

NOV.

PRESS STATEMENT REGARDING NO SPECIAL RIGHTS INITIATIVE PETITION

On Behalf of the Oregon voters who overturned Governor Neil Goldschmidt's executive order granting special rights to homosexuals in 1988, the No Special Rights Committee is filing an initiative petition designed to stop the reemerging trend in government and public education toward the legitimization of various sexual perversions under the banner of "gay rights".

Recent political gains by homosexual activists, such as the passage of SB708 in the Oregon Senate, as well as an alarming increase in homosexual advocacy in the public schools, indicate an escalation in the war against traditional family values by the homosexual movement. Cloaking themselves in the language and tactics of the civil rights movement, and aided by key ideological allies in the news and entertainment media, a class of people with nothing more in common than a chosen lifestyle of unnatural sexual behavior are unjustly appropriating the privileges and protections of legitimate minorities.

Many good-hearted citizens of Oregon have been duped into believing that the "gay rights" issue is about basic fairness and human rights for "people who were born a little different and just want to be left alone". OCA will demonstrate during this initiative campaign that this argument is not only based on specious reasoning and fraudulent claims, but that it was deviously crafted by a powerful political movement which includes in its agenda the legitimization of sado-masochism, pedophilia and other perversions. These charges will be substantially documented using materials from the homosexual movement itself.

The No Special Rights Committee believes that the average Oregonian is unaware of many disturbing aspects of the "gay rights" movement, including the fact that homosexuality is currently being advocated in many public schools as a legitimate and equal alternative to a normal heterosexual relationship. We further believe that the vast majority of Oregon citizens want their children's schools, and public policies, to reflect their own normal and healthy standards of behavior and not the abnormal, unhealthy, and socially destructive standards of behavior practiced by homosexuals, pedophiles and sado-masochists.

Advocates of the homosexual movement may attempt to portray this initiative as an attack on the personal privacy of those who practice sexual perversion. On the contrary, this initiative only addresses public policy. In fact, the only reason that the No Special Rights Committee is filing this initiative, is that the homosexual movement and their political cronies in government, the media, and public education are now campaigning for the acceptance of these behaviors by the public. It is our right and our duty to challenge this attack on normal and healthy behavioral standards.

(373-1537)

JCA / SHIBLEY

PROPOSED BALLOT TITLE

Recognizes certain abnormal behaviors. Stops government promotion. Sets behavioral standard.

QUESTION

Shall state and local government adopt policies which prohibit endorsement of sexual perversions and set positive standards for Oregon Youth.

EXPLANATION

Identifies pedophilia, sadism, masochism, homosexuality, bestiality, and necrophilia as abnormal and harmful behaviors. Defines terms. Prohibits state and local government from recognizing any categorical provision such as sexual orientation in relation to these behaviors, or from applying minority status or similar concepts to them. Prohibits state and local government from promoting, condoning, encouraging, or facilitating these behaviors. Requires all branches of state and local government, specifically those related to public education, to assist in setting a standard that recognizes these behaviors as unnatural and perverse.

RESOLUTION No.

Passed
5/24/91

908-1

Denouncing the Oregon Citizens Alliance's anti-gay and lesbian legislative initiative; reaffirming the City of Portland's pursuit of remedies to bias and prejudice; and supporting the civil rights of Portland's Lesbian and Gay communities.

WHEREAS: the City of Portland through prior resolution has recognized that incidents of malicious harassment, violence and vandalism based on race, religion and sexual orientation are increasing in the City of Portland; and,

WHEREAS: the Portland City Council has previously denounced all groups espousing doctrines of hatred based on race, religion or sexual orientation; and,

WHEREAS: the Oregon Citizen's Alliance has submitted for the Oregon initiative process a Constitutional amendment which is hateful, mean spirited, bigoted and biased against gay men and lesbians and if enacted may help foster a climate which brings physical and emotional harm to Oregonians; and,

WHEREAS: the Portland City Council is committed to help insure that all of the people of our city live free of bias, bigotry and physical threat,

NOW, THEREFORE BE IT RESOLVED that the City Council denounces the Oregon Citizen's Alliance's legislative initiative as a malicious and hateful attack against gay and lesbian people and encourages the people of Portland not to sign the OCA petitions; and,

BE IT FURTHER RESOLVED that the City reaffirms its pledge of full support to ongoing efforts to educate and enlighten the people of the greater metropolitan area, with the goal of eliminating, to the extent possible, bias and prejudice based on race, religion and sexual orientation

Adopted by the Council,

BARBARA CLARK

Auditor of the City of Portland
By

Deputy

RECEIVED

MAY 21 1991

COMMISSIONER OF
PUBLIC UTILITIES

LC 4094

5/16/91 (KB/sm)

D R A F T

1 AN ACT

2 Be It Enacted by the People of the State of Oregon:

3 PARAGRAPH 1. The Constitution of the State of Oregon is amended by
4 creating a new section to be added to and made a part of Article I and to
5 read:

6 SECTION 41. (1) Pedophilia, sadism, masochism, homosexuality,
7 bestiality and necrophilia are recognized by this state as abnormal, unna-
8 tural and perverse conduct. These abnormal behaviors are recognized as be-
9 ing harmful to the moral and ethical standards of Oregon.

10 (2) As used in this section:

11 (a) "Abnormal" means not normal, not average, not typical, irregular or
12 varying from an established standard.

13 (b) "Behavior" means manner of behaving, conduct or carriage of oneself,
14 with respect to propriety or morals.

15 (c) "Bestiality" means sexual activity with animals.

16 (d) "Condone" means to pardon or overlook or to give approval by ig-
17 noring.

18 (e) "Encourage" means to give courage to, to give confidence to, to help,
19 to give support, to be favorable to or to foster.

20 (f) "Facilitate" means to make easy or less difficult, to free from imped-
21 iment or to lessen the labor of.

22 (g) "Homosexuality" means sexual activity with a member of the same
23 gender.

24 (h) "Masochism" means deriving sexual satisfaction from abuse or phys-
25 ical pain.

26 (i) "Necrophilia" means sexual activity involving dead persons.

27 (j) "Pedophilia" means sexual activity of an adult with a child.

1 (k) "Perverse" means improper, wrong, corrupt or deviating from what is
2 right or acceptable.

3 (L) "Promote" means to forward or advance, to contribute to growth, en-
4 largement or excellence of or to elevate or stir up interest in.

5 (m) "Sadism" means the association of sexual satisfaction with the in-
6 fliction of pain on others.

7 (n) "Unnatural" means strange, contrary to or at variance with nature
8 or what is considered normal or right.

9 (3) This state shall not recognize any categorical provision such as "sex-
10 ual orientation," "sexual preference," and similar phrases that includes ab-
11 normal behaviors as described in subsection (1) of this section. Quotas,
12 minority status, affirmative action, or any similar concepts, shall not apply
13 to these forms of conduct.

14 (4) State, regional and local governments and their properties and moneys
15 shall not be used to promote, condone, encourage or facilitate abnormal be-
16 haviors, as described in subsection (1) of this section.

17 (5) State, regional and local governments and their departments, agencies
18 and other entities, including specifically the State Department of Higher
19 Education and the public schools, shall assist in setting a standard for
20 Oregon's youth that recognizes the behaviors described in subsection (1) of
21 this section are abnormal, wrong, unnatural and perverse, and that these
22 behaviors are to be discouraged and avoided.

23 (6) It shall be considered that it is the intent of the people in enacting
24 this section that if any part thereof is held unconstitutional, the remaining
25 parts shall be held in force.

26

OFFICE OF THE MULTNOMAH COUNTY CHAIR

From the desk of
Teri Duffly
Staff Assistant

RECEIVED

SEP 18 1991

COMMISSIONER OF
PUBLIC UTILITIES

Butcher,

Thought you might be interested in the Urban Ashhite's recent study. It might be

useful documentation for the other Commissioners and the

Mayor. I appreciate your willingness to support the

protected category of source of income and respect

your efforts. Thank you.

