to telephone the cops when there's any funny business.

Monitors are included in the budget negotiations with JCDecaux, said Szeto. "Both sides have agreed this is the way to go. It's not meant to be permanent. But we hope this will change people's behavior."

San Francisco contracts with the French company to provide 25 public toilets until 2016. The city gets them free in exchange for advertising rights JCDecaux receives on kiosks the company places throughout the city. All but the Boeddeker toilet, which is free, cost 25 cents. Several, including the one at U.N. Plaza, have festering drug and prostitution problems.

"This particular style of toilet seems to be drawing more criminal activity than legitimate activity," said Capt. Brown in a letter to the Rescue Mission submitted at the DPW meeting.

Now, the city is negotiating with JCDecaux for a five-year extension, Szeto said. In the discussions, Decaux would pay the city for the cost of the monitors and in return get to place more kiosks around town; DPW would hire the monitors and handle their payroll.

During the toilet hearing in July at the Tenderloin Police Station, about 30 speakers — many of them associated with the Rescue Mission — complained that the toilet wasn't serving the homeless and tourists, as intended. Its illegal activities intimidate and thwart people from using it, they said. Dina Hilliard, a teacher from the mission-associated Christian Academy across the street from the park, said that when she escorts classes to a nearby playground, and behavior inside the toilet is visible through an open door, such scenes are costing "the innocence of Tenderloin children."

TOILET DIALOGUES

Indeed, the JCDecaux toilets seem to stimulate emotional and exhaustive dialogue. The DPW meeting's hearing officer, Rich Cunningham, said that the session could be the start of a marathon process. The last series of JCDecaux toilet hearings over siting a Haight-Ashbury facility has lasted five years, he said, with the thing still not in place. (see sidebar.)

"There's something about toilets," he said.

No one denied that public toilets are necessary. Rec and Park's Pat Wiley sympathized with "homeless issues" but backed her employees' desire to move it.

"The directors at Boeddeker," Wiley said in a letter to the Rescue Mission presented at the meeting, "have had nothing but trouble with the conduct of people using the toilet for socially unacceptable activities. They wish the Decaux could be relocated."

The park's senior director, Rob McDaniels, said there are four rest rooms — two for adults, two for children — in the Boeddeker recreation building, and they get "better supervision" than the JCDecaux.

The toilet is a plain "nuisance," said Clint Ladine whose son attends the Christian Academy. "I have only seen it abused. It has had its chance and failed."

Laura Soun has grown up in the Tenderloin. "I walk by with my girlfriends and we see people shooting up in there," she said. "We're afraid to walk by it. We feel like we might be attacked."

Soun suggested moving the toilet to Ellis Street. Somebody else said how about the Glide parking lot, and another, not facetiously, said to put it in front of the Rescue Mission.

The toilet was located at Eddy and Jones in 1998 after several organizations, including the erstwhile Adopt-A-Block, campaigned for it. The 48-square-foot edifice now gets 50-60 automatic flushes a day and is well-designed for the area's highly populated wheelchair population. It stays relatively clean and hasn't suffered serious van-

dalism, JCDecaux engineers reported.

Ed Evans, of the Mayor's Disability Council and a longtime TL resident, said other public rest rooms are a "nightmare" but this one is fine.

"Now it closes at 8 o'clock," Evans said. "Where do the people who come out of bars go? Take the toilet out and people will be using the doorways again. We don't need less toilets, we need more. And we don't need to move it."

But no one had a surefire solution for drying up the drug problem.

The mayor's district representative, Marlowe Paraiso, recommended modifying the toilet by adding blue interior lights, which brought puzzled looks. "So people can't see their veins," he explained. The tack is being used at 16th and Mission.

Suggestions for more police attention — besides the officers assigned to Boeddeker Park since late July — didn't sit well with TL station's Lt. Mike Flynn who makes assignments and attended the meeting.

"I understand the concern," Flynn said. "But is monitoring the toilet a valuable use of an offi-

cer's time?"

A surveillance camera on the northeast corner of the police station is trained on the toilet and park entrance but it is practically worthless because the picture on the screen is fuzzy and unclear, Capt. Brown said later.

