

Sidewalk Vending: Community-Based Research

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Sidewalk vending highlights possibility for many, especially those who do not have the typical forms of education that we consider in the United States. According to a report by the Institute for Justice, Upwardly Mobile (Carpenter, 2015) 62% of vendors identify as People of Color, 96% of those who work as vendors own their vending business, and 51% of them are immigrants. Understanding the concept of meritocracy within the United States, the Institute for Justice indicates that vendors work more hours a day, more days a week, and hold multiple jobs, while also providing job opportunities and the possibility for business expansion; furthermore, in New York alone, there is over \$70,000,000 estimated to the overall city economy (Carpenter, 2015.) This is astronomical in understanding the ways that the “informal” economy plays a significant role in both individual and smaller scale livelihood but also in larger economic experiences and justice.

For purpose of this research, the primary research questions are, “What can examples of other sidewalk vending cities tell us about how to educate, engage, and promote sidewalk vending business for the Inland Empire?” and, “What are the experiences and feedback of sidewalk vendors who are in the Inland Empire?” These research questions were generated based on a few pieces of key information in order to better serve and support sidewalk vendors in the Inland Empire through educational workshops, advocacy, and community outreach. The end result was the production of an infographic, a survey, and analysis of secondary data through investigative research of articles and of survey previously completed by the organization in the past.

### **Positionality of the Researcher**

Socialization plays a significant role in how we behave and our identities are formed as part of that socialization; that socialization is necessary to unpack (Kirk, et. Al, 2013; Tatum,

2013) as well so that we can genuinely reflect on our oppression and oppressive practices within our lives. Our social identities are organized and created by society as forms of categorization. However, it is also liberating for many as the role of language and language creation assists with understanding of one's own identity. The concept of truth indicates that our various positions *are* our truth (Johnson, 2013; Ruggiero, 2011b), and therefore may differ across cultural belief systems. Moreover, interpretation is necessary and is part of that socialization, which while I lean toward critical theories, I also tend to situate myself as a postmodernist in the sense that our worlds are created, truths are interpreted (Murphy, 88), and there should be no essentializing of our identities toward liberation.

Theoretically and academically, I hold a unique identity in that I closely align with critical theories – critical race theory, critical pedagogy, and critical disability theories, plus others – *socio-politically*. With that said, philosophically, I tend to look at the world through a postmodernism lens. When discussing theoretical frameworks with my own students, I describe this way – as a postmodernist, I am in no way arguing that the world does not have facts nor am I arguing that truths are not real – but instead, that they are impacted by a social constructed layer of power dynamics that exist because of self-interest. I recognize these power dynamics and the ways that those in power maintain their power through oppressive practices. With that said, philosophically and idealistically, I look at things as a postmodernist and as an outcome or one goal, while socio-politically I view things as necessary to deconstruct, change politically, and socially.

My life experiences have influenced a great deal of why I want to engage in community change. As a sociologist, I tend to break down differences between race, ethnicity, and culture. Racially I identify as white. Due to my understanding of how race has been created in order to

establish groups of superiority and inferiority, thus maintain a capitalist system benefiting whites, I identify as white. I choose not to identify as white passing or white presenting, but white. I have blue eyes, light skin, and a very German and English last name due to patriarchal underpinnings and assimilationist practices. However, ethnically and culturally, I identify as Korean. In fact, I identified as Korean until the 2<sup>nd</sup> grade, where a teacher perpetuated the model minority myth and told me that I could not do “harder math” because Asians were smarter, hence why my two Asian friends had 4<sup>th</sup> grade math. Problematic at many levels, it upended my identity because as far as I knew, I was Korean. To add insult to injury, once my mother addressed this with the teacher, in 1995, my teacher then selected myself and the other two Asian students in class to test for Gifted and Talented classes. It was during this time that much of my identity formation was taking place, at the age of 8, but I was struggling to understand power dynamics, the roles of race and how it played in society, and why this was not something accepted as a fact. My mom was able to sit with me and explain how as a young child, in the 60s in San Diego, she had been verbally attacked in her neighborhood and told by a grown man to go back to where she came from, causing her tremendous pain. As I began to understand how and why my mother did not have her mother’s name, the reasons that my grandmother opted to teach her children only English, and how militarization of the United States even allowed for my grandmother to marry my father (and anti-miscegenation laws still prevalent preventing my grandparents from marrying) did I begin to grasp what types of generational trauma had occurred. As I grew older, I refused to identify as Asian because I never felt that I belong Asian groups, despite Asian friends knowing my ethnic and cultural background and trying to get me to do as such. It was not until I was in sociology *after* undergraduate school that I was finally able to deconstruct my identity and begin formulating a psychological, sociological, and verbal