Teri



Monday October 7, 1991
 3-5 pm (in 321 City Hall - 1st fl - 1st fl)

LEASE -
 EJECTION -
 RESTORATION -
 HARDSHIPS
 vs HUD Policy

PORTLAND PUBLIC UTILITIES

A N D U M

- ① Have Advocate case meeting
- ② SET meeting (both groups - raise the question - clarify the issues)
- ③ Thursday's from date of passage
- ④ Advocate will visit other communities

ld be invited to talk about the

elly rogers/hanna calahan (Legal Aid)

Emily Cedarleaf (Multifamily Housing)

Ross Dey (Confier Group)

David Rand (Housing industry)

Fair Housing Council - ^{Donna Carter / Phil Yates}

Edwina Moaning (HAP / Sect. 8)

Sharon Fleming Barrett (Executive Property Management)

Janet Hawkins

Madelyn Wessell (City Attorney)

221-2005 ^{Left message OK}

248-3308 ^{OK}

224-4094

378-1912 (Salem) ^{Left message OK}

239-0015 ^{Left message OK}

284-4269 ^{OK}

273-4570 ^{Left message OK}

223-7639 ^{Left message OK}

248-3707 ^{OK}

823-4047 ^{Left message OK}

1. Applicability by number & seq. in ^{Comments}

Barbara Miller

Robert Pearce / Attorney - 326-2901
 Tom Sawyer - 531-2300
 City Hall

CITY OF PORTLAND
 COMMISSIONER OF PUBLIC UTILITIES

M E M O R A N D U M

DATE: October 1, 1991
 TO: Gretchen
 FROM: Kathleen
 SUBJECT: Section 8 Discussion

These are the folks I think should be invited to talk about the section 8 issues:

John Campbell (private consultant, trainer of landlords)

Terrl Duffly (aide to chair McCoy)

Terry Rogers/Hanna Calahan (Legal Aid)

Ross Dey (Confier Group)

David Rand (Housing Industry)

Fair Housing Council - ^{Donna Carter/Phil Yates}

Edwina Moaning (HAP/sect. 8)

Sharon Fleming Barrett (Executive Property Management)

Janet Hawkins

Madelyn Wessel (City Attorney)

221-2005 ^{left message OK}

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378-1912 (Salem) ^{left message OK}

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823-4047 ^{left message OK}

1. Applicability by number & sig.

Barbara Miller

*Alison Pearce Partimony - 326-2901
 Tom Sawyer - 531-2300
 System*

① Have Advocate case meeting
② SET meeting (both groups - Rose the question - clarify the issues) - Thursday's from date
③ Advocate will visit other Commissioners

Ordinance No.

Prohibit discrimination in housing, employment and public accommodations on the basis of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation or source of income and provide for enforcement.
(Ordinance; add Title 23, Chapter 1)

The City of Portland Ordains:

Section 1. The Council finds:

- 11/15/2014
LAGS
1. The just-completed Portland Future Focus study identifies a compelling need to value the diversity of Portland's population and affirm the City's unwillingness to tolerate discrimination, bigotry or violence against its citizens.
 2. Unlike many cities across the United States, Portland's municipal code currently lacks explicit civil rights protections prohibiting discrimination in the areas of employment, housing and public accommodations.
 3. Oregon law does not clearly prohibit discrimination on the basis of sexual orientation and source of income at the present time.
 4. Evidence presented to Council demonstrates that discrimination based on sexual orientation and source of income exists in the City of Portland.
 5. The importance of affirming the City's commitment to civil rights and equal opportunity generally, as well as the need to safeguard basic rights of individuals who currently lack protections under state law, make creation of a civil rights code for the City imperative.
 6. It is anticipated that enforcement of the new code, drafted in reference to the Oregon Revised Statutes, will initially be undertaken through a contractual arrangement with the Oregon Bureau of Labor and Industries ("BOLI"), however a variety of circumstances could lead to changes in the enforcement scheme.

NOW, THEREFORE, the Council directs:

- a. Title 23 of the City Code is amended by adding a new Title 23, Civil Rights, Chapter 1 as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

ORDINANCE No.

- b. If material alterations are made to the sections of the Oregon Revised Statutes which are referenced in Chapter 1 of Title 23 of the code, the City Attorney shall draft new code sections for City Council consideration to ensure that the intent of Council as expressed in this ordinance shall be fulfilled.
- c. Should enforcement of all or a part of Chapter 1 of Title 23 of the code become advisable through some entity other than BOLI, the City Attorney shall draft new code sections for City Council consideration to ensure that the intent of Council as expressed in this ordinance shall be fulfilled.
- d. The City Attorney shall study and advise Council what alterations of Chapter 1 of Title 23 of this code would be necessary in order to meet U.S. Department of Housing and Urban Development guidelines on "substantial equivalency."
- e. The enforcement provisions of Chapter 1 of Title 23 the code shall not be utilized until enforcement arrangements have been completed.

Passed by the Council,

Commissioner Mike Lindberg
MWessel:ts madelyn.wrk\civord.
September 19, 1991

BARBARA CLARK

Auditor of the City of Portland
By

Deputy

EXHIBIT A

Title 23 Civil Rights

Chapter 23.01

23.01.010 Policy

It is the policy of the City of Portland to eliminate discrimination based on race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation or source of income. Such discrimination poses a threat to the health, safety and general welfare of the citizens of Portland and menaces the institutions and foundation of our community.

23.01.020 Intent

The City Council finds that discrimination on the basis of sexual orientation and source of income exists in the City of Portland and that state law does not clearly prohibit such discrimination. It is the intent of the Council, in the exercise of its powers for the protection of the public health, safety, and general welfare and for the maintenance of peace and good government, that every individual shall have an equal opportunity to participate fully in the life of the City and that discriminatory barriers to equal participation in employment, housing, and public accommodations be removed.

23.01.030 Definitions

A. "Sexual Orientation" - actual or supposed male or female homosexuality, heterosexuality or bisexuality.

B. "Source of Income" - the manner or means by which a person supports himself or herself and his or her dependents, including but not limited to money and property from any occupation, profession or activity, from any contract, settlement or agreement, from federal or state payments, court-ordered payments, gifts, bequests, annuities, life insurance policies, and compensation for illness or injury, but excluding any money or property derived in a manner made illegal or criminal by any law, statute or ordinance.

C. All other terms used in this ordinance are to be defined as in Oregon Revised Statutes Chapter 659.

23.01.040 Exceptions

A. The prohibitions in this Chapter against discriminating on the basis of sexual orientation do not apply:

1. to the leasing or renting of a room or rooms within an individual living unit which is occupied by the lessor as his or her residence;

2. to dwellings with not more than two individual living units where one of the units is owner occupied;

3. to space within a church, temple, synagogue, religious school, or other facility used primarily for religious purposes.

B. The prohibitions in this Chapter against discriminating on the basis of source of income do not prohibit:

1. a reasonable inquiry into and verification of a source and amount of income;

2. a reasonable inquiry into and evaluation of the stability, security and creditworthiness of any source of income;

3. any bank, financial institution, or other institution granting or approving credit, including a retail store that sells goods or services on credit, from establishing or reviewing the creditworthiness of any person by seeking information relevant to such creditworthiness as amount and source of income, employment history, credit references, and the number and age of dependents.

*SECTION 8: ~~CRIMINAL~~
A Little Bit - Not
Genuinely*

*CAN WE
OMIT
REASONABLE?
DONE!*

*where are
landlords in this
FEDERAL/STATE FILL OUT
CREDIT APPLICATION
TO RENT / MUST DISCLOSE
IF REJECTED FOR CREDIT
REASON*

*of the person?
if so
covered*

*DO
CAN'T*

23.01.050 Discrimination in Employment Prohibited

A. It shall be unlawful to discriminate in employment on the basis of an individual's race, religion, color, sex, national origin, marital status, age if the individual is 18 years of age or older, or disability, by committing any of the

acts made unlawful under the provisions of ORS 659.030 and 659.425.

B. In addition, it shall be unlawful to discriminate in employment on the basis of an individual's sexual orientation, source of income or familial status, by committing against any such individual any of the acts already made unlawful under ORS 659.030 when committed against the categories of persons listed therein.

23.01.060 **Discrimination in Selling, Renting, or Leasing Real Property Prohibited**

A. It shall be unlawful to discriminate in selling, renting, or leasing real property on the basis of an individual's race, religion, color, sex, national origin, marital status, familial status, or disability, by committing any of the acts made unlawful under the provisions of ORS 659.033 and 659.430.

B. In addition, it shall be unlawful to discriminate in selling, renting, or leasing real property on the basis of an individual's sexual orientation, source of income, or age if the individual is 18 years of age or older except as is excluded in ORS 659.033 subsection 6 (a) and (b), by committing against any such individual any of the acts already made unlawful under ORS 659.033 when committed against the categories of persons listed therein.

23.01.070 **Discrimination in Places of Public Accommodation Prohibited**

A. It shall be unlawful to discriminate in public accommodations on the basis of an individual's race, religion, color, sex, national origin, marital status, age if the individual is 18 years of age or older, or disability, by committing any of the acts made unlawful under the provisions of ORS 659.037, 659.425, or ORS 30.670 to 30.685.

B. In addition, it shall be unlawful in public accommodations to discriminate on the basis of an individual's sexual orientation, source of income or familial status, by committing against any such individual any of the acts already made unlawful under ORS 659.037 or ORS 30.670 to 30.685 when committed against the categories of persons listed therein.

23.01.080 Enforcement and Administration

A. Enforcement of all or any part of this Chapter shall be governed by the procedures established in ORS Chapter 659. Rules adopted by the City Attorney pursuant to section 23.01.090 of this Chapter may also be used to implement enforcement and administration of this Chapter.

