

Housing a Movement

By CHRIS SMITH

One night a little more than a decade ago, Steve DeCaprio pulled his bike up to an abandoned house in Ghost Town, a poor neighborhood in West Oakland dotted with vacant lots. He cut through the rusty lock on the chain-link fence with bolt cutters, then pried open a plywood sheet that stood where the front door once had. Then he replaced the locks with his own. This is how DeCaprio, a longtime East Bay squatter and veteran of the punk and metal scenes, “acquired” his home.

He already knew that the previous owner of the house had died in the early 1980s and that no one had come forward to claim it. The turn-of-the-century bungalow had sat empty for many years. The kitchen floor was burned out, and the back of the house hung off the foundation. An acacia tree in the back yard had grown into the roof, leaving the interior open to the elements. The top floor was piled with the carcasses of dead raccoons and other small animals. “They would climb the tree, jump down, and get stuck,” he says.

Later, DeCaprio and a crew of friends got to work making the place habitable. “At first, it was basically just urban camping,” he remembers. It took eight months of on-and-off work to fix the roof. He got the water flowing, bought storm doors and painted the exterior, planted cacti in the front yard, and yanked out another backyard tree

that had begun to menace the house next door. He named it Noodle House, and he currently shares it with three people plus the occasional touring underground band.

DeCaprio, who turns forty in August, has tousled, graying hair and favors Carharts and black t-shirts bearing band logos. In a more mainstream context, he would be described as a “go-getter.” He plays guitar in a black-metal band named Embers, works as a member representative for the California League of Conservation Voters, and is pursuing a law degree through an independent study program (he expects to take the bar exam next year). And, of course, there’s the house. Right now, DeCaprio is working on a solar array to provide electricity. “There’s gonna be this moment when I turn on a light switch and it’ll be epic,” he says.

Perhaps most impressively, DeCaprio is no longer simply a squatter. He didn’t buy his house, but, after more than a decade of struggle, he owns it. Indeed, he has lived in his house so long that he has gained ownership of it under an obscure law called “adverse possession,” which allows ownership not through purchase or inheritance (the common paths to home ownership), but through occupation—provided no one else can prove he or she is the real owner. Adverse possession, DeCaprio says, is the “holy grail of squatting.”

Authorities rarely look kindly on squatting, so squatters often live their lives under the radar. As Hannah Dobbz, a former East Bay squatter and author of the forthcoming book, *Nine-Tenths of the Law: Property and Resistance in the United States*, puts it, “If you want to make a sustainable squat, it’s better not to broadcast it.”

With the rise of the Occupy movement, however, squatting has gained new visibility. Since the camps were broken up last fall, the movement has increasingly focused on housing justice—whether it’s helping homeowners fight foreclosure, staging protests against homelessness, or setting up safe havens for occupiers to pursue their activism full-time. Squatting, as a tactic or occasionally as an end in and of itself, is the key component. (As I reported this story, more than one person told me that the word for “occupy” in Spanish—*ocupar*—also means “to squat.”)

DeCaprio, whose status as an adverse possessor gives him legal protection, has emerged as a squatter spokesperson of sorts. Last summer, he founded Land Action, a nonprofit dedicated to creating more “occupations” (he prefers that term to the “s-word,” which he thinks has a pejorative edge) like his own. The idea, he explains, is to provide free housing that in turn allows countercultural people the financial freedom to pursue low-paying or unpaid social justice work. And when Occupy burst onto the scene, he acted as a consultant: advising occupiers on property law, real estate research, and squatting history and tactics.

For DeCaprio and other political squatters, Occupy’s appearance was both cause for excitement and a vindication. “A lot of people last fall were saying, ‘Yeah, join the movement to occupy!’” he says. “And a lot of other people were like, ‘We’ve been occupying for years.’”

When a squatter named Kenneth Robinson moved into a \$340,000 foreclosed home in the Dallas suburbs last year, his new neighbors were anything but welcoming. “He just *squats* there,” a woman told ABC news, almost spitting the words. “If he wants the house, buy the house like everyone else had to.” Robinson held out for roughly eight months in the abandoned, bank-owned home, but eventually a judge, in agreement with those angry neighbors, ousted him.

Such is the prevailing view of squatting in the United States. The way DeCaprio sees it, though, public perception often has more to do with who is doing the squatting than with the act itself. “When poor people or people without power occupy land, it’s called squatting,” he says. “When those in power occupy land, it’s called Manifest Destiny.”

The settling of the American West, for example, is in large part a history of squatting. It begins with the Spanish, who arrived in Northern California in 1769. The explorers set up missions and pueblos from San Francisco to Monterey, killing or converting the Native Americans as they deemed

necessary. In the nineteenth century, control of the region passed to newly independent Mexico and, shortly thereafter, to Anglos who poured over the Sierra from the East in search of land, glory, or—after 1849—gold.

At first, the American political establishment was lukewarm to all of those land-hungry white settlers pushing past the Mississippi. The government wanted to auction the land off to the highest bidder—not give it away to broke frontiersmen. But as the doctrine of Manifest Destiny took hold, Washington DC began to see the advantages of quickly populating its empty land. The Preemption Act in 1841 and 1862’s Homestead Act legitimized squatters’ claims across the West. The Mexican ranchos that made up the East Bay were broken up and settled by whites. Native Americans, meanwhile, were murdered or driven out.

The days of “open” land are now long gone, with some entity owning virtually everything there is to own. Squatting has become a fringe activity, no longer the province of frontier heroes but of hyper-political punks and homeless activists on one end of the spectrum, or of homeless people simply seeking shelter on the other.

Unlike DeCaprio, most political squatters aren’t terribly interested in owning their homes. But in their mix of utopian ideals and ruthless pragmatism, they share the same ultimate goals for society: they want to carve out new spaces from the settled order.

“There’s all kinds of waste in our society,” says Jeff¹, a thirty-year-old squatter. He is opposed to paying rent for something he believes should be a right, and spent last year squatting foreclosed homes in Sacramento and putting the money he would have spent on rent into underground art shows. “These vacant buildings are just going to waste. Why not use them?”

Today’s political squatters are heirs to a long Bay Area tradition of unconventional approaches to housing and land use. In Berkeley in 1969, a group of radicals transformed a UC Berkeley-owned lot into the communal People’s Park. A month later, Alameda County sheriff’s deputies opened fire on a protesting crowd, killing one and injuring one hundred others. More than forty years later, the city is still fighting with squatters over that tiny spit of land. In San Francisco, the Good Earth commune—a tribal assortment of radicals, hippies, and ex-cons—took over shooting galleries in the drug-ravaged Upper Haight and made them habitable again, according to David Talbot’s history of progressive San Francisco, *Season of the Witch*.

As the 1970s bled into the ’80s, squatting became associated with punk. Both had an anti-authoritarian, do-it-yourself sensibility, and wandering young punks streamed into the Bay Area just as the flower children did one generation earlier. According to *Gimme Something Better*, Jack Boulware’s and Silke Tudor’s oral history of San Francisco’s punk scene, punks were

1. This is not his real name. He requested he not be identified due to the illegality of many of his squats.