understanding of my world and experiences. I can now confidently explain my racial, ethnic, and cultural identities and the differences, and why I will identify as white, though my cousins, the exact same ethnic makeup, appear more Asian than I do. This is because whiteness is a construct that allows for experiences of privilege and related to power, and therefore, I feel it is not fair for me to recognize racial categories where I will not receive oppression from the sociopolitical implications.

My mother was also impacted by the model minority myth while have to navigate the jail system as an Asian woman with a drug addiction. She was addicted to methamphetamines for a large chunk of my childhood with little support and help from the legal system. I remember my father owned guns and they were not married, but police officers had entered our household and searched for the guns. Due to her probation, they claimed she was in violation and my father's guns were seized. However, my father, a white man, was able to get his guns without complaint simply by stating they were not married and due to him only knowing where his guns were, it would not remain a problem. The police department allowed my white, 6'4", lean father leave the facility with guns in his possession without problem. However, they still push for a violation of probation for my mother without support. It were these moments with mother, recognizing both the lack of structural support for her addiction tied with the model minority myth that she was fine, she did not receive the proper treatment until she finally went to jail for an extended period of time.

Moments of her time in jail significantly impacted me; I think this is probably where I recognized the problematic treatment of incarcerated populations and how much trauma children endured. My mom had been in jail several times throughout my childhood, every time resulting in a few days to a week. Perhaps she was in jail due to a DUI or maybe it was because she had

possession of drugs – whatever the reasons, it resulted in a phone call, a heart wrenching discussion, then picking her up from wherever she was. She would often leave me at school for hours – until 6pm some nights with only a jello cup from the office to sooth my migraines – which allowed me time to reflect. While I would never wish these experiences on another child, I due truly believe the time alone and spaces where I had little room to do anything but think allowed me to be as reflective as I am. While in jail, I had to talk to her on a phone while she sobbed because she was missing out on my first communion, my first play, and various awards and parent-teacher conversations. It was a trying time to say the least. But it also highlighted huge disparities in systems for people of different backgrounds. It was probably the first real recognition of oppression. Throughout my mom’s recovery from drug addiction, I also grew to learn so much more about patriarchal relations when in high school, I sat and talked about a toxic marriage with a friend of my mom’s, encouraging her to leave and stay clean and sober, or the times I sat with friends of my mom’s at the age of 12 while they were withdrawing from drugs in the emergency room, assuring they did not pass out – traumas that have informed and influenced my understanding of addiction, medical treatment, and access to resources – and allowed me to develop my sociological imagination – that is, the ability to recognize my micro-level interactions and behaviors in relation to the macro-level socialization and structures (Mills, 2000.)

My mother’s time in jail also highlight significant socioeconomic hurdles my family experiences as well as patriarchal overtones in the household. While my father and I are very close, he rarely cooked; this contributed to body image issues I developed during my pre-teen years, and then followed my commentary on my weight by major male figures in my life. In addition, my father struggled to financially support our family as my mother had previously

stayed at home, but he now had to balance caring for me, shifting me around to my grandparents, who were battling health conditions including lung cancer, and how to manage finances in a different way. Often working 70+ hours to pay for food and housing as a carpet installer, I rarely saw my father, and I know this contributed greatly to how I view the world and engage with my emotions.