B. Any person claiming to be aggrieved by an unlawful employment practice under this Chapter may file a complaint with the Commissioner of the Bureau of Labor and Industries under procedures established in ORS 659.040, and any person claiming to be aggrieved by an unlawful practice under this Chapter relating to selling, renting or leasing real estate or discrimination in public accommodations, may file a complaint with the Commissioner under procedures established in ORS 659.045.

C. The Commissioner may then proceed and shall have the same enforcement powers under this Chapter, and if the complaint is found to be justified the complainant shall be entitled to the same remedies, under ORS 659.050 to 659.085 as in the case of any other complaint filed under ORS 959.040 or 659.045.

D. Any order issued by the Commissioner of the Bureau of Labor and Industries under this Chapter shall be viewed as one issued by a hearings officer employed by the City within the meaning of ORS 46.045 (3) and shall be fully enforceable by the City.

E. Any person claiming to be aggrieved by an unlawful discriminatory act under the provisions of this code shall have a cause of action in any court of competent jurisdiction for damages and such other remedies as may be appropriate, unless such person has filed a complaint hereunder with the Oregon Bureau of Labor and Industries, as is described more particularly in ORS 659.095 and 659.121. The court may grant such relief as it deems appropriate, including, but not limited to, such relief as is provided in ORS 659.095 and ORS 659.121.

23.01.090 Authority of City Attorney to Adopt Rules

A. The City Attorney is hereby authorized to adopt rules, procedures and forms to assist in the implementation of the provisions of this Chapter.

B. Any rule adopted pursuant to this section shall require a public review process. Not less than ten nor more than thirty days before such public review process, notice shall be given by publication in a newspaper of general circulation. Such notice shall include the place, time, and purpose of the public review process and the location at which copies of the full text of the proposed rules may be obtained.

C. During the public review, a designee of the City Attorney shall hear testimony or receive written comment concerning the proposed rules. The City Attorney shall review the recommendation of his or her designee, taking into consideration the comments received during the public review process, and shall either adopt the proposal, modify it or reject it. If a substantial modification is made, additional public review shall be conducted, but no additional notice shall be required if such additional review is announced at the hearing at which the original comments are received.

D. Unless otherwise stated, all rules shall be effective upon adoption by the City Attorney and shall be filed in the office of the City Auditor.

E. Notwithstanding paragraphs (b) and (c) of this section, an interim rule may be adopted without prior notice upon a finding that failure to act promptly will result in serious prejudice to the public interest or the interest of the affected parties. The finding shall state the specific reasons for such prejudice. Any rule adopted pursuant to this paragraph shall be effective for a period of not longer than 180 days.

23.01.100 Construction

This Chapter shall be broadly construed, consistent with its remedial purpose.

23.01.110 Severability of Provisions

If any part or provision of this Chapter, or application thereof to any person or circumstance, is held invalid, the remainder of this Chapter and the application of the provision or part thereof,

to other persons not similarly situated or to other circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Chapter are severable.

madelyn.wrk\civord.a

*MHRC
Curtland &
Thermy ↓*

*Can they
do - 5/15/50*

165

FAIR HOUSING COUNCIL OF OREGON

2600 S.E. BELMONT, SUITE A
PORTLAND, OR 97214
(503) 230-0239
1-(800)-424-FAIR

Donna Torrez Butler
Director

November 7, 1991

Commissioner Mike Lindberg
City of Portland
1220 SW 5th Avenue
Portland, OR 97204

RE: Fair Housing Testing for New Civil Rights Ordinance

Dear Commissioner Lindberg:

As your office begins the process of contracting with the Bureau of Labor and Industries (BOLI) for enforcement services for Title 23 of the City Code, we wish to inform you of our interest in providing testing support services for complainants.

Testing evidence has been proven to be the most effective tool in proving discrimination complaints in housing. Testing is an investigative technique used to check the validity of bonafide allegations of civil rights violations. In a typical scenario, pairs of individuals, or "testers" (alike in every respect except the variable being tested) pose as homeseekers or rental applicants to determine the nature and extent of discrimination. This tester pair is sent to the same sales agent or property manager named in the complainant's allegation.

A possible example of testing services under the new Civil Rights Ordinance could be: A single female feels she has been discriminated against because the rental agent told her that her she could not have a unit because her court decreed alimony was simply not "reliable" income. She contacts the Oregon Bureau of Labor and Industries (BOLI) to explain her problem. After listening to her complaint, BOLI will contact the Fair Housing Council of Oregon (FHCO) to conduct a test by sending out a pair of trained investigators, one female who says she is receiving alimony payments and another who states she is employed. After their separate contacts with the housing provider, the testers complete detailed, factual reports which are then analyzed by FHCO Staff. Test results are then forwarded to BOLI investigative staff for inclusion in their preliminary investigative report.

Despite being a relatively new organization, the Fair Housing Council of Oregon has had numerous successes with its testing

Commissioner Mike Lindberg Letter
November 7, 1991
Page Two

program. In a recent Multnomah County case, an African-American woman received a \$15,000 out of court settlement from a realty company. The woman's complaint was quickly settled after her attorney, Charles Merton, submitted testing evidence provided by the FHCO, to the respondent's attorneys.

The Fair Housing Council of Oregon was incorporated as a private, non-profit corporation one year ago and operated under a contract with Oregon Legal Services Corporation in 1990-1991. During our first year of operation, we received 192 bonafide housing discrimination complaints; conducted 81 tests; and found evidence of discrimination in 28 of these cases. We will be receiving a U.S. Department of Housing and Urban Development grant during 1992-93 to conduct education and outreach services state-wide. The FHCO will begin a new one-year contract with Oregon Legal Services for testing services early in 1992.

Commissioner Lindberg, I look forward to hearing from you or your staff about this proposal. Please feel free to contact me at 230-0239. I believe the Fair Housing Council of Oregon can play an instrumental role in the provision of civil rights protections to Portland's citizens. Enclosed you will find a brochure which explains our testing program.

Sincerely,



Donna Torrez Butler
Director

enclosure

cc: Madelyn Wessel, Deputy City Attorney
Kathleen Sadaat, Commissioner Kafoury's Office
Raleigh Lewis, BOLI

CITY OF PORTLAND
COMMISSIONER OF PUBLIC UTILITIES

M E M O R A N D U M

DATE: October 24, 1991
TO: Lisa W.
FROM: Kathleen
SUBJECT: **Phone Calling for Meeting**

I would appreciate it if you would call the people on the attached list and let them know about the next meeting of the group discussing Section 8. The meeting will be held:

MONDAY OCTOBER 28, 1991

FROM NOON UNTIL TWO PM

PORTLAND BUILDING, 9TH FLOOR CONFERENCE
ROOM

It is fine to leave messages on answering machines. Let people know that the turnaround time was too short to send an announcement by mail and that the phone call is the only notice they will get.

Thank you

CITY OF PORTLAND
COMMISSIONER OF PUBLIC UTILITIES

M E M O R A N D U M

DATE: October 21, 1991
TO: Gretchen
FROM: Kathleen
SUBJECT: **Civil Rights Ordinance: Section 8 Discussion**

In preparation for tomorrow, here is some information on last week's meeting, the names of those who attended is attached.

The agreement for last week's meeting was to have members of the housing industry come up with issues they felt needed to be addressed. This list of concerns (copy attached) provided the agenda for the meeting. Most of the items on the first page were addressed in some manner. It is true that many of the property managers do not understand what they can/cannot do under Section 8. This points to a need for more training and information dissemination. Some issues on the list are already being addressed, some can be better managed.

One issue seems to deserve our attention. In the course of the discussion it became apparent that the housing inspection guidelines for HAP are not as stringent as those for City and State code. The responsibility for inspection rests with the Housing Authority of Portland, the City plays no part in those inspections. This means that housing approved for Section 8 is not required to meet City Code. Conceivably, Section 8 tenants may end up living in housing that is in violation of City Code. I have asked the City Attorney to determine if the City would be liable in the instance where a tenant was injured or suffered a loss because of a violation of City Code. Her initial answer was that she "did not think the City would be liable". The second question, one which I will put to Margaret is how the transfer of authority was accomplished. My concern is that we not appear to have lax standards for housing for poor people. The issue is probably more complicated than that but I will let you know.

On page two of the issues document, most of the issues need to be addressed at the Federal level. HAP did explain options on one or two of the concerns listed, including the information that a landlord can execute a new lease in order to increase rent by more than 1.04415%.

The amount and difficulty of the paperwork involved in Section 8 leases was a concern for all. Judi Petri informed us that the Housing Section will be doing an internal "work smarter" audit that should help with this issue. Lou Savage was there and took many, many notes. He said he will be willing to help in any way that he can.

The next meeting is on Oct 23. The agenda is to finish with any mechanical pieces, then have the discussion on discrimination and what we can do.

