

### Case 3: Victim's Dilemma

It is important that neighbors, roommates, families and others who cohabitate get along reasonably well and in ways that often exceed normal legal requirements. For example, it is perfectly legal to have mid-day shouting matches with a roommate, but there is a profound social harm to engaging in such behavior regularly. Shouting matches are not only bad for roommates, but also a nuisance for the neighbors. In response, some municipalities have passed so-called nuisance laws. One such law passed in Norristown, Pennsylvania allows police officials to pressure landlords into evicting a tenant if police are called three or more times in four months.

Though the law was intended to minimize the reliance on police for minor, non-violent domestic disputes, the possibility of eviction caused at least one woman to put herself in harm's way. Lakisha Briggs was stabbed in the neck with a shard of glass by her ex-boyfriend, Willbert Bennett, and she refused to call police for fear that she would be evicted. Briggs had previously called the police on three other occasions due to Bennett's volatile and at times violent behavior. After he was arrested the last time, the responding police officer told Briggs: "You are on three strikes. We're gonna have your landlord evict you."<sup>15</sup> After Bennett was released from jail, he returned to Briggs' apartment and demanded to move in. Fearing that she and her three-year-old daughter would be evicted, Briggs allowed Bennett to enter and stay. Soon the relationship turned sour and during a fight Bennett stabbed Briggs. A neighbor saw her bleeding and called the police when she refused to do so.

The Norristown law attempts to preserve neighborhoods and encourage people to settle their differences without burdening police; however, it has had serious unintended consequences. In response to Briggs' filing suit against the borough through the ACLU, Norristown has modified its "disorderly behavior" ordinance. The newly adopted law provides that the city can levy fines on landlords when tenants repeatedly call the police in situations that "do not require a mandatory arrest to be made."<sup>16</sup>

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Case from the 2014 Regional Ethics Bowl  
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<sup>15</sup> Sandra Park, "Shut Up or Get Out" ACLU, April 24, 2013, <https://www.aclu.org/blog/womens-rights-lgbt-rights-racial-justice-criminal-law-reform/shut-or-get-out-pa-city-punishes>

<sup>16</sup> City Code, Borough of Norristown, PA, Montgomery County, <http://ecode360.com/11550747>