By age 27, I was the 5<sup>th</sup> person in my mom's family to be diagnosed with a brain aneurysm. I'd experienced anxiety for most of my life and had debilitating migraines since the age of 5. I already had screws in both knees due to major surgery in high school, but I rarely identified as disabled. I had a disability placard in college (and currently still do) due to arthritis in my knees by the age of 16, where I would receive terrible notes from neighbors in the Los Angeles area when I attended UCLA claiming I was falsely using it and threatened to call the police. But, when I had my brain aneurysm and was later diagnosed with a genetic mutation for a rare condition called Moyamoya, which impacts primarily those with Asian ancestry, I was able to begin recognizing elements of my identity that I hadn't noticed before. I experienced memory lapses, which I still do – for instance, the first week after my brain surgery, I left out an entire gallon of ice cream over night that melted. I had always experienced overstimulation from sights and sounds, but it was compounded after surgery, allowing me for the first time to finally identify as having sensory processing disorder and having the language to understand that. I began researching disability communities and found support by and for disabled individuals and began understanding it as a social identity rather than from a medical model of disability. I began understanding the ways in which identities are essentialized and why we needed a liberating experience – further encouraged in my master's program with my mentor, Dr. Jung Choi, who is a postmodernist sociologist. It was at this moment that I recognized my own struggles in graduate

school as a disabled student and how much disability research is important to me. Furthermore, having a son who has not yet been identified as autistic because of his ability passing personality, but with remarks from multiple advocates and psychologists, I've recognized the essentializing nature of disability and "special education" (which is a highly problematic phrase and rejected by the disability community) and in turn, how often disability research for K-12, and education as a whole, leaves out disabled voices as representative of their own identities, community, and cultural norms.

I am also a K-12 educator, and this is very important to who I am. I've been an adjunct sociology professor for 3 years, and higher education for approximately 9 years when I was offered a full-time job to be a high school English teacher (after substitute teaching for this system for almost a year.) However, I have always felt connected to the idea of being a teacher over "professor" most days. I have a passion for critical frameworks and community-based change and see the ways in which my students can contribute to these changes by being encouraged to use their voices. Having developed a bond with my students, they are who propel me to make radical and transformative changes in the institution of education. While I have always been critical of the structures of education, I did not know where to start or what research areas I was interested in; with that said, my use of critical pedagogy in the classroom has been nothing short of influential to my research areas and focal points embodying praxis.

With that said, I am a firm believer that research cannot be unbiased – we all have motivations for what we are doing, goals, and outcomes we want to hit. With that said, our experiences also influence the ways in which we approach our research; perhaps we will feel more connected with our participants and community members, maybe we are more sensitive, or maybe our interpretation will be skewed. Of course, most research aims to approach it from a



positivist perspective in that there is a truth out there to discover; but Freire explains that research must be conducted and interpreted by those as knowledge is created and does not exist in a vacuum (and in turn, refutes the positivist perspective of research) (Freire, 2000.) For my, I believe strongly in community-based efforts of transformation and change, and in turn, I believe that it could potentially skew my efforts as I may have limitations in analyzing and seeing weaknesses or areas for improvement as I believe so strongly in this research methodology. Furthermore, my background experiences may encourage me to put more effort into certain populations due to my positionality in the world, or perhaps seem detached as is my emotional coping mechanism, thus preventing me from seeing certain areas of research, themes, or interpretations.

My experiences growing up and even present have shown the ways in which my reality is flexible and ever changing. I research power dynamics and address them, analyze everything from the placement of desks in a classroom to choices on a wall, and I am very critical of the ways in which we reestablish power in the classroom. I am in no way unaware of how power dynamics have played a significant role in my life – and all lives – and how my identities are always in flux. This goes back to my idea of being a postmodernist, but with the focus on power dynamics and how these are embedded in the historical and sociopolitical realities of our world, I am passionate for change. I believe that we can reach a philosophically idealistic goal, perhaps not in my life, while aiming for liberation of all, while challenging the sociopolitical structures in place now. My experiences are not necessarily unique, the trauma (and that not listed here) is not uncommon, but has shaped the perspectives with which I view the world and in turn, have inspired me to make transformative and radical change working collaboratively *with* communities. I believe it is necessary to engage dialogically together to deconstruct what we

hold as true to build a better future, with new truths of humanizing practices and pedagogies. After all, Paulo Freire writes, “Dialogue further requires an intense faith in humankind, faith in the power to make and remake, to create and recreate, faith in their vocation to be more fully human (which is a privilege of an elite, but the birthright of all)” (Freire, 2000.)