RECEIVED

OCT 17 1991

COMMISSIONER OF
PUBLIC UTILITIES

4023 N. E. 32 Ave.
Portland, OR 97212
October 16, 1991

Kathleen Saadat
Office of Commissioner Kafoury
1220 SW 5th Ave.
Portland, OR 97204

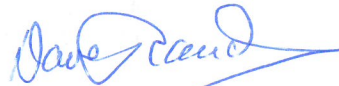
Dear Kathleen:

I have thought about your remark that you would not sign the general release I use in which the applicant for rental housing authorizes anyone questioned to release any information about the applicant which may be requested. In viewing this release from the applicant's point of view, I can understand why it might seem objectionably broad. Your point is well taken.

I will consider re-phrasing the statement to be more specific on what information is authorized for release. I never mis-use that authorization and seek only information pertinent to qualifying the applicant for a rental. I can, however, understand the potential for misuse by seeking personal information not relevant to qualification.

Thank you for bringing this issue to my attention. I do not wish to offend anybody by an insensitive attitude. I have never had anyone question this statement before including attorneys who have rented from me and signed the release form. You were perceptive in recognizing the potential this statement has to offend. It had not occurred to me. I appreciate your helpful comment.

Yours sincerely,



Dave Rand

P.S. My purpose in mentioning this release form was to point out the greater difficulty in obtaining information from Section 8. With others (previous landlord, employer, etc.), one can call on the phone and obtain the general information needed. With Sec. 8, they will make a written response only to written questions if the applicant has signed to release the information. The property owner cannot ask additional questions based on a response to an earlier question. It just requires better planning and acceptance of delay in response to get the information from Sec. 8.

Terry
Linda Bee
Jim
Carol
Judi Pitri
Edwina
Mange
Giles
John
David
Shawn
Emily
Ross

OLD - NOT MAINTAINED Bldgs -
Common for REINSPECTION to produce additional
violations
Granny Incha (Guardian Mt 410 units subsidized)
[MANAGEMENT INTENSIVE] Prog based \$800/month
SECT 8 \$428 cert/voucher?

MEETING NOTICE

DISCUSSION ON SECTION EIGHT ISSUES

NEXT MEETING: OCTOBER 15, 1991: NOON - TWO PM

1120 S.W. FIFTH : PORTLAND BUILDING; 9th floor conference room (ask receptionist for direction)

We agreed to discuss specifics of landlords/property management concerns with Section 8. We will try to have more statistical information to present for discussion.

Judi Pitri: HAP/SECT 8 will go through "work smarter" study, to determine how to be more efficient. WANT TO INVOLVE Landlords - Clients, Applicants. 30 DAY TURN AROUND - OUTSIDE CONSULTANT -

- What are resources for LANDLORDS -
- * TRAINING THROUGH HAP - incl HOW/WHAT TO DO WHEN PROBLEMS

Landlords - needs for TRAINING at "SECT 8"

HANDBOOK -

TERMINATION Rights Attach addendum to lease giving specific TERMINATION Rts. ~~CAPE 800~~

BRIEFS/



CITY OF
PORTLAND, OREGON
DEPARTMENT OF PUBLIC UTILITIES

Gretchen Kafoury, Commissioner
1220 S.W. 5th Avenue
Portland, Oregon 97204
Telephone: (503) 823-4151

October 11, 1991

Judi Pitre
Housing Authority of Portland

Dear Judi:

As I am sure you know by now, this office is facilitating discussions between representatives of the housing industry, advocates for the economically disadvantaged, the HAP, Multnomah County and the City of Portland. This discussion was precipitated by the passage of a Civil Rights Ordinance by the City. The Ordinance banned discrimination based on **source of income**. The purpose of the discussion is to resolve as many conflicts as possible between landlords and the Section 8 housing program to help reduce the bias against the program which in turn affects the ability of certificate and voucher holders to obtain housing with ease.

At our next meeting October 15, 1991 at noon (9th floor conference room in the Portland Building), we would like to get a better understanding of the details of both the Section 8 Certificate and Voucher programs. We were told that your office might be able to provide us some basic information. This letter and the attached pages are a request for help. Thank you for your consideration. If you have any questions, please call me at 823-3032.

Sincerely,

Kathleen D. Saadat

Post-It™ brand fax transmittal memo 7671		# of pages ▶	
To	Judi Pitre	From	K. Saadat
Co.	HAP	Co.	G. Kafoury's office
Dept.	Housing Dept	Phone #	823-3032
Fax #	228-4872	Fax #	823-3014

DISCUSSION OF HAP SECTION 8 PROGRAM

REQUEST FOR INFORMATION

For this past fiscal year and for this fiscal year (Year to Date), it would be helpful to the discussion group to have information on both the Section 8 Certificate and Voucher programs:

Income Guidelines for both programs

Certificates/Vouchers available for issue _____

Certificates/Vouchers issued _____

Of each category (Certificate or Voucher) issued:

Total number used within 30 days _____

Total number used within 60 days _____

Total number used within 120 days _____

Total number of Certificates/Vouchers currently in use by Zip Code

Family status; Race; Age; Income; Disability status; and Gender of head of household of certificate/voucher holders finding housing at 60 days and at 120 days.

Same information for those not finding housing

Same information for those on waiting list

Numbers and Per Cents of Certificates/Vouchers issued

Where rent exceeds the \$492/month average _____

Where rent is less than \$492/month average _____

Where subsidy pays 75% or more of actual rent _____

Where subsidy pays 50% or more of actual rent _____

Where subsidy pays 25% or less of actual rent _____

Special Priority Categories and number of certificate/voucher holders in each category

Number of Evictions requested and reasons _____

Number of successful evictions and reasons _____

Number of Lease Terminations (excluding evictions) requested _____

Number of Lease Terminations (excluding evictions) completed _____

Number of Landlords using certificates who have
1-5 units _____ 6-10 units _____ 11-50 units _____
51-100 units _____ over 100 units _____

Brief description of the guidelines/requirements for training landlords.

Number of trainings last FY _____ Number of landlords trained
(all sessions) _____ in program _____ % as function of total landlords
Number of trainings this FY _____ Number of landlords trained
(all sessions) _____ in program _____ % as function of total landlords



CITY OF
PORTLAND, OREGON
OFFICE OF THE MAYOR

Office of
J.E. Bud Clark, Mayor
1220 S.W. 5th
Portland, Oregon 97204
(503) 823-4120

October 2, 1991

TO: Commissioner Mike Lindberg, Council President
Commissioner Earl Blumenauer
Commissioner Dick Bogle
✓ Commissioner Gretchen Kafoury

FROM: J.E. Bud Clark, Mayor *J.E. Bud Clark*

SUBJECT: Civil Rights Ordinance (Council Calendar Item 1692)

Six months ago I made a commitment to travel with the Portland Chamber to attend the Japan-America Mayors Conference in Sendai, Japan. For this reason, I am unable to be present to vote on the Civil Rights Ordinance. However, I would like the record to reflect my complete support for the ordinance as it has been amended and as it is before you now.

I believe this ordinance is the first step toward our commitment to reach the preferred future described in Portland Future Focus. The vision for Portland articulated in that report underscores the importance of creating a climate in our city that allows diverse people and lifestyles to exist peacefully and productively. This ordinance protects against discrimination in housing, employment and public accommodations, protections that are needed by those whose differences leave them vulnerable to the abuses of intolerance and bigotry. By adopting this ordinance, Portland joins the growing list of cities that make it their responsibility to assure the safety and well-being of all who live within their borders.

Urban researchers have described a city as a state of mind, as well as a place to live. Let it be said that the Portland state of mind is one that celebrates the diversity of our people as proudly as we recognize the beauty of our environment.

CITY OF PORTLAND
COMMISSIONER OF PUBLIC UTILITIES

M E M O R A N D U M

DATE: October 2, 1991
TO: Gretchen
FROM: Kathleen *Kathleen*
SUBJECT: Civil Rights and Section 8

I have set a meeting for Monday, October 7th from 3-5pm, room 321 City Hall to continue the dialogue on the Section 8 issues. I have heard from all but two people, Emily Ceaderleaf is one of those, she was out of the office. I have not yet spoken to someone from Legal Aid about Monday's meeting but Madelyn and I have been invited to meet with an advocate group tomorrow morning and someone from Legal Aid should be there.

In addition to those on the list I gave you, Bernie Bottomly and Lou Savage from AuCoin's and Wyden's office should be in attendance. One important thing to do will be to clarify the source of policy as it affects the program, i.e., is it Housing Authority of Portland or HUD we need to talk to and about what?

If you have any instructions, cautions, advice of any nature, please let me know ASAP. Thank you.

- Hannah -
Segregated housing issue
Voluntary assistance
Educate Landlords

EDWINA
5% unused cert to fixate
of extensions/month



CITY OF
PORTLAND, OREGON

OFFICE OF CITY ATTORNEY

Jeffrey L. Rogers, City Attorney
1220 S.W. 5th Avenue
Portland, Oregon 97204
(503) 823-4047

September 26, 1991

TO: Mayor J.E. Bud Clark
Commissioner Earl Blumenauer
Commissioner Dick Bogle
Commissioner Mike Lindberg
Auditor Barbara Clark

FROM: Commissioner Gretchen Kafoury

SUBJ: Civil Rights Ordinance: Suggested Amendments

I would like to propose the following amendments to the proposed civil rights ordinance.

