

No place for alms: A curb on panhandling

by [Jesse James DeConto](#) in the [July 24, 2013](#) issue



© 2003–2006 Clarence Bowman

As she prepared to plant herself in the middle of an eight-lane highway in Durham, North Carolina, Episcopal priest Rhonda Lee was scared. Not because she was about to spend an hour asking strangers for money, but because the cars beside her were moving fast. It was a windy day in March, with temperatures near freezing, and the vehicles whizzing by only made it worse.

Lee picked her spot and hustled over to the median, a concrete bump between two-way traffic. Homeless men and women often spend their days there begging for spare change. A new law in Durham makes standing in the median illegal, and Lee was there to protest the measure. Proponents say the law's purpose is safety. Critics claim that the law, which forces panhandlers to the passenger side of the road, reduces their ability to receive charity and effectively criminalizes solicitation.

“As a clergyperson I am also dependent upon alms for my income,” said Lee, one of six pastors who engaged in civil disobedience that evening. The least she could do, she thought, was to break the new law to try and bring attention to her neighbors’ plight. The pastors were joined by some 40 others, including a few of the regular panhandlers.

Ordinance 14375, which went into effect in January, prohibits sitting, standing or walking on medians as well as being on an access ramp. The city council was concerned that panhandlers were distracting drivers and leaving litter at major gateways into the city.

“The position we took was actually a compromise position,” Councilman Eugene Brown said at a meeting in February. Some council members favored banning roadside solicitation entirely. Brown added that the “city is committed to working with those who need assistance.”

Laws that restrict panhandling have been on the rise amid the recent economic recession. In a 2011 survey of 234 U.S. cities, the National Law Center on Homelessness and Poverty found more than half had passed legislation aimed at addressing panhandling. From Tampa, Florida, to Berkeley, California, churches have fought the restrictions. Last fall, congregations joined students at Cal-Berkeley to fight a proposal that would have made it illegal to sit or lie on a business district sidewalk between 7 a.m. and 10 p.m. Voters eventually rejected that proposal. Last year in Philadelphia, churches fought to overturn a new law banning the practice of feeding the homeless in city parks.

Open Table Ministry, an antipoverty group in Durham, has been one of the most vocal opponents against the ordinance. It started a Change.org petition to gather support. “By pushing solicitors out of sight, the aforementioned ordinance severely limits valuable members of our community in their attempt to gain necessary means of survival,” the petition reads. “This ordinance further isolates those who are already marginalized and struggling, making them all but invisible to the public eye. Disregarding, perpetuating, and ignoring poverty is not an acceptable way to build up our community.”

Jonathan Wilson-Hartgrove, founder of Rutba House and associate minister of St. Johns Missionary Baptist Church in Durham, has helped organize alongside Lee and Open Table Ministry. On his website he referred to the homeless in Durham as “our

neighbors, our children, our veterans, our friends. In truth, the homeless are us. Only, their human vulnerability has been publicly exposed. When they stand on our roadways to ask for help, they are inviting all of us to consider what kind of community we want to be.”

Many ministers in Durham have mixed feelings about the law. Durham Congregations in Action (DCIA), which helps with the city’s Meals on Wheels, Interfaith Hospitality Network and other antipoverty programs, hasn’t endorsed the protest. The DCIA also sponsors a campaign called “Durham, Can You Spare a Change?” which encourages people to give to food and shelter agencies like Urban Ministries, Housing for New Hope and the Durham Rescue Mission instead of directly to individuals on the street.

Spencer Bradford, a Mennonite pastor and DCIA executive director, said that in almost two decades of working on issues of hunger and homelessness, he’s found that many of those panhandling are either “working cons” or spending the money on a drug or alcohol addiction. “It becomes a question of, ‘Am I helping someone kill themselves?’” he said. “Addiction is a fatal disease that will kill you. Enabling long-term suicide is not a charitable or loving act.”

“I won’t tell people to never give money,” Bradford said. “I have given to people who are trying to survive.” Ultimately his concern is directing resources toward long-term solutions. “It is complicated,” said Bradford. “For any complicated problem, if there is a simple, clear answer, it is the wrong answer. The best response to people who are panhandling is to engage them and to offer them a relationship. Money often functions as a substitute when we don’t have the willingness or time to engage in a relationship.”

On the night of the protest, the ministers expected they might be ticketed, as some regular panhandlers have been, but instead the police stopped only to give them leaflets explaining the new law. Lee said she collected about \$20 from drivers, which she pooled with the others’ collections to disburse among the homeless who panhandle in that area every day. “There was a lot of kindness and real openness to give me money just because I was asking,” she said. “There were also people who just did not look at me, which I imagine is a very common experience.”

This is the dilemma for many people: they want to give to those in need but don’t know if the panhandlers’ need is real or if the money would go to support an

addiction. And there's rarely time for such discernment when they are walking down the street, let alone when sitting at a traffic light. So they might give, worrying what will come of that money, or they might just try to ignore the plea.

"Jesus Christ calls me to live in community with the poor," said Lee. "I have friends who beg for their living. [Our] act of civil disobedience is a visible sign of our unity in God's loving care."

In June the Durham City Council unveiled revisions to the ordinance. Now the church groups are waiting for the final vote that's required for the changes to go into effect. "Fighting for the right of people to panhandle is not fighting to end homelessness," Steve Schewel of the city council said. "Giving someone a donation on the street might help them briefly, and it might help the giver feel better, but it does nothing to help that person get out of homelessness."

Everyone involved seems to agree that relationships are complicated, and befriending someone on the street demands generosity—and shrewdness.

"I have lasting relationships with people to whom I did just start out giving money," Lee said. "I don't think it's either-or. We're called to love our neighbors—how best do we do that?"