



# Beware of Human

**SLOW AND FINE:** Stephen Yagman doesn't do nice. Given that Santa Barbara is all about "nice," it was only a matter of time before Yagman—a **crusading civil rights attorney** from Los Angeles with the personality of an uncoiled chainsaw—got around to suing Santa Barbara.

In this case, it would be both the city and the county that Yagman sued. More specifically, Yagman claims the two Santa Barbaras have criminalized certain "unavoidable acts of being human"—like sitting, resting, and sleeping, especially when the people engaged in these activities happen to live, sleep, and sit—but most of all, park their vehicles on city streets—in **campers or RVs**.

At first blush, Yagman's **legal brief**—filed in federal court on September 13—reads like another **long-shot loser case filed by a jailhouse lawyer**. Yagman misspells the name of one of the people he's accusing on the cover page. Worse yet, he **misspells the name of his own client**.

In what Yagman hopes will blossom into a **class action lawsuit** involving hundreds if not thousands of clients, he's **alleging fraud, extortion, and racketeering** in addition to **wholesale civil rights violations**. He tosses around adverbs such as "maliciously," "callously," "oppressively," "wantonly," and "recklessly" with great abandon. But Yagman—notorious in Los Angeles legal circles—charts new legal territory by alleging Santa Barbara authorities have been waging a campaign of "**negative**

**eugenics**" against unhoused people, alluding to the pseudo-scientific theories upon which **Adolf Hitler** relied when exterminating the Jews, the Romani people, and homosexuals.

Santa Barbara is rich, Yagman noted; people who live in their RVs are poor. "The **horror of a rich person having to endure seeing a poor person's camper or RV**, or indeed, the actual poor person," Yagman wrote, "is not a legitimate reason for enforcement of the subject ordinance. It is an **ugly neighborhood beautification project**."

It would be a huge mistake to laugh off Yagman's lawsuit just because he tends to swing for the fences. For more than 30 years—before he was sentenced to **three years behind bars** for tax evasion and money laundering—Yagman relentlessly **sued the crap out of the LAPD** and created new law in the process. It's because of Yagman that LAPD officers can now be **held personally liable for civil rights violations**. All this was laid out in some detail by *L.A. Times* reporter **Doug Smith** last week.

Yagman established that even alleged terrorists detained in **Guantanamo Bay** as part of our war on terror have the **right to due process**. He singlehandedly overturned **Prop. 187**, the flagrantly anti-immigrant ballot initiative passed in 1994 that otherwise would have **denied undocumented immigrants access to any public services**. And Yagman established the **free speech rights of attorneys** to talk smack about judges after one judge went after Yagman's license for calling the jurist "igno-

rant, dishonest, ill-tempered, and a bully."

Yagman served his time—he failed to disclose \$200,000 in taxable income and hid assets under the name of his then-girlfriend, now his wife—and this June successfully got his **license to practice unrevoked**. Three months later, he filed papers against Santa Barbara.

Yagman would describe his client only as someone who **lived in his RV for more than 10 years** and has been assessed fines for **violating "no parking" laws** that obviously flagrantly and wantonly—my words this time, not Yagman's—**target unhoused people**. When I asked Yagman to give his client my contact info, he declined. "Because I don't feel like it," he explained. If his client said one word to me, Yagman added, Yagman would **quit immediately**.

His client, I subsequently discovered, has been cited two times, has a mailing address on **Coast Village Road** in Montecito—a UPS store—and is listed as president of a corporation—**Public Solutions Inc.**—that's registered with the Secretary of State's office. According to LinkedIn, the company is dedicated to **ending poverty and homelessness**.

Only in Santa Barbara, I'm guessing, are there **unhoused corporate presidents** with Montecito mailing addresses who **sue the powers-that-be** on behalf of the poor.

I'm also guessing Yagman's case is a lot **more serious than it would appear**. Yagman's real target is a **provision in city code** that singles out RVs, mobile homes, trailers, and campers by

banning them—and **no other vehicles**—from parking on any city streets from the hours of 2 a.m. to 6 a.m. Why are these vehicles banned when others are not? Could it be because they function as **four-wheeled housing**?

No doubt there are perfectly plausible other explanations. But given City Hall has recently adopted new restrictions allowing the **seizure of untended shopping carts** and street luggage and passed a new ordinance **banning people from sitting and lying on public sidewalks**, one might expect Yagman to amend his complaint to suggest there's a **pattern and practice** going on.

The real issue is the **dearth of shelter spaces** compared to the number of people who are homeless. Legally, local governments can't clear people off the street unless there are shelter beds to accommodate them. Assigned to hear Yagman's case is a federal judge named **David O. Carter**, who is perhaps the only person on the planet **more outraged than Yagman** about the criminalization of homeless people. Carter made legal headlines a few years back when he ordered Orange County officials to put their homeless people in motels and clear out river basin encampments. This year, he issued a **110-page legal ruling** ordering Los Angeles to **create enough new shelter space** for the multitudes living on Skid Row streets by October. Given that compliance was **physically impossible**, Carter's ruling was overturned on appeal.

But you get the picture.

It's not nice.

—Nick Welsh