Page 1 of 6 - Exhibit A: 23.01.030 Definitions, Paragraph B, line one: Delete: "manner or" from the line.

Page 2 of 6 - Exhibit A: 23.01.040 Exceptions, Paragraph B, Section 1: Delete: "a", "and" and substitute "or" so that the paragraph reads:

1. inquiry into and verification of a source or amount of income;

Page 2 of 6 - Exhibit A: 23.01.040 Exceptions, Paragraph B, Section 2: Delete: "a", "and"; add "decisions based on," and "amount" so that the paragraph reads:

2. inquiry into, evaluation of, and decisions based on the amount, stability, security or creditworthiness of any source of income;

Page 2 of 6 - Exhibit A: 23.01.040 Exceptions, Paragraph B, Section 3: Delete from "any. . ." to "dependents" and add "screening prospective purchasers and tenants on bases not specifically prohibited by this chapter or state or federal law;" so that the paragraph reads:

3. screening prospective purchasers and tenants on bases not specifically prohibited by this chapter or state or federal law;

GGK:BR
kafoury.all

CITY OF PORTLAND
COMMISSIONER OF PUBLIC UTILITIES

M E M O R A N D U M

DATE: September 26, 1991
TO: Gretchen
FROM: Kathleen
SUBJECT: **Civil Rights Ordinance**

City Council Staff meet this afternoon to go over fine points and assess positions. Here are things you need to know:

The proposal is to do initial amendments up front. This is to instil confidence in the housing industry representatives that we heard them. Mike will open and set parameters, turn it over to you re amendments, at which point you ask Madelyn to walk us through changes or take us through them yourself. Changes must be in the form of amendments (**not substitutions**) if Council is going to vote on ordinance ~~next week.~~ *Today*

PROBLEM: There is no City Council Agenda next week as it is the time scheduled for City County discussion. Chris T. is going to suggest to Bud that the City/County meeting be moved to 2:30 so that council can take care of this business and vote on the ordinance. **Let me know if you have a problem with this arrangement.**

NO
4125

CIVIL RIGHTS ORDINANCE

3:00 Opening of Hearing

Lindberg

Greetings

Orientation

* Second Hearing

* Alternating testimony from the
sign-up sheets, pro and con

* Council Discussion

* Consider any additional amendments

But First:

* Commissioner Kafoury has met with
some of the Housing interests, and
would like to offer several small
amendments.

* As these amendments may offer a
degree of clarification to the
questions we are considering today,
I will defer to Commissioner Kafoury
to hear these.

Kafoury

Will call on Madelyn Wessel to define the
suggested amendments.

Madelyn

Run through suggested language changes.

Council

Vote on these amendments

3:15 Testimony

Alternating pro and con

Names read by Council Clerk

COUNCIL DISCUSSION

COUNCIL AMENDMENTS NOT YET HEARD

VOTE ON ANY ADDITIONAL AMENDMENTS

ANNOUNCEMENT OF DATE AND TIME OF FINAL VOTE ON ORDINANCE

Kamran

CIVIL RIGHTS ORDINANCE

GOALS FOR WEDNESDAY:

1. Orient Council to the Process
 - A. Wednesday Hearing from Public
 - B. Thursday, 3:00pm
 1. Continue Hearing if necessary
 2. Council discussion and offering of amendments to current draft.
 - a. City Attorney will have several small amendments that clarify intent, etc.
 - b. Commissioner Kafoury has planned to offer an amendment, a word deletion.
 - C. October 2 First Reading of amended ordinance if appropriate.
 - D. October 10 Vote on amended ordinance
2. Complete First Hearing
3. Complete Mayor's Forum
4. Answer additional questions from press as necessary.

GOALS FOR THURSDAY:

1. Complete Public Testimony if needed
2. Identify amendments to ordinance (vote or consensus?)
3. Complete a redraft of ordinance with amendments for Friday filing.

GOALS FOR FRIDAY:

1. File amended ordinance

CIVIL RIGHTS ORDINANCE

POINTS FOR LINDBERG AT COUNCIL:

1. Welcome Everyone
2. Orient to the Process

Wednesday, 10:00 - 12:00am Hearing, Testimony

* Organized Testimony to ensure overall presentation
of Findings.

* Sign-up Sheet, alternating supporters and opponents.

Thursday, 3:00pm

Continue Hearing if
Necessary

Council Discussion of
Amendments

Friday, 10:00am

File Amended Ordinance

October 2

First Reading of Amended
Ordinance

October 10

Vote on Amended Ordinance

3. Comments

Today we are making history in Portland.

In an atmosphere of increasing hate-related crimes, the City Council is considering the passage of a civil rights ordinance which moves us one step closer to a goal of equality under the law for all of our citizens.

This is an opportunity to reaffirm our commitment to wiping out hate-related crimes in our City. We can step forward with strong public policy which provides protections for the individual citizen who may be gay or lesbian, or may be economically disadvantaged.

It is an opportunity to reaffirm the goals of the Diversity Working Group of Future Focus, and to provide teeth in the law that will begin the process of making discrimination an unacceptable behavior in our City.

It is an opportunity to reaffirm our commitment to greater fairness for those less fortunate among us, and to begin the process of offering greater opportunity to all of our citizens.

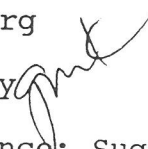


CITY OF
PORTLAND, OREGON
DEPARTMENT OF PUBLIC UTILITIES

Gretchen Kafoury, Commissioner
1220 S.W. 5th Avenue
Portland, Oregon 97204
Telephone: (503) 823-4151

September 25, 1991

TO: Mayor Clark
Commissioner Blumenauer
Commissioner Bogle
Commissioner Lindberg

FROM: Commissioner Kafoury 

RE: Civil Rights Ordinance: Suggested Amendments

Discussions with representatives from the housing and property management community have resulted in suggestions that the following changes be made in the ordinance:

Page 1 of 6-Exhibit A : 23.01.030 Definitions, Paragraph B, line one: Delete: "manner or" from the line. Industry representatives felt this to be ambiguous language, Deputy Attorney Wessel saw no problem with deleting these words.

Page 2 of 6-Exhibit A: 23.01.040 Exceptions, Paragraph B, Section 2: Add: "and decision based on" to this section. Industry representatives wanted to include a statement of the action that could result from "an inquiry into, evaluation of" as it relates to screening.

Page 2 of 6-Exhibit A: 23.01.040 Exceptions, Paragraph B, Section 3: Delete previous paragraph referring to banks and other lending institutions. This deletion is recommended by Attorney Wessel on the grounds that it has proved confusing, is not helpful and does not specifically relate to source of income. **ADD:** "screening prospective purchasers and tenants on bases not specifically prohibited by this code" Industry representatives felt there is a need to insure their ability to establish and use their own screening policies.

I am in agreement with the proposed changes and would appreciate hearing your concerns or recommendations by 10 a.m. on Thursday, September 26th. Please call Kathleen Saadat (823-3032) in my office if you need information or have questions.

EXHIBIT A

Title 23 Civil Rights

Chapter 23.01

23.01.010 Policy

It is the policy of the City of Portland to eliminate discrimination based on race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation or source of income. Such discrimination poses a threat to the health, safety and general welfare of the citizens of Portland and menaces the institutions and foundation of our community.

23.01.020 Intent

The City Council finds that discrimination on the basis of sexual orientation and source of income exists in the City of Portland and that state law does not clearly prohibit such discrimination. It is the intent of the Council, in the exercise of its powers for the protection of the public health, safety, and general welfare and for the maintenance of peace and good government, that every individual shall have an equal opportunity to participate fully in the life of the City and that discriminatory barriers to equal participation in employment, housing, and public accommodations be removed.

23.01.030 Definitions

A. "Sexual Orientation" - actual or supposed male or female homosexuality, heterosexuality or bisexuality.

B. "Source of Income" - the ~~manner~~ ^{or} means by which a person supports himself or herself and his or her dependents, including but not limited to money and property from any occupation, profession or activity, from any contract, settlement or agreement, from federal or state payments, court-ordered payments, gifts, bequests, annuities, life insurance policies, and compensation for illness or injury, but excluding any money or property derived in a manner made illegal or criminal by any law, statute or ordinance.

C. All other terms used in this ordinance are to be defined as in Oregon Revised Statutes Chapter 659.

23.01.040 Exceptions

A. The prohibitions in this Chapter against discriminating on the basis of sexual orientation do not apply:

1. to the leasing or renting of a room or rooms within an individual living unit which is occupied by the lessor as his or her residence;

2. to dwellings with not more than two individual living units where one of the units is owner occupied;

3. to space within a church, temple, synagogue, religious school, or other facility used primarily for religious purposes.