### **Literature Review**

Sidewalk vending or similar practice is not an occurrence only taking place in California or the United States. In fact, the National Association of Street Vendors of India indicate that a street vendor is any individual who sells goods outside of a permanent building or structure. In India, according to the National Policy for Urban Street Vendors, New Delhi, the capital of India, as of 2006 had approximately 250,000 street vendors (National Policy For Urban Street Vendors, 2006.) It’s evident that this is a practice that takes place globally, however, with a neoliberal economy and a very heavy perspective rooted in the myth of meritocracy, sidewalk vending is impacted by the United States’ economic structure as well as the ways in which it is viewed, populations who use sidewalk vending for income, and must be understood from a multi-cultural perspective as well. Lastly, understanding the intersections of global perspectives of sidewalk vending, United States economic conditions, and multiculturalism (and the need for it in the United States,) sidewalk vending should absolutely be considered and seen as a valued contribution to an economic system such as that in the U.S.

### **The Inland Coalition for Immigrant Justice**

The Inland Coalition for Immigrant Justice (IC4IJ) is a 501(c)(3) organization that puts emphasis on advocacy, protection, and support for Immigrant Justice. In particular, this organization acts as a coalition with a variety of organizations that look at transforming the current systems in place for immigration that many individuals must navigate. Starting in 2008 by Auxiliary Bishop Rutilio del Riego, IC4IJ was formed with emphasis on justice work for

immigrants (IC4IJ.org.) Furthermore, their advocacy is important as it is not only to assist with those navigating the immigration system, but also policy change, analysis, and educational efforts to help protect those impacted by a variety of laws. By supporting other organizations as well, the emphasis is on justice work for immigrant life and betterment of sociopolitical conditions.

### **What is sidewalk vending?**

Sidewalk vending, according to California Senate Bill 946, (Senate Bill 946, 2018), encompasses sales of food or merchandise from a variety of containers on the sidewalk or through some sort of pathway where pedestrians walk. Some of the containers where food or merchandise can be sold from include: “a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance, or from one’s person” (Senate Bill 946, 2018.) It is also important to note that within the bill there are two different types of sidewalk vending, including:

1. Roaming sidewalk vender, which is a person who is in constant movement for the purpose of sales aside from completion of a sale.
2. Stationary sidewalk vendor, which is a vendor who has a fixed placement

One hurdle that appears throughout various pieces of literature is a lack of definitions and explanations of what the different containers are for food or merchandise sales. For instance, San Diego’s permit application describes a pushcart as “... a moveable, wheeled, nonmotorized vehicle used by vendors for the sale of food or beverage products, fresh-cut flowers, or live plants in pots (SanDiego.gov.) While San Bernardino has provided a single, cartoon-style visual for their approved containers, there is only a list

### **The Politics and Economics of Sidewalk Vending**

### *Meritocracy in the U.S. Economy*

Capitalism propels the myth of meritocracy; that is, that if one works hard, they will be able to succeed in our society. However, what can be seen is that this belief in meritocracy reproduces inequalities, and it's evident through structural policies, such as the historical views of sidewalk vending (Arendt, 2006.) Furthermore, the stratification seen within society is viewed as necessary by many, such as Davis and Moore (1945,) which in turn could help understand why in our society, sidewalk vendors would have such strong opposition – it is not assimilationist under what is expected and *most valued* (Levine, 2006) in society, while also challenging the structural practices of capitalism. An important consideration, however, within meritocracy is that those who work hard and have the skills necessary can work their way into different, and from a hierarchal perspective, and higher position in the economic structure.

### *Criminalization*

In 2011, a study by the Street Vendor Project, indicated that while New York City has a variety of vendors – more than 10,000 – there were double that – 20,000 – in citations (Spaces of Migration, 2011.) Furthermore, in 2017, street vending in Los Angeles was still not legalized (Coluzzi, 2017) and was not *remotely* legal until January 2019, with SB 946 being under scrutiny still within the 2019 year (Holmes, 2019.) SB946 merely made it where cities could not outlaw sidewalk vending, but this did not fully decriminalize the act. Perhaps one of the biggest areas of interest in this bill is the ways in which it not only transitioned sidewalk vending potentially into more formalized economic means, but some argued, also allowed for further protections of diverse individuals, specifically undocumented immigrants (Shin, et. Al, 2019.) In addition, the views on sidewalk vending have been problematic, whether it dates back to the 1940s where the view was that it contributed to crime (Coluzzi, 2017) or because it took away from traditional

businesses (Whitehead, 2019) as such was the case from Councilman Fred Shorett. Because of these philosophies and ideas, those who contribute to the economic growth of the city had their possession taken and in turn fined and cited.