San Francisco was the first U.S. city to install the French-made toilets in 1995. DPW views the conveniences as successful despite the social problems that haunt them. A toilet at Sixth and Mission was so abused it had to be removed two years ago and was sent to the Embarcadero. And 16th and Mission, according to Szeto, is now "the toughest."

Gerald Hilliard, a seven-year TL resident, told the crowd he once had a drug habit and shot up in the Boeddeker JCDecaux all the time.

"This one is very accessible for misuse," he said.

The hearing officer asked where he would put it.

"At the Hilton," Hilliard replied, drawing a round of laughs.

The next hearing is not yet scheduled. ■

\$15,000 hangup over hookup in Haight

PHOTOS BY LENNY LIMJOCO



The toilet hookup at 1157-59 Masonic, an apartment building owned by Carl Olson, has been bung up for five years and counting.

Fractious Haight-Ashbury factions argued for five years in public hearings over where to put a JCDecaux toilet before DPW decided 18 months ago that it should reside at the corner of Haight and Masonic. But, because of a dispute over skyrocketing PG&E electrical hookup charges, it is still not in place.

Rich Cunningham, DPW hearing officer who chaired the July Boeddeker toilet meeting, also has chaired the Haight-Ashbury marathon. He called the hearings "a merry-go-round that never stopped." The Haight-Ashbury Merchants Association and the Haight-Ashbury Neighborhood Council had requested the public toilet to improve sanitation.

A DPW site selection team rejected the Panhandle and Buena Vista Park as too far from Haight Street foot traffic and selected a spot in front of 1157-59 Masonic, an apartment building owned by Carl Olson.

Olson fought the decision vigorously and was twice denied by the Board of

Permit Appeals. He even offered the city \$10,000 to put it elsewhere, fearing the toilet would spawn even more illicit activities and scandalous behavior than exist in front of his building now. "They have sex between the cars," he said. "And there are always syringes on the ground. My tenants are scared of parking there. This would make it worse."

Szeto said PG&E has "changed its way of doing business" and wants to charge JCDecaux between \$10,000 and \$15,000 for engineering and hooking up the toilet, up from \$1,000 to \$3,000 in the past. JCDecaux has balked and asked the DPW to intervene.

PG&E spokesman Paul Moreno said those toilet charges range from \$3,000 to \$25,000, depending largely on the amount of trenching needed to reach the nearest splice box. The hookup for a new house, he said, is "at least \$15,000."

— TOM CARTER

TL restitution fund all spent

But SoMa court sitting on thousands it collected

BY MARJORIE BEGGS

THE nice little pile o' dough that the Tenderloin and South of Market community courts have collected in restitution is slowly being kneaded back into those neighborhoods.

Both courts started hearing misdemeanor cases two years ago. Volunteer panelists and arbitrators mete out restorative justice — rather than punishment — to offenders, who opt to get counseling, do community service or pay restitution rather than face arraignment at 850 Bryant.

The Tenderloin court has collected \$4,311 in restitution and has spent it all, and then some. But the SoMa court has hardly touched the \$15,459 it's amassed; \$12,459 is still sitting in the Community Support Fund that includes restitution collected from all 10 community courts that the Mayor's Office of Criminal Justice administers. (The 11th community court is set to open in North Beach in October.)

Three times a year — February, June and October — if there's enough money, a distribution committee of reps from the Police Department, D.A.'s office, Superior Court, MOCJ and, according to the MOCJ Web site, "non-conflicted community court volunteers," awards up to \$2,500 to non-profits that respond to the call for proposals. The projects must be in the neighborhood where the money was collected.

5 PROJECTS GOT MONEY

Last year, restitution from the two central city courts funded five projects.

The Tenderloin's Vietnamese Youth Development Center got \$2,500 toward six months of weekly workshops for teens in beat-making, spinning, rap and hip hop that culminated in the kids' performance at Top Rhymn, a hip hop show at StudioZ at 11th and Folsom.

