

# Durham's homeless struggle to live with new panhandling ordinance



Money has been trickling in much slower for homeless residents like Tammy Kobani. (Staff photo by Caitlin Owens)

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As Tammy Kobani peeled apart the folded, soggy piece of white paper, she saw that some of the words have become illegible. However, one number remained intact: 213, the fine she must pay.

Coincidentally, the piece of paper got wet as she engaged in the same behavior that earned her the ticket. Despite the rain and snow, Tammy stood beside the side of the road, like she does every day, and performed the only activity that allows her to survive: panhandling.

Unfortunately for Tammy, a 50-year-old homeless woman, the corner she stood at for years has become an illegal place for her to stand and “fly a sign,” or panhandle. An ordinance passed by the Durham City Council banned many of the typical roadside behaviors of the

homeless. Enforcement of the ordinance began in mid-January.

“It destroyed our lives. We can’t make money for anything,” Tammy said. “We used to be able to go to the corner. I’ve been on that same corner for years, and people know me.”

The homeless, or anyone else, can no longer sit, stand or walk on medians. They cannot engage in roadway solicitation unless they are on a one-way street, a paved sidewalk, or receiving something from a passenger on the right-hand side of a motor vehicle. They also cannot be on an access ramp, within 100 feet of a bridge or accompanied by an animal (unless it is a registered service animal).

Tammy, along with many other members of Durham’s homeless population, feels that the ordinance leaves few and unprofitable places to fly a sign.

“The reaction from the people that

depend on panhandling for their very survival has been frustration and huge anxiety,” said Carolyn Schuldt, executive director of Open Table Ministry. “They will call me on the phone and say, ‘I just don’t know what I’m going to do.’”

Open Table Ministry serves Durham’s homeless population, including Tammy and her husband, John.

Kimberley and Christopher Moore, a homeless couple who also have a relationship with Schuldt and her ministry, live in a tent in the woods of the New Hope Commons area.

Kimberley Moore, 37, was forced to relocate because of the ordinance. However, she still flies a sign, conveying a message that only increased in importance after the implementation of the ordinance.

It read, “Everybody needs help sometimes.”

## **“We’re not unhuman.”**

Christopher Moore, who is 39 and usually goes by C.J., met Kimberley while they both still lived in Massachusetts.

Although they undertook the journey to Durham together, they both wandered separately onto the streets and into a state of homelessness.

Kimberley lived with her uncle in an apartment, helping care for him. They both received disability benefits from Social Security and could live off of their combined payments. She also worked construction jobs whenever she could. She still receives disability benefits and takes medication for epilepsy and bipolar disorder.

After she was caught with drugs, the apartment complex in evicted her. Her uncle moved to a nursing home and Kimberley found herself on the streets.

“Then I met Christopher, and he said he was going to North Carolina and I said, ‘I want to come,’” she said.

At this point, C.J. was already in a bind. He worked as a truck driver for 20 years. However, after failing to pay child support, C.J. lost his license. A convicted felon, he couldn’t find another job.

“It sucked. Where the hell am I going to sleep? What am I going to do? How am I going to feed myself? I have no job,” he said. “They say you can go to McDonald’s, you can go to Wal-Mart, you can go get a job. Yeah, but I’m a convicted felon so that kind of puts a damper on the major corporations.”

C.J. tried living in motels, then in shelters. However, diagnosed with attention deficit disorder and post-traumatic stress disorder, he hated sleeping in a shelter with dozens of other people.

“That’s part of my disability. I can’t be around a lot of people,” he said.

Now he and Kimberley live in a tent in the woods. Although they both receive disability benefits, they rely on panhandling to supplement these payments.

“I still receive disability, and it’s not enough,” Kimberley said. “We buy our own propane and gas because we have a generator and heater and cook stove. And medications, we have to pay for those. We go out to eat; we eat food.”

“We are homeless, yes. But we’re not stupid. We need what we need,” C.J. said. “We’re not unhuman.”

The enactment of the new ordinance

made meeting these needs more difficult. Not only do they have to work longer hours, they also lost some of their regulars.

Both have looked for work, but employers refuse to hire them. Kimberley said she feels looked down upon by employers, who ask how she will be clean and presentable for work.

C.J. thinks that, in a way, the ordinance is an extension of the perception that the homeless are less human than other people.

“We’re already on the side of the road because we’re homeless and now we can’t even be where we’re being heard by some people,” he said. “Now, we’re completely pushed off to where we can’t even be seen.”

## **“I’d take any other way over being homeless.”**

“They gave me seven months to live a year ago,” John said matter-of-factly.

How quickly Tammy’s husband is dying, nobody knows. According to the doctors, he should have died a few months ago.

Rather than complaining about the wait, John, 55, excitedly explained that he should finally receive his Social Security disability benefits within the next couple of weeks. The payments will be enough to get the couple off the street and into a motel.

The couple used to earn between \$80 and \$100 a day by panhandling. Because of the restrictions of the ordinance, they’re now lucky if they can earn the \$37 needed to stay in a motel for the night.

John’s immune system has grown weak and he gets sick at least once a week, he said. Most days, Tammy flies her sign alone while John sits nearby in the woods.

They used to eat lunch and dinner and drink coffee in the mornings. Now, they eat one meal a day: a burger off the McDonald’s dollar menu.

They also used sleep in a motel room every night. Now, they often sleep in a tent in the woods. Their heater was recently stolen out of their tent. Someone also went through their belongings and threw many of them outside, where the rain soaked them.

Tammy and John married last year. They come from separate backgrounds.

John spent many years of his life in and out of jail, making getting a job difficult. He’s now terminally ill and

can’t work, suffering from cirrhosis of the liver.

Tammy ran out of money with nowhere to go. She became homeless.

Her spot used to be a street corner in downtown Durham – that is, until the ordinance made standing there illegal.

Tammy faced the choice of risking a ticket or not having money while the couple waited for John’s disability application to be processed. She chose panhandling.

Feb. 15, her luck ran out. She received a ticket after walking around a car to the driver’s side, where someone held out money for her. Tammy said a police captain saw her and then instructed another officer to come give her a ticket.

John said they are not going to pay the ticket. He wants to go to court and believes it will get dismissed, as have all the tickets his friends received for illegal panhandling.

If the ticket doesn’t get dismissed, Tammy and John don’t know how they will pay it.

“If you could afford to pay a ticket, you wouldn’t be standing out there on the corner,” Tammy said.

John said that if he could, he would get a job. However, doctors have told him that he can’t work.

“I’d take any other way over being homeless,” he said.

John fears that with no other means of earning money for survival, people will begin to turn to crime.

“I’m telling ya, crime rate is going to skyrocket,” he said. “Not me and her, but most of these homeless people would rather go to jail than be out here in the winter.”

John does not understand why the ordinance is needed in the first place.

“I can understand them stopping people from flying if they’re in the road, banging on people’s cars and scaring people,” he said. “But if you got a lady, or you got a man, standin’ there on the sidewalk, with a sign, and not even talking to the people going by, and they call you over to the car and that’s the only time they go to the car, why stop them? What are they doing wrong?”

### **Open Table’s ordinance petition**

Open Table Ministry’s petition against the panhandling ordinance can be found here: <http://www.change.org/petitions/durham-city-council-repeal-ordinance-14375>