B. The prohibitions in this Chapter against discriminating on the basis of source of income do not prohibit:

1. an inquiry into and verification of a source of income;

2. an inquiry into, evaluation of, and decision based on the amount, stability, security and creditworthiness of any source of income;

3. screening prospective purchasers and tenants on bases not specifically prohibited by this code;

23.01.050 Discrimination in Employment Prohibited

A. It shall be unlawful to discriminate in employment on the basis of an individual's race, religion, color, sex, national origin, marital status, age if the individual is 18 years of age or older, or disability, by committing any of the acts made unlawful under the provisions of ORS 659.030 and 659.425.

B. In addition, it shall be unlawful to discriminate in employment on the basis of an

FAX COVER SHEET

RECEIVED
SEP 18 1991
COMMISSIONER OF
PUBLIC UTILITIES

TO:

KATHLEEN SAHAAT

COMPANY &
LOCATION:

MSAN KAFoury's Office

1220 SW Fifth

FAX #:

823-3014

FROM:

Hannah Callaghan

COMPANY &
LOCATION:

Multnomah County Legal Aid Service, Inc.
310 S.W. Fourth Avenue #900
Portland, OR 97204

FROM FAX #

(503) 295-9496

INSTRUCTIONS:

2 pages w/ suggested changes.

Tried to FAX it, but it
wouldn't go ———
WK

Total number of pages being sent (including cover):

3

If there is a problem with this transmission, please call: (503) 224-4094

Suggested
changes

DRAFT of September 16, 1991:

EXHIBIT A

CITY OF PORTLAND CIVIL RIGHTS ORDINANCE

Title ____, Chapter ____

Section I - Policy

It is the policy of the City of Portland to eliminate discrimination based on race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation or source of income. Such discrimination poses a threat to the health, safety and general welfare of the citizens of Portland and menaces the institutions and foundation of our community.

Section II - Intent

The City Council finds that discrimination on the basis of sexual orientation and source of income exists in the City of Portland and that state law does not clearly prohibit such discrimination. It is the intent of the Council, in the exercise of its powers for the protection of the public health, safety, and general welfare and for the maintenance of peace and good government, that every individual shall have an equal opportunity to participate fully in the life of the City and that discriminatory barriers to equal participation in employment, housing, and public accommodations be removed.

Section III - Definitions

(a) "Sexual Orientation" - actual or ~~supposed~~ male or female homosexuality, heterosexuality or bisexuality.

PERCEIVED

(b) "Source of Income" - the manner or means by which a person supports himself or herself and his or her dependents, including ~~but not limited~~ *public assistance* to money and property from any occupation, *or income from any source* profession or activity, from any contract, *public or private.* settlement or agreement, from federal or state payments, court-ordered payments, gifts, bequests, annuities, life insurance policies, and compensation for illness or injury, but excluding any money or property derived in a manner made illegal or criminal by any law, statute or ordinance.

(c) All other terms used in this ordinance are to be defined as in Oregon Revised Statutes Chapter 659.

Section IV - Exceptions

(a) The prohibitions in this Chapter against discriminating on the basis of sexual orientation do not:

(1) apply to the leasing or renting of a room or rooms within an individual living unit which is occupied by the lessor as his or her residence;

(2) apply to dwellings with not more than two individual living units where one of the units is owner occupied;

(3) apply to space within a church, temple, synagogue, religious school, or other facility used primarily for religious purposes.

RECEIVED

SEP 18 1991

**COMMISSIONER OF
PUBLIC UTILITIES**

KATHLEEN,

As things begin to heat up in these last few days around the civil rights ordinance, I'll attempt to keep you updated on whatever comes around that may be of interest, as time will be of the essence.

Here are a few items:

1. We have scheduled additional time for testimony, time certain, at 3:00pm on Thursday, September 26th. This will allow folks to come in who might not have been heard, and give Council some extra time to deal with directions for the next week. It will give us as staff folks the time to craft another revision of the ordinance on Thursday afternoon for Friday, 27th, filing.
2. I will fax a copy of the latest version of the ordinance to Emily today, but with the caveat that there will be another by tomorrow.
3. We need to have all final language to Madelyn by noon Thursday in order to give her secretary the time to make revisions and prepare for Friday filing.
4. Madelyn has requested to go to the meeting with Hildebrand, to answer technical questions. We are OK on that, but wanted to run it by your office.
5. We will need to walk the ordinance around on Thursday afternoon prior to the meeting with Hildebrand at 3:00pm to get Council signatures.

Thanks, There will be more I'm sure today.

Keeston

CIVIL RIGHTS DISCUSSION NOTES
September 4, 1991

- 1) Source of Income: Landlord cannot ask about Source?
 - 2) B.O.L.I. Concern: How to take on additional responsibilities:
Need training
 - 3) Disc. in Renting - include Emancipated youths
 - 4) Protection of Agency clients when Agency pays rent
 - 5) Remove "Violence" from criminal activity
- "Not including Landlord" re: Credit Worthiness
 - Want MHRC "beefed" to do enforcement
 - Add section re: City Contracts with vendors need to obey ordinance
 - Remove double negatives from "not including landlord"
 - Employment needs expansion re: promotion
 - Stability (4.a.z.) needs definition
 - How does it affect Section 8 Rental: Length of contract is of concern
 - Make enforcement Accessible, easy, (BOLI too Bureau?)
 - Page 10 - Explain Code rewrites
 - Sec 3b: include child & Spousal support

Page 2
Civil Rights Discussion
September 4, 1991

- Don't believe Source of Income should be considered KEEP IT IN ORDINANCE
- Educational process re: Diversity needs to follow on Ordinance Passage
- Concern with inconsistencies
- Concerned with list of exceptions in ordinance
- See 4 a & b why single or sexual orientation?
- Can BOLI enforce City Ordinance that includes Sexual Orientation?
- Concern: Opposition to BOLI Enforcement - MHRC be Enforcer
- Would Section 8 be protected by this Ordinance?
- {Needs Teeth/Strong Penalties} {education/outreach}
- Tom's Concern: Need to eliminate invalid complaints
City should stay out of "source of income"
Property Management business "Reasonable income factor needed"
- Who is protected by "source of Income?"
- Need to educate Public on Ordinance
- Enforcement how will it work?
- Plan to protect the Ordinance from OCA types

Agenda
Wednesday, September 4, 1991
6:30pm

- A. Introductions
- B. Future Focus, Diversity Action Plan
- C. Overview of Civil Rights Ordinance
- D. Small group discussions
- E. Recommend amendments/changes to Ordinance
- G. Next steps

Reception
8pm

Special thanks to Right to Privacy
and Lesbian Community Project for their
donations for renting this meeting space

CITY OF PORTLAND
COMMISSIONER OF PUBLIC UTILITIES

M E M O R A N D U M

DATE: August 13, 1991
TO: Madelyn Wessel
FROM: Thomas *Thomas*
SUBJECT: **Civil Rights Ordinance community outreach**

Welcome back!

I want to bring you up to date on what I have been doing. I have included a copy of the letter sent out to 150 community groups introducing the civil rights ordinance. I have also included a list of the groups to whom the letter was sent. If you have names to add, please let me know.

We have received several phone calls and letters of support from these groups. I have enclosed a copy of the letter from Legal Aid Service for your consideration and information.

If I can be of any help, please call.

Thanks.



Thomas,

I talked with Ross Day today finally, and he's OK for now, just wanted to get his two cents worth into the process.

He is fine with a meeting the week of the 26th, and was even suggesting that I wait until that time to set it up.

That may not work for schedules, though it is OK with mine personally.

Did Gretchen want to attend personally, or just staff?

If she wants to, and thus Mike needs to, just call ART in my absence to set it up. Someone from one of our offices would just need to follow thru with Ross Day.

If it is just me, my schedule is on my desk, and can be written in at any time for anything important.

Thanks,

Keeston

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AUG 19 1991
COMMISSIONER OF
PUBLIC UTILITIES

CITY OF PORTLAND
COMMISSIONER OF PUBLIC UTILITIES

M E M O R A N D U M

DATE: August 13, 1991
TO: Gretchen and Kathleen
FROM: Thomas *Thomas*
SUBJECT: Response to Civil Rights letter sent out to community groups by Gretchen and Mike on July 20, 1991

July 31, 1991

American Contractors Association
Bruce Broussard, Executive Director
280-9000

Comments: generally supportive. wants Gretchen and Mike and perhaps someone else to appear on NE Spectrum on August 28th from 8-9. he is concerned about BOLI doing the enforcement. he doesn't think a state body should handle the city's business. he suggested a ticketing policy, where people are fined for violation of the ordinance. he expressed concern about Kathleen being on the working group and had questions about her sexuality. she called him and worked that one out.

Recommendations: Gretchen and Mike should appear on NE Spectrum together, and also bring in a couple of community people (Rich Brown, Donna Red Wing, Avel Gordly).

