

# Mall gets tough with protesters

## Queer Nation supporters, war-toy foes arrested on trespassing charges

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CAPITOLA — Seven arrests for trespassing and a noticeable police presence at the Capitola Mall Friday contrasted with the holiday cheer of the biggest shopping day of the season.

Four supporters of Queer Nation, a group advocating public acceptance of gays and lesbians, and three people who were distributing leaflets opposing war toys were arrested.

Queer Nation supporters arrested were Justin Hollingsworth, 21, Merrie Schaller, 40, Twyla McLeod, 20, and Marc Rappaport, 23, all of Santa Cruz, according to police. They signed their citations and were released.

Arrested while distributing anti-war toy leaflets were Resource Center for Nonviolence staff mem-

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ber Doug Rand, 38, of Santa Cruz, Resource Center volunteer Margaret Reynolds, 68, of Scotts Valley and Ellie Foster, 65, of Santa Cruz. Foster and Reynolds are both members of Quaker Friends Meeting.

All three were jailed after refusing to sign citations. They were released later in the day on their own recognizance.

Rand, in a telephone call from jail, said his group has leafleted at the mall entrance in the past with no problem. But this year, he said he was told by mall manager Julia

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Policeman handcuffs Queer Nation protester Friday.

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## Mall

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Walker that a permit was needed and no permits were being issued during the holiday shopping season.

Mall management issued a written policy governing activities on the mall which was updated this year to state "no soliciting, petitioning, displaying of goods or literature, distributing of information, demonstrating or conducting expressive activities of any kind or in any manner of form" is allowed from Thanksgiving through Dec. 31.

Salvation Army bell ringers outside Mervyn's and Gottschalks, however, don't come under the policy. According to managers at the two department stores, the stores are allowed to determine what kinds of activities can occur outside of their entrances.

Mall manager Walker said the Salvation Army did request stationing a bell ringer at the mall entrance, but was turned down. "We have to be fair to everyone," she said.

For the second year in a row on the day after Thanksgiving, a large group of Queer Nation supporters gathered around the central fountain at 1:30 p.m.

They sang reworded Christmas carols and chanted such slogans as "Hey, hey, ho, ho, homophobia has got to go" within earshot of a line of children waiting to get their faces painted by Santa's elf.

A couple kids grabbed stickers stating "Kids are queer, too" from a box belonging to Queer Nation supporters.

No large "kiss in" like last year's took place around the fountain, although one female couple hugged. This year's demonstration was not as large as last year's, although it still attracted a large crowd.

Onlookers watching the demonstration expressed words of disgust as well as supportive applause.

When Queer Nation backers, their clothes plastered with stickers detailing their sexual preferences, were led away, their colleagues yelled "shame, shame, shame," at police.

After the arrests, about 20 Queer Nation supporters peacefully left the mall. "I was about to be arrested when we decided to walk out to avoid arrest," said Cory Drummond.

"The issue here is prohibition on what we are allowed to do," said Drummond. "They issued a policy that included an infringement on our First Amendment right of free speech to hand out information, balloons, safe-sex material."

Six Capitola police officers followed the group to the main mall entrance, with one police officer telling the group to "take off."

"I don't see you asking the shoppers to leave," Drummond responded. "How do you know who is part of our group?"

Drummond maintained that the mall walking areas, not individual stores, are public property. But police said the mall is private property.

After arguing a few minutes with police, the group marched off chanting "Out of the malls and into the streets."

Earlier in the day, Rand, Reynolds and Foster were passing out leaflets asking people not to buy war toys when they were approached by Walker and security guards, Rand reported. They were told they were trespassing and operating without a permit.

Rand, however, contended a recent court case determined that a local shopping mall, while private property, is considered part of the public domain and a valid place for commentary.

But a few minutes later, they were arrested by Capitola Police.

"We've been harassed (in years past,) but never really bothered," said Rand. "We came to an understanding in the past ... but this year, they decided to press it."

"I think it has something to do with the Queer Nation demonstration going on at the same time. They've just decided to crack down. It's a clear violation of our First Amendment rights. It shows a complete lack of tolerance on the part of Capitola Mall."