It is important to note that street vending is a significant social and political issue globally, which further encourages why in the United States we should reflect and address some of the hesitations around it. As previously noted, sidewalk vending in India is a significant contributor to their informal economy, however, research has been done on the role that the informal economy plays in the larger world as well as the various policies and policing of this particular field (Graff & Ha, 2015.) Furthermore, between activists that Graff and Ha (2015) such as Bouazizi, protesting the oppressive government practices within street vending, and pushes for policy changes, its evident that those who are proving their meritocratic efforts of hard work are fighting to be seen, valued, and should be as this is highly politicized.

### **Sidewalk Vending in the Inland Empire**

Sidewalk Vending became legal starting January 1, 2019 by both city and state ordinances. However, as of August 2020, police cited a significant amount of vendors with arbitrary causes, primarily under the guide of permit violations, such as blocking walkways or other areas within the Fontana area. This is important to note that regardless of the policies to expedite processes for permits, consequences can still occur and if it happened in Fontana, can happen elsewhere as well. However, one of the rising issues being seen is that people who have been law abiding and in turn, have their permits, are still being falsely accused or cited and it is in many ways hindering the progress and economic mobility of those who are sidewalk vendors. Seeing as there are claims that this law was to help with economic growth of those who participate and in this case, many immigrants, San Bernardino activists advocated for less

restrictive policies, which meant that those apply for a permit did not need to undergo background checks or use their social security card (Whitehead, 2019.)

Perhaps one of the most important things to highlight here is how San Bernardino attempted to lax their policies so that it allowed for a faster process. However, even with that, we see that the Inland Empire's sidewalk vendors are experiencing prejudice and discrimination surrounding their entrepreneurship within an economy that supposedly values hard work. Rather than providing "warnings" should an individual "violate" a policy, or provide educational information, policy immediately cite these individuals. Therefore, it's necessary for strong educational practices, informational sessions, community efforts, and research to support those involved.

### *COVID-19*

COVID-19 hit the entire globe, shutting down entire economics throughout the world. Students were displaced from their classrooms, teachers had to scramble to discover how to transmit information, and businesses were radically transformed or harmed financially. Street vendors in this case were no different, and the already restrictive measures were exacerbated with the rise of the global pandemic.

A primary source of income for many individuals, they were now frozen, having to stop selling items despite peak seasons and good weather (Escarcega, 2020.) In most places, vendors have been expected to stop working, up to 90%, which means that 90% of vendors are not receiving their primary source of income, unfairly, unequally impacting immigrants – both documented and undocumented, generations of families, and further highlights the problems with systems before even this pandemic. However, with new knowledge that transmission rates are low in outside settings and a lot of southern California spaces opting to provide outdoor

dining still, street vendors are still cooking and assuring safety measures are considered, though not without risk; in fact, as this is the only income, one can see that individuals are taking extreme precautions, from masks as is recommended to extra clothing to change into to protect oneself; business is difficult, changes have had to be made, and they had to let employees go as well (Chen, 2020). It is not just in the United States, as globally, there were an estimated two-billion street vendors were displaced from their jobs – whether it was Colombia, Peru, or Uganda (Balbuena, 2020.) This is a vital consideration to understand considering that it is not just a local issue, but a global issue, which means that we should feel obligated to reimagine circumstances to support our sidewalk vendors.

## **Theoretical Framework**

### *LatCrit Theory*

LatCrit theory is a Critical Race Theory for the diverse and unique experiences of Latino/Latina/Latinx experiences in relation to racial dynamics. Furthermore, LatCrit theory allows for real experiences in life to explain experiences that challenge the typical stories (Bell, 1987; Delgado, 1989). Within advocacy work, this would be important for the purpose of creating new policies and ideologies within the world of sidewalk vendors primarily so that a multifaceted and interdisciplinary approach can be used to advocate and support sidewalk vendors by using their lived experiences (Scheurich & Young, 1997). LatCrit theory allows for identity to be centered ; in addition, we understand that microaggressions and biases can be utilized within engagement (Davis, 1989). In addition, racial profiling is necessary to address for the sake of sidewalk vendors (Romero, 2008) as interactions with the police and other authorities will be influenced by immigration status and perceptions of physical appearances. A central reason that LatCrit theory is used is that a substantial amount of vendors in the United States

identify as “Hispanic,” while the population being likely even higher in Southern California, a region that has a majority of “Hispanic” identifying individuals.