*

August 1, 1991

City Club of Portland
Nancy K. Hedin, Executive Director

Comments: the club has a policy which prevents the board or any member of the club from representing the club on any issue unless the club has already taken an official position on that issue. she has referred the letter and memo to their Human Services standing committee and to the Program Committee for their consideration. if we want someone from their club to serve as an official club representative on an outside board, commission, or task force, we

can request that. in the meanwhile, she assures us her personal support and will spread the word to individual club members. she is very supportive.

*

July 31, 1991

Confederated Tribes of the Siletz
Kelli Brugh, Supervisor

Comments: supportive. she had questions about BOLI as a state agency doing city enforcement. she wanted clarification about the difference between ORS 659 and the proposed ordinance. she will encourage the board to write a letter of support.

*

August 13, 1991

Multnomah County Legal Aid
Hannah Callaghan, Acting Director

Comments: sent a letter of support. wants more examination of landlords giving tenants 30-day "no cause" notices of termination of tenancy for illegal, discriminatory reasons.

Recommendations: I forwarded a copy of the letter to Keeston and Madelyn and will keep you informed

*

August 9, 1991

Oregon Alliance for Progressive Policy
Rhys Scholes, President

Comments: sent a letter of support for the concept of the ordinance

*

August 5, 1991

Oregon Commission for Women
Laurie Wimmer, Executive Director and Ann Small, Commission Chair

Comments: sent a letter of support for the ordinance

*

August 13, 1991

St. James Lutheran Church
Reverend Joe Smith

Comments: sent a letter affirming gay and lesbian people

*

August 4, 1991

Urban League of Portland
Dr. Darryl Tukufu, President and CEO

Comments: he is supportive of the concept of the ordinance. he was concerned that BOLI might not be the best enforcing mechanism, and offered MHRC as an alternative. I will talk more with him, and keep you posted

*



CITY OF
PORTLAND, OREGON
OFFICE OF PUBLIC AFFAIRS

Mike Lindberg, Commissioner
1220 S.W. Fifth Ave.
Portland, OR 97204
(503) 823-4145

July 20, 1991

Right to Privacy, Inc.
John Baker and Linda Welch
Chairperson and Executive Director
921 SW Morrison
Portland, Oregon 97205

Dear John Baker and Linda Welch:

In April, 1991, the Diversity Working Group of Portland Future Focus stated its goal to "**Embrace and celebrate diversity and eliminate bigotry.**" In light of that goal, and in light of what appears to be an increase in hate crime activities in the Portland community, representatives from the offices of the Mayor and the City Commissioners have been working with the City Attorney's office to draft a civil rights ordinance. As you may know, Portland, unlike many other major cities across the United States, does not have a civil rights law that regulates activity outside of city government. We need to send a strong message to the Portland community that our city is one which welcomes and respects the individualities, unique talents and contributions of all people.

Enclosed is a copy of a memo from Madelyn Wessel, Deputy City Attorney, to Commissioner Lindberg outlining what the civil rights ordinance will most likely cover. In the next month, we will be meeting with members of the Portland community to discuss the ordinance before presenting it to the full City Council sometime in September. We are anxious for your input and hope that your organization will support and work for the passage of this ordinance.

We urge you to ask your organization for a letter of support for passage of this important ordinance.

If you have any questions, please call Keeston Lowery in Commissioner Lindberg's office at 823-4046 or Thomas Lauderdale in Commissioner Kafoury's office at 823-4151.

Sincerely,

Mike Lindberg
Comm. of Public Affairs

Gretchen Kafoury
Comm. of Public Utilities

MKL/GMK/tml



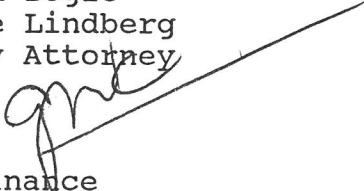
CITY OF
PORTLAND, OREGON
DEPARTMENT OF PUBLIC UTILITIES

Gretchen Kafoury, Commissioner
1220 S.W. 5th Avenue
Portland, Oregon 97204
Telephone: (503) 823-4151

M E M O R A N D U M

DATE: July 9, 1991

TO: Mayor J.E. "Bud" Clark
Commissioner Earl Blumenauer
Commissioner Dick Bogle
Commissioner Mike Lindberg
Jeff Rogers, City Attorney

FROM: Gretchen Kafoury 

RE: Civil Rights Ordinance

Earlier this year, members of the Lesbian and Gay community asked City Council to pass an Ordinance prohibiting discrimination on the basis of sexual orientation. Discussions helped us recognize the need to expand the concept and be more inclusive, as the City does not have an ordinance which prohibits discrimination against any group. Members of the Lesbian and Gay community agreed to this expansion and understood that their request to have the ordinance passed in June could not be met. We did agree to work to have City Council hear a Civil Rights Ordinance around September 15th.

In light of our Future Focus goal to **"Embrace and celebrate diversity and eliminate bigotry"**, and in light of what appears to be an increase in hate crime activity, I believe it is critical for us to make every effort to meet the time lines upon which we agreed (my understanding of the rough timeline is presented below). If you have any questions, please feel free to call either Kathleen Saadat (823-3032) or Thomas Lauderdale (823-3033).

Thank You

TIMELINE

August 1-15	Draft Ordinance Available
August 15 - Sept 4	Circulate Draft for Comment
Sept 15- 30	Presentation to Council

cc K. Saadat
T. Lauderdale

CITY OF PORTLAND
COMMISSIONER OF PUBLIC UTILITIES

M E M O R A N D U M

DATE: June 27, 1991
TO: STAFF
FROM: THOMAS *Thomas*
SUBJECT: CIVIL RIGHTS ORDINANCE

I participated in a meeting with Keeston Lowery, Chris Tobkin, Julia Pomeroy, Madelyn Wessel from the City Attorney's office, and members of the gay and lesbian community yesterday to work out the logistics of the civil rights bill.

It looks like the following will be included:

1. Race, color, national origin, sex, sexual orientation, marital status, familial status, religion, disability, age, political affiliation, source of income.
2. The protected categories will be the same as ORS 659. (Employment, public accomodations, housing, education, leding and credit, real estate) This will make enforcement easier for BOLI (as they already are the enforcing agent). Also, there is a concern that if the City contracts with BOLI for additional categories, there might be legal battles ahead, particularly between BOLI and the Attorney General's office.
3. So BOLI will probably be the enforcing agent. Madelyn Wessel has to talk more with the people from BOLI to work out the logistics.

Just a small little note: At the end of the meeting, Linda Welch of Right to Privacy expressed concern about the timelines. Madelyn Wessel will not be able to get a first draft until September 1, and Linda was upset because of the setback. She feels like the gay and lesbian community has been "dissed" by the city.

I think it's all going to be fine, but I thought you should know that some gay and lesbian community leaders feel dubious about the City Council.

*Lucille Thomas
Oct 12*

CITY OF PORTLAND
COMMISSIONER OF PUBLIC UTILITIES

M E M O R A N D U M

DATE: June 24, 1991
TO: COMMISSIONER MIKE LINDBERG
FROM: COMMISSIONER GRETCHEN KAFOURY
SUBJECT: **CIVIL RIGHTS ORDINANCE**



We discussed the memorandum from Madelyn Wessel to you regarding the civil rights ordinance in last week's staff meeting. This office supports such an ordinance and makes the following recommendations:

The protected categories should be race, color, religion, national origin, age, sex, marital status, sexual orientation, physical handicap and source of income.


Activities covered should include housing, employment, public accommodations, lending, services and education. Insurance should be explored at a later date (perhaps included in a domestic partners ordinance).

I think BOLI would be a perfect body to enforce this ordinance (as they already are the enforcing agent for ORS 659).

Staff: for your information

CITY OF PORTLAND
COMMISSIONER OF PUBLIC UTILITIES

M E M O R A N D U M

DATE: June 18, 1991
TO: Gretchen Kafoury
FROM: Thomas M. Lauderdale 
SUBJECT: CIVIL RIGHTS ORDINANCE

*T.E. to
Futures*

We discussed the interoffice memorandum from Madelyn Wessel to Commissioner Lindberg regarding the civil rights ordinance in yesterday's staff meeting. Everyone seemed supportive, and we came up with the following:

1. Housing, employment, public accommodations, lending, services and education should be included. Because of the intricacies (and cost) of insurance, the staff felt that that could be a next step, introduced in a domestic partners ordinance.
2. MHRC - as it is now structured - should not enforce the antidiscrimination provisions of the ordinance. BOLI would be perfect (as they already are the enforcing agent for ORS 659).
3. The one question that was raised was what the protected categories should be. Everyone agreed that race, color, religion, national origin, age, sex, marital status, sexual orientation, and physical handicap should be included. There was no consensus on "source of income."

