

Phoenix 10/15-24/81
Mall Rent-A-Cops Accused

Armed private guards employed by Sentry Dogs, Inc. of Aptos have started patrolling the Pacific Garden Mall. After only one day on the job, two SDI guards handcuffed and roughed up one man as a horrified crowd shouted, "No, don't!" according to witnesses. The incident occurred as the guards were disrupting a small group gathered in front of Webber's camera shop to listen to music several hours after closing time.

Witnesses say the guards first ordered the group to disperse, then singled out one reluctant man identified as Sean McGuire and demanded to see his ID. When McGuire countered by demanding to see their police ID instead, the guards handcuffed him and dragged him across the street.

Phoenix staff member Craig Johnson happened upon the scene at this point. According to Johnson, one private guard "was shoving the handcuffed man's head against the side of the building."

When Santa Cruz Police arrived, they cited the man for creating a disturbance and released him on the spot.

SDI chief Hugh Johnson, a former Oakland police officer, told the *Phoenix* that his guards were only trying to protect themselves, and that McGuire (though the chief denied this was his name) "took a poke at the officer." Johnson also claimed "the man himself told me and the Santa Cruz police officers that he was not roughed up."

The *Phoenix* has been unable to locate McGuire for comment.

This incident has raised questions from various quarters about the SDI force. Who are these guards, and why have they been brought in? What rights do citizens have when confronted by them, and what are the guards' responsibilities? (See box.)

It is not clear whether SDI themselves, a few conservative Mall merchants, or unknown third parties initiated the idea of armed private patrols. When asked by the *Phoenix* if his firm had made the initial contacts with Mall merchants, SDI's Johnson replied, "I don't think it's anybody's business." And Klein and Trumbly's Louis Rittenhouse, who figured prominently in a local daily's coverage of the patrol's origin, told the *Phoenix* he "couldn't recall" whether he first contacted SDI or vice versa.

The *Phoenix* has learned, however, that many Mall merchants were solicited by SDI at least one week before the patrols actually began. Selected merchants were also invited to a discussion with SDI at Klein & Trumbly early last week.

Not all business owners are enthusiastic about the patrols, however. Sources in the Downtown Business Association say some members are so opposed to the patrols that they would like to see the Asso-

ciation publicly condemn them.

SDI is a newcomer to Santa Cruz County—their Aptos office opened

only two months ago. They also have offices in Oakland and Hayward which, according to Chief Johnson, have been in business for some 17 years. Inexplicably, although Johnson says SDI is a registered corporation, the California Secretary of State could find no record of its existence. ■

J.K.

La Fonda Housing Approved

A small low-income housing project near Harbor High School was approved by the Santa Cruz City Council Tuesday night.

The La Fonda Avenue project received the support of a variety of local groups, ranging from the Central Labor Council to the Santa Cruz Area Chamber of Commerce.

The council split on the issue. John Mahaney, Bert Muhly, Mike Rotkin and Bruce Van Allen voted for the project. Larry Edler and Joe Ghio opposed it. Councilmember Spiro Mellis was away at a grocers' convention and missed the council meeting.

The La Fonda project will be built by the Santa Cruz Housing Authority with federal "Section 8" funds. An absolute maximum of 78 people will live in its 12 townhouse-style units.

Families living in the project will have incomes from \$8600 to \$13,760 per year.

Neighbors speaking against the project expressed concern with the traffic, parking and noise problems it might bring into their neighborhood. Some of them criticized the whole concept of government-subsidized housing.

The neighbors' concerns were seen a bit differently by some of the project's advocates. Don Fultz and Gary Reece, both prominent local developers, argued that people say they want low income housing, but then say "but not in my neighborhood." Councilmember Muhly was also skeptical of some of the neighbors' concerns, pointing out that the project's location just off Soquel Drive will bring little new traffic into the Prospect Heights area, where many of the protesting neighbors live.

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**PRIVATE COPS MUST
OBEY LAWS**

"Security guards are not above the law and they have no more authority than any other citizen to arrest anyone," stressed local attorney Bob Taren. Furthermore, the guards must carry a valid security guard registration card and a firearms permit at all times.

Citizens do have rights when confronted by private armed security guards:

- You do not have to show them your I.D. or talk to them.
- You can freely walk away from them.
- If they do detain you, they had better arrest you. And the arrest better be justified, or else the guards can be charged with false imprisonment or kidnapping.

Assistant District Attorney Tom Kelley told the *Phoenix* that the legality of private guards using handcuffs is determined by the legality of the arrest itself—if the arrest is illegal, then the use of handcuffs would constitute an additional crime of false imprisonment.

Local members of the American Civil Liberties Union have asked that they be informed of any private guard misdeeds by phoning them at 425-5211. ■

JG