### *Stratification and Value*

We live in a society that values hard work but also that hard work determines future outcomes based on stratification. Stratification is the process of placing individuals into categories. That stratification determines value of work, but it also is determined by cultural capital (Yosso, 2006.) Cultural capital is the ideology that there are certain cultures in society that are valued more than others; while present primarily within the realm of education, this is can be looked at in society as well. Understanding that recipes and family values around food, practices of cleanliness and food safety, and other ideas around food can be considered using Yosso’s ideas of cultural capital. This is necessary when we are thinking of the ways in which society understand stratification and sorting of individuals and groups of people, and furthermore, the ways in which value and monetary conditions can shape the and advocacy of sidewalk vendors. Utilizing Yosso’s cultural capital can assist with supports and appreciation of other cultural contributions.

## **Research Methodology**

### *Setting*

ICIJ (Inland Empire Coalition for Immigrant Justice) serves the Inland Empire/San Bernardino area. Their work surrounding sidewalk vending encompasses a variety of geographic locations, including currently Rialto, CA. According to the Public Policy Institute of California (Thorman, et. Al., 2018) inequities and injustices surrounding housing and response rates tend to make counting demographic numbers, especially of the historically marginalized groups, rather difficult to determine exactly how many people and of what background exist in the I. land



Empire (Thorman, et. Al., 2018) Furthermore, this can exacerbate issues of funding and regulation as these areas within the Inland Empire are not accounted for accordingly. However, the Inland Empire covers a wide-range of cities, including East Los Angeles, San Bernardino, Riverside, Fontana, Rialto, and many, many others. In addition, many of those involved are Spanish speakers, immigrants, or People of Color, all groups who often are unfairly targeted by police and other practices and policies aimed to oppress groups of people – whether intentionally or not.

### *Research Design & Methods and Community-Based Practices*

Due to the nature of the community-based research involved, a mixed methods approach was employed for support and advocacy of sidewalk vendors. This was done through a variety of means – primarily document analysis, interview transcriptions, and survey creation. In addition, a survey was created for future engagement of sidewalk vendors to uncover biases, experiences, and citations (See Item A).

surrounding their educational and procedural experiences around sidewalk vending?”

In order to address these questions, a survey was created to help facilitate this conversation for ICIJ in the future. Previous data collection was analyzed to explore as well as case studies of various cities that have implemented the legalization of street vendors (Creswell, 2007.) The design for this particular research was to make sure that there are informational and educational practices, as well as representation of voices throughout the research that can help guide not only policy advocacy but practices that can allow for more equitable attempts of justice and information for those who are sidewalk vendors and are being assisted through ICIJ. The survey creation takes place more to help facilitate data collection in the future and continued efforts to assure guidance for those who have permits, but are being falsely or inappropriately

accused of violations while they are attempting to experience their livelihoods and provide for themselves and their families.

## **Data and Analysis**

### *Entrepreneurship*

SB 946 states that the goal of the bill is to, “Promote entrepreneurship and support immigrant and low-income communities.” A key element of this bill is that it highlights on entrepreneurship, but also that cities, if they are already meeting the bill do not need to change their laws or policies. On that note, while the bill is a good start, it does not necessarily address the various differences needed according to city and demographic. A one-size-fits-all approach dismisses the different experiences, and considering that Southern California, and for the sake of ICIJ, the primary demographic is those who would identify as “Hispanic” for census purposes. In this case, as well, individuals can use the varied cultural backgrounds and cuisines across the country (Yosso, 2006), but especially for those in the Southern California area, to experience profit and build a business, but it also means that it must be advocated and supported. While this bill is also helpful for the purpose of socioeconomic gain and mobility, it does not identify the ways in which stratification plays a role in these experiences as a whole. Stratification (Levine, 2006) could in turn cause a bigger hurdle for many of the vendors as they have to pay a tremendous amount of money for licenses and fees prior to the bill (Coluzzi, 2017; White, 2019), despite the claims for mobility and protection.