The staff felt that we needed a working definition of "personal appearance", however, before deciding whether or not to include it. In Washington D.C.'s ordinance, the definition of "personal appearance" is:

"The outward appearance of any person, irrespective of sex, with regard to bodily condition or characteristics, manner or style of dress, and manner or style of personal grooming, including, but not limited to, hair style and beards. It shall not relate, however, to the requirement of cleanliness, uniforms, or prescribed standards, when uniformly applied for admittance to a public accommodation, or when uniformly applied to a class of employees, for a reasonable business purpose, or when such bodily conditions or characteristics, or style or manner of dress or personal

cc: stutt

grooming presents a danger to the health, welfare or safety of any individual."

I will be meeting with staff members to discuss "personal appearance" more and will then work on getting a final recommendation for Commissioner Lindberg's office June 21 deadline.

Oinks and Thanks!

CITY OF PORTLAND
COMMISSIONER OF PUBLIC UTILITIES

M E M O R A N D U M

DATE: May 21, 1991
TO: Gretchen
FROM: Kathleen
SUBJECT: **Gay Rights/Human Rights**

BACKGROUND: For some months Keeston in Mike Lindburg's office, has been working with Madelyn Wessel (City Attorney's Office) to:

Determine whether or not the City of Portland has the authority to pass an ordinance which requires private industry to extend civil rights protections to people from the Lesbian and Gay community.

Review ordinances from cities that have extended protections and see what might best fit the needs of Portland.

Members of the Gay and Lesbian Community recently wrote the City Council asking for a Gay Rights ordinance that would extend protection in housing, education, jobs etc., to be passed by June 22, 1991. On the Ides of May, a meeting was held to discuss the improbability of City Council meeting that deadline and the reasons why. John Baker, Donna Redwing, Cathy Siemens, Gary Wilson, Terry Duffy, Luis Machorro, Keeston, Madelyn and representatives from Earl's, Mike's, and Bud's office were there. (Don't remember anyone from Bogle's.) Madelyn briefed everyone on her findings and explained the rationale for working to get a civil rights ordinance passed rather than a gay rights ordinance. The discussion focused on timelines and disbelief from some that the State Legislature would have any effect on what is done by City Hall. (J. Baker said this in the room and later Cathy S. told me she had talked with people in Salem who thought that pre-emption is not a real issue.) I am not certain that we convinced John or Cathy that it is an issue to be considered.

Coalition Building was another area that took some time to talk about. The Gay and Lesbian groups have not built the coalitions that would provide the broad based support the City Council will

need to insure that what ever ordinance is passed has some meaning and some chance to become effective. The staff person from the Right to Privacy PAC reported that she had met with EMO that morning to get their support and to start building such a coalition. Some members from the Gay and Lesbian community tried to turn all responsibility over to the City for 1) preparing the ordinance, including deciding what it will say; 2) passing the ordinance, regardless of the issues of pre-emption and/or coalition building; 3) enforcing the ordinance. Other members of the community recognized the need for the community and the City to work together.

Madelyn is currently in discussion with BOLI about the viability of having that agency contract with the city to do the enforcement if an ordinance is passed. In addition to the legal issues are some pretty sensitive political issues.

The Community is waiting to hear from the City, the City is waiting to hear from its attorney who is in turn talking with BOLI. I suspect that we will not have a clear idea of what things can look like before the middle of June. There seems to be agreement between you and Mike that there is a need to wait till session ends before trying to pass such an ordinance.

The recent filing of an initiative (attached), by OCA may in fact make it easier for the City to pass a civil rights ordinance. Many people are truly upset by the initiative, its language, and the way it ties homosexuality to criminal acts. MHRC will hold a press conference today at 2:30. I will probably attend. There is speculation that signatures for the initiative will be gathered as part of the July 4th parade here in Puddle Town.

RECOMMENDATIONS: Nothing revolutionary here, just get the information from Madelyn and try to make a reasonable decision based on the outcome of her discussions with BOLI. I have been told that someone in Bogle's office started drafting a resolution yesterday, I am waiting for a call back to see what is going on. If they are already doing it, I think they should continue. You will have a chance to say something good and relevant when it comes before you. If they are not working on such a thing I will draft a resolution today. I will talk with Lisa today about a meeting between you and members of the community....they had asked to have it postponed until after the briefing from the City Attorney. Recognize that this is a scary time for people and know that some are going to hold the City responsible for what they themselves have not done. (I think it is time that some of the white gay men had to work with people who are not white gay men.) You have been consistent on this issue, don't let them make you feel guilty.



CITY OF

PORTLAND, OREGON

OFFICE OF PUBLIC AFFAIRS

Mike Lindberg, Commissioner
1220 S.W. Fifth Ave.
Portland, OR 97204
(503) 823-4145

MEASURE 8?

PreEmption

MADLYN W.

S.E. UPLIFT

- MHRG OR BOLI N New Body
- GAY RIGHTS N CIVIL RIGHTS

BRIEFING ON PROPOSED CIVIL RIGHTS ORDINANCE

CURRENTLY -

- CITY HAS AUTHORITY TO PASS ORDINANCE AS PER CHARTER - 2105

REASONABLE BASIS

- Preemption - Cannot do CRIMINAL STUFF
Not currently preempted on civil side

BETTER SHAPE IF FINDINGS - HEARINGS - SHOW
NEED & INSUFFICIENT COVERAGE BY STATE LAW

- PROTECTED GROUPS?
ACTIVITIES COVERED?

ENFORCEMENT RESPONSIBILITY?

Commissioner Mike Lindberg's Office
1220 S.W. Fifth Avenue
City Hall, Room 414

Linda Welch
Attn: Privacy Administrator RTP/PAC
228-5825

Wednesday, May 15, 1991 at 9:00 a.m.

DATE FOR FORMAL HEARINGS -

AGENDA

- ✓ 1) Introductions
- ✓ 2) History
- ✓ 3) Communications
- ✓ 4) Briefing on Findings of the City Attorney's Office
- ✓ 5) Discussion
- 6) Planning
- 7) Adjourn

- INFORMATION -
- PRODUCT -

COMPREHENSIVE ORDINANCE
Seen as GAY rights ord.
Effect of City/County MERGER?

ENFORCEMENT

- FACT FINDING BODY - Complaint
- Establish Probable Cause
- Intergovernmental Coordination
- Mediation/Cconciliation Attempt
- File complaint: Commission or Individual
- More FACT FINDING / INVESTIGATION
- Formal HEARING
- Creation of Decision
Which gives relief -
 1. Cease & Desist
 2. Revoke
 3. Restoration / Administrative
 4. Fines

AGENDA

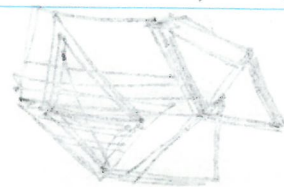
CIVIL RIGHTS ORDINANCE

DISCUSSION ON SECTION EIGHT PROGRAM

OCTOBER 07, 1991

PORTLAND BUILDING ROOM B

- I. Purpose of meeting
- II. Introductions/Tell us why you are here
- III. Description of program/process
 - Description of clientele
 - Date on program usage
- IV. Specific areas of concern
 - Paperwork
 - Eviction
 - Term of Lease
 - Restoration
 - Other
- V. Next Steps



Policy Dept

① Mandating - not possible - fair market real limits
 limits participation

② in states where "mandating" - state can mandate - even if mandate - cannot reject only re section 8 - could have good business reasons ③ Concept out per year

SEE: increase in # FTD's by section 8 / g section 8. FTD's unable to fund another landlord to take section 8.

Disparate impact - ♀ children - welfare - elderly - disabled - (M)

Lawyers field day - ? create more litigation? [Burden & profit] [Suits & profit]

Contract month to month

Legitimate reasons for non participation

John Campbell - need outreach & education - can solve problem
 ordinance will not solve problem.

Joint Educational effort - ARP - Housing Goals - too many strong attacks

Jim W. - Affordable Housing /

Business Review -

Make it more attractive

obstacles/problems - unnecessary

I. Why do we think there is discrimination

A. Newspaper ads saying no

Section 8's

C. Concentration of Certificate & Vendor

holders in N/NE & SE

N/NE - 55% of Certificate holders

N/NE 59% of vendors

D. Eviction of Section 8 people by new owner ??

E. Responses From The Public

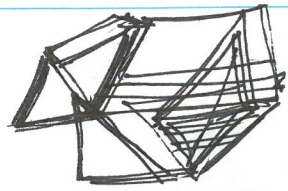
II What is the impact of that discrimination

* Brown Decision - Miss - State can make it mandatory

- Brown Case -

Apply only to Free Market Rent

* Once participate - don't have to participate



Resumes
←←←

- Gift card course - 30 day
HVID

FAMILIES & children -
10-35 appointments - per property ??
/ low income / STUCK ??

More documents / HAP ≠ Indentify
Contract in a problem - need to sign
SET up first free
SELL THE PROGRAM

Write manual = HAP (Emily Gooden)