Homeless Children's Network in the Mission got \$1,300 to supply snacks and cleanup materials for homeless youth who spent four days painting over graffiti and collecting trash in the TL and SoMa.

And a third grant, of \$2,500, was awarded to Tenderloin Housing Clinic for its Safety Monitor Program. THC and the DOPE Project recruited private owners of 25 SROs to install locked syringe disposal boxes, a measure to reduce the spread of hepatitis C and other diseases.

TL used MOCJ's citywide fund from neighborhoods without community courts to make up the difference between the restitution it generated and its grants.

In South of Market, the court distribution committee awarded the Annual Women's Day and Men's Day celebrations at The Rose hotel \$2,500 with Episcopal Community Services serving as fiscal sponsor. Another \$500 went to the Homeless Children's Network for its graffiti cleanup in SoMa.

In a clerical snafu, a \$2,500 grant to the International Institute of San Francisco for co-sponsoring the Sixth Street Fair came out of the citywide fund instead of SoMa's fund, said Agnes Briones, MOCJ director of service integration. "At the time we were processing the purchasing requests for the award, the index codes were very close, 06 for SoMa and 09 for citywide. We can easily fix the balance."

But that still leaves almost \$10,000 in SoMa's coffers. Why so much when needs are so great? "The balances depend on the



PHOTO BY LENNY LIMJOCO

At Women's Day at The Rose, Mary Ellen Brody of the Care Through Touch Institute gives SoMa resident Felly Gayares a massage. Women's Day, Aug. 24, and Men's Day in October, got \$2,500 from the SoMa restitution fund.

number of applicants for the grants," said Briones, "and there just haven't been that many in the last two rounds."

Also, some applicants didn't pass the technical review, she said. "Funds can't be used for overhead costs or for a community court. One agency asked for salaries for an existing program, where the staff person was already performing similar duties."

WHY THE DIFFERENCE

Other stats help explain the disparity between the two community courts' restitution totals. At The Extra's request, Mitchell Salazar, who processes community court cases through the District Attorney's Community Justice Program, ran some numbers for the monthly TL court and the SoMa court, which meets twice a month.

Last fiscal year, the D.A.'s Misdemeanor Intake Division referred 1,096 cases to the SoMa court, and it heard 406 cases. The TL court got 633 referrals and heard 234 cases.

The fact that the SoMa court hears many more cases partly explains the restitution imbalance. The kinds of cases also is a factor.

The misdemeanors most commonly heard in the central city courts, Salazar said, are possession of less than an ounce of marijuana; possession of drug paraphernalia; shoplifting; petty theft; trespassing; minor battery; drinking alcohol and smoking by minors; selling alcohol and smokes to minors; and scalping baseball tickets, a SoMa court exclusive.

SoMa sees more out-of-towners and the TL court more neighborhood people, Salazar said. Given a choice of community service or paying up, offenders referred to

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Crackdown and cleanup

Responding to community pressure over drug activities in and around Boeddeker Park, TL police Capt. Kathryn Brown in late July assigned an officer to the park during open hours, seven days a week, with "no tolerance" orders.

"That means officers will cite everybody for every violation they see," Brown told The Extra. "That includes drinking."

As for profanity in public, a concern of the Christian Rescue Mission that is behind the public push, Brown said it would be "addressed." But she added, "We don't want to waste the court's time" with citations. "We just want to maintain the rules and keep the park safe."

Brown made the announcement at the Aug. 12 Friends of Boeddeker Park meeting. Because police work early and

late, the noon to 4 p.m. park patrol will come out of her overtime budget, she said.

Observers say the park is taking on a new atmosphere, and some say it's gone too far. Beautification and cleanup efforts have increased. Pigeon spikes on the south fence fight the guano scourge. Benches just inside the gate were removed. A metal barrier on the brick ledge outside the park keeps people from loitering. A long list of park rules and prohibitions has been posted. And, contrary to the wishes of the Friends group and the park staff, the fences were repainted black instead of green.

"It's like it's turning into a concentration camp," said one activist.

— TOM CARTER



Surveillance camera on the police station.