### *Work-Load*

A survey from 2012 highlighted that more than 60% of vendors work full-time, while 79% are vending overall full-time. Furthermore, the majority are working in other positions, such as students or other job positions. In addition to this, they have family obligations and are

balancing multiple priorities in their lives. In addition, this ties directly into the concept of stratification and meritocracy because they are working harder than many people and as sidewalk vendors, are working more than full-time hours (but perhaps just not in vending specifically.) The amount of work that individuals are engaging in as sidewalk vendors truly indicate the ways in which meritocracy is not necessarily the true system of progress and mobility in the United States. However, within a society that claims to value meritocracy, it is clear that an emphasis on work and work-load is needed to be analyzed by those in positions of power as they are working exceptionally hard without the proper supports, including even increases in fees and fines. Without even considering the various implications of race and biases, a world valuing hard-work should value sidewalk vendors, who are primarily immigrants for the purpose of ICIJ.

### *Mobility*

The primary purpose of SB946 is the concept of mobility. Data does show that 50% own their own business – that is, sidewalk vending – and, as previously noted, work mostly full-time in vending. However, it is important to note that there is only a profit of \$25, 911 as of 2012. Breaking this down, it comes to only a total of roughly \$2,100 per month, which is not sustainable for survival in the Southern California region. In addition, looking at data from June 2020, 15 permits have been issued (out of 16 applicants) yet *50 administrative fines have been issued* with only 5 workshops surrounding information and education were performed. While the intention is for entrepreneurship and in turn, mobility for immigrants who have foods and culture to offer through a business model, it is clear that there is significant efforts put on stratifying further the many immigrants who are working hard vending (especially noting the previous section that highlights the amount of hours and positions they are balancing.)

### *Training and Education*

Noting that for San Bernardino, there were only 5 educational classes listed, with considerable fines attached. A committee for the City of San Diego in minutes dated July 25, 2019 at 2:00pm, there was a clear description that said a need as being, “Provide language to define services and rentals, and an evaluation of services and rentals for prohibition” and “Provide language to define public promenades and plazas and prohibit vending in public promenades and plazas.” An important piece of information here is the recognition that language needed to be included with clear descriptions. However, it is important to highlight that vending was restricted in particular places, which does show the restrictive nature of vending and the cultural capital (Yosso, 2006) around sidewalk vending.

An approach to education could also be considered using a practice that police in San Diego used (Lopez-Villafaña, 2020). While this was not directly related to vendors, what police did in the case of gatherings and the concerns around social distancing is that they did not cite, but instead provided educational resources, offered masks, and give information and insight. A recommendation around this will be provided, as efforts to criminalize vendors is a case of a microaggression (Davis, 1989) surrounding immigrant status and race.

### *COVID-19*

COVID-19 is a global pandemic that impacted nearly every single industry and field of work. However, sidewalk vendors are also significantly impacted throughout this. Street vendors are still working (Chen, 2020), regardless of the continual risk involved. Several interviews highlighted that street vendors have high risk because of the need for income, vicinity of patrons, and that some of them have changes of clothes in their cars to prevent risk. Despite the over decade long fight, street vendors, who just experience victory at the beginning of 2020 in the State of California, were suddenly halted with potential growth once COVID-19 hit (Escarcega,

2020.) With the recognition that COVID-19 has drastically impacted Communities of Color far more than White communities, it's important to note that sidewalk vendors in the Southern California region are made up of mostly immigrants and minoritized immigrants at that. With that said, these individuals are at a higher risk already due to access to medical as well as current conditions, and are then in turn at an even higher risk with the lack of protections and expectations during COVID-19.

However, health and safety is not the only concern. Street vendors are experiencing devastating hits to their incomes and profits (Attia, 2020) and the data from 2012 highlighted that income and profit was substantially low compared to mid-range incomes in the Southern California region and even in the San Bernardino area. Considering this, it's vital to address the impact this will make on those who are vendors in the State of California especially as this was for the sake of mobility and entrepreneurship, but if entrepreneurs are flailing due to a global pandemic, then this law will not positively impact individuals as they should. Instead of citations or neglecting sidewalk vendors, if the purpose is to provide opportunities for economic stability, more educational options, research, and supports (financial and otherwise) should be provided for street vendors in the State of California or else they may never recover (Balbuena, et. Al, 2020.)

