

Homeless ban fails in Elkton

ACLU raps effort at the Big Elk mall

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Homeless men who camp near the Big Elk Shopping Center are once again allowed on mall property after Elkton police dropped a "no trespassing" ban aimed at vagrants.

Elkton officials ended the ban last month amid complaints from the American Civil Liberties Union (ACLU). An ACLU lawyer argued that a widespread exclusion of homeless at the Route 40 complex was unconstitutional.

Police implemented the ban in December at the request of Elkton Associates Limited Partnership, which owns the outdoor mall. Some merchants have complained of homeless men harassing customers, panhandling and creating a sense of discomfort.

Elkton Associates officials could not be reached for comment.

According to Elkton Town Administrator Lewis H. George Jr., Police ended their ban earlier than March. George said he didn't know why ACLU wrote the letter.

"It brought much concern that the Elkton Police Department would act in any other way other than to protect the rights of any person, no matter who it was," George said. "The police acted in good faith to try to curtail various crimes in the mall, such as shoplifting and loitering. They weren't seeking out individuals for no good reason.

"I agree the constitutional rights of any person should be protected," George added.

"Get your hands out of your pockets..."

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Needless to say, I was angry on the inside because he was out and out lying to me. I couldn't be angry on the outside as there would have been a large price to pay. Praise God I eventually allowed the Lord to soften my heart. When I'm angry I have to give it up to Him. Forgetting about it only works for so long and then I'll remember. It must be given up.

Truly I look at everything on the entire walk as a blessing. Of course it's easier to see this when something positive, happy, joyful, peaceful, or helpful is happening. Sometimes when there is injustice, prejudice, materialism, and other worldly things going on around me I get caught up in it and become angry or depressed. Giving it up allows positive things and blessings to arise out of the ashes of destruction, hurt, selfishness and chaos.

Jesus says in Luke, Chapter 6:32,33,35: "If you love those who love you what credit is that to you? Even sinners love those who love them. And if you do good to those who are good to you, what credit is that to you? Even sinners do that. But love your enemies, do

good to them."

Once the law was called on me because I took a five-minute break out of the wind near a farm. I had to check out the map to see if the right fork in the road was the correct fork for me. Getting lost is right up there with blisters concerning things I don't look forward to.

Twenty minutes later a deputy sheriff stopped me and popped the question "Do you have I.D.?" I said "Yes" and knew what the next step was, but just then another deputy showed up and asked me "Are you the man walking across the U.S. for Jesus?" I replied "Yes," and "How did you know that?" This was the first time one sheriff bailed me out from another and it felt much better than blisters and getting lost.

One day in Kansas I entered a town with a huge welcome sign. Kansas has many huge welcome signs, few of which pertain to me. Thirty minutes later officer Shawn (I can't remember his last name) stopped me with the usual "How's it going?" You know, the kind we say and hear at the Super Store check out line.

When I returned his greeting, I truly did want to know how he was. The conversation, like they almost always do, proceeded to "I want to see your I.D.", which I politely refused.

We conversed for five minutes and Shawn backed off. He then said "I don't know what I'm going to tell my boss as I've radioed in what is going on." He was truly a nice man and I didn't want him to get in any trouble because of me, so I volunteered my I.D. Do I think he tricked me? No, absolutely, no.

As I walk across America I know how it feels to be a loser and a failure. Surely when I'm in the power position, the position that can influence others and help them to be a success instead of a failure, I hope and pray I'll make the right choice.

Till the next time...
In Christ's love,

Don

Miles to date: 9,054
Money picked up along road:
\$656.99
Unsolicited money given by
motorists: \$1,080.78

Merchants' reactions varied Monday when informed of the move. Some managers said the homeless men who frequent the shopping center pose few problems. Others expressed dismay at the possible return of vagabonds.

"They're asking people for money, they're snatching pocket-books," said Paul Phaire, corporate manager for General Nutrition Center. "As far as I'm concerned, the ACLU doesn't have a leg to stand on. The people being arrested are breaking the law."

One homeless person was charged with trespassing by Elkton police. Charges against the man will be dropped, according to town officials.

According to its letter the ACLU never claimed criminal activity should go unpunished. Lawyers said a person cannot be banned simply for being homeless.

About a dozen men, all of whom were homeless or living in "transitional housing," received letters from Elkton police purporting to "banish" them from the Big Elk Mall. The ACLU argued that only tenants of the mall, not the property owners, could file trespassing charges.

According to the ACLU's letter several homeless men patronized businesses located inside the mall, including a dentist's office, Rite Aid Pharmacy and a dollar store.

The men also visit Social

Security Administration office inside the mall to collect benefits. That office must allow public entry, the ACLU argued.

"Your interference with the men's access to the Social Security office is highly problematic, and arguably even violates federal criminal law," ACLU lawyer Deborah Jeon wrote in her letter to the town. "Likewise, your pursuit of criminal trespass charges against those banned individuals who have nevertheless visited EALP properties are improper and illegal."

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