#### *Case Studies for Recommendations*

##### **New York City**

New York City had licenses capped at 5,100 (Street Vendor.) However, they also issued 18,000 citations. Like most of the cities in previous research, New York City also highlighted conflicts between physical restaurants and sidewalk vendors, citing fairness and issues of support. However, advocates, primarily Street Vendor, have pushed for stronger educational

practices, infographics, and other things that can be supportive for sidewalk vendors. An important practice of New York's is that their police are not longer policing vendors, but instead other city officials are now overseeing the citation or administration side of sidewalk vending (Nierenberg and Wharton, 2020.)

### **Los Angeles**

Los Angeles initiated a great deal of conflict as many who had been vendors previously, whether licensed or not, now had to begin paying substantial money to become licensed and fill out paperwork that may have been confusing or not conducive to a vending business (Symon, 2020.) Interviews and research have shown that, like similar to New York, the claims to fairness, and almost loyalty, should be placed to recognized the plight of brick-and-mortar restaurants. Another claim is that there is a lack of safety and health, and in turn, these efforts may cause issues of safety.

### **San Diego**

San Diego is a unique situation in that it has provided some educational opportunities, but some of the qualitative secondary research highlights important pieces of information to combat some of the complaints and concerns from Los Angeles and New York proponents or opponents of sidewalk vending. For instance, as previously noted, San Diego opted for police officers to educate those who were gathering, including vendors, during a pandemic and even gave out free masks (Lopez-Villafaña, 2020). While San Diego also faced some concerns about safety and health, one interviewee highlighted that they must go through stringent training and understandings of food safety, and therefore, it makes them safer to participate in and the concerns around public safety is almost an empty one (or perhaps not anymore concerning than that of a restaurant. Like other concerns, San Diego interviewees did state that public information

and educational purposes were not readily available and there was limited access to anything that could provide genuine information.

## **Recommendations**

Based on the information and secondary data analyzed, the research makes a few recommendations for advocacy and support of sidewalk vendors. The recommendations are as follows:

1. Due to the research that many of the high profile, highly populated cities have lacked educational workshops, alternative, separate workshops should be considered run by previous vendors and community advocates that go beyond the scope of the city.
2. Vendors, when cited, should take immediate record of their citation, note their citation number, record the name of the officer, and contact ICIJ with this information.

Furthermore, “Know your rights” workshops could be conducted in order to go over this information.

3. Police should be encouraged and even required to undergo sidewalk vending laws and supports and then cases such as San Diego should be looked at as examples for information and educational purposes rather than simply citations.
4. A network of vendors should be developed to discuss rights and protections and to consider alternative issues around COVID-19, such as avoiding or fighting citations.
5. With the ongoing concerns around COVID-19, issues around safety and health *of the sidewalk vendors* should be central for advocacy as protections around medical, disparities across racial categories, and the focus on their workloads and positions as vendors is an important key to their well-being.

6. Supports, organizing, and funds should be developed for those who need additional supports or funds for fees, as many are unable to afford the fees and potential citations that go along with them.
7. Continued surveys and research for support and regular check-ins, as well as a database of vendors who are willing to provide information for the sake of networking as well as continued outreach.

## **Conclusion**

The research highlights disparities that sidewalk vendors experience, which is not unusual. However, the intersection of immigration, stratification, culture, and sidewalk vending cannot be dismissed, even and especially across advocacy groups and efforts. Reflecting on the ways in which power and stratification impact and hurt those who are the most marginalized is vital throughout this process. Furthermore, in a multicultural society we must begin pushing for a multicultural perspective of efforts, which means valuing, for the sake of Southern California vending, the multiculturalism that is throughout sidewalk vending and valuing it as much as brick-and-mortar shops. COVID-19 also poses new challenges and experiences, as businesses are already struggling, but with the introduction of his bill being so important to the economic mobility of immigrants – with that perspective anyway – and there should be proper supports beyond the state recommendations. ICIJ is doing great work and further ongoing research through the means of surveys and qualitative research can help the advocacy and support of sidewalk vendors through microaggressions, legal issues, and citations that arise.



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