

ANNOTATED MINUTES

Monday, February 10, 1992 - 10:00 AM - NOON
Multnomah County Courthouse, Room 602

MULTNOMAH COUNTY/CITY OF PORTLAND/JOINT BRIEFING/MHRC

- B-1 Presentation of the Metropolitan Human Relations Task Force (MHRC) Report and Informal Hearing on the Recommendations to Portland City Council and Multnomah County Board of Commissioners. Presented by Raleigh Lewis, Judge Michael Marcus, Becky Wehrli (Task Force Members).

METROPOLITAN HUMAN RELATIONS TASK FORCE PRESENTED AND EXPLAINED THE MHRC REPORT AND RECOMMENDATIONS TO THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS AND THE PORTLAND CITY COUNCIL. ATTENDED BY: CHAIR GLADYS MCCOY, MIKE LINDBERG, DONNA RED WING, GAYLE PRESTON, MICHAEL MARCUS, GRETCHEN KAFOURY, PAULINE ANDERSON, BERNIE GUISTO, BECKY WHERLI, DONNIE GRIFFIN, SAMUEL PIERCE, RUSSELL PEYTON, SHARRON KELLEY, RODNEY PAGE, MAYOR BUD CLARK, RALEIGH LEWIS, RABBI EMANUEL ROSE, RICK BAUMAN, JOAN SMITH, EARL BLUMENAUER AND DICK BOGLE. RESOLUTIONS TO ACCEPT THIS REPORT TO BE PRESENTED TO THE CITY COUNCIL WEDNESDAY, FEBRUARY 26, 1992; AND THE MULTNOMAH COUNTY COMMISSION ON THURSDAY, FEBRUARY 27, 1992.

Tuesday, February 11, 1992 - 9:30 AM
Multnomah County Courthouse, Room 602

BOARD BRIEFINGS

- B-2 Briefing on the ARTS PLAN 2000. Presented by Bill Bulick.

ARTS PLAN 2000+ INTRODUCED BY COMMISSIONER PAULINE ANDERSON FOLLOWED BY A SLIDE SHOW. OVERVIEW OF THE PLAN PRESENTED BY CLARK WORTH. PRESENTATION OF THE ARTS PLAN CHAPTERS BY MEMBERS OF THE TASK FORCE AND/OR PARTICIPANTS AS FOLLOWS: ARTS EDUCATION, JUDY BRYANT; ACCESS TO THE ARTS, BRUCE CHALMERS; DIVERSITY, SHELLEY MATHEWS; REGIONAL COORDINATION, CATHY CONDON; ARTISTS, LAURA ROLL PAUL; ARTS ORGANIZATIONS, BOB VAN BROCKLIN; PUBLIC ART, DONNA DRUMMOND; AND FACILITIES, GLENDA DRUHAM. RESOURCE OPTIONS AND NEXT STEPS EXPLAINED BY CLARK WORTH, FOLLOWED BY OVERVIEW AND POSSIBLE ADOPTION OF A RESOLUTION TO ACCEPT REPORT ON THURSDAY, FEBRUARY 13, 1992.

- B-3 Status Report on the Expo Master Plan. Presented by Paul Yarborough, Bill McKinley and Bob Nilsen.

EXPO MASTER PLAN PRESENTATION AND UPDATE EXPLAINED BY PAUL YARBOROUGH AND BOB NILSEN, WITH THE FINAL REPORT TO BE PRESENTED IN MARCH, 1992.

Tuesday, February 11, 1992 - 11:00 AM
Multnomah County Courthouse, Room 602

AGENDA REVIEW

B-4 Review of Agenda for Regular Meeting of February 13, 1992

Tuesday, February 11, 1992 - 7:00 PM
Gresham City Hall Council Chamber
1333 NW Eastman Parkway, Gresham

PUBLIC HEARING

PH-1 PUBLIC HEARING and Testimony in the Matter of the Proposed Consolidations of County and City of Gresham Road Organizations and Fleet Management.

PUBLIC HEARING HELD AND TESTIMONY HEARD BEFORE
A JOINT COUNCIL AND BOARD OF MULTNOMAH COUNTY
COMMISSIONERS ATTENDED BY: JACK GALLAGHER, GARY
HANSEN, BARBARA WIGGIN, RICK BAUMAN, JOEL
MALONE, GLADYS McCOY, GUSSIE McROBERT, PAULINE
ANDERSON, JO HAVERKAMP, SHARRON KELLEY AND JACK
ADAMS. THE NEXT PUBLIC HEARING TO BE HELD
TUESDAY, FEBRUARY 20, 1992 - 7:00 PM - CITY OF
TROUTDALE CILY HALL.

REGULAR

February 13, 1992 MEETING

Chair Gladys McCoy convened the meeting at 9:38 a.m., with Vice-Chair Sharron Kelley, Commissioners Pauline Anderson, Rick Bauman and Gary Hansen present.

Chair McCoy requested that the agenda items be taken out of order due to public testimony on R-10, R-5 and R-6. The order to be R-1, R-10, R-5, R-6, C-1, C-2, R-2, R-3, R-4, R-9, R-8 and R-11.

R-1 In the Matter of the Friends of Forest Park Presentation of Books to the Board of County Commissioners. Presented by John Sherman

Presentation made by John Sherman.

R-10 Ratification of an Intergovernmental Agreement between Multnomah County, Oregon and the Portland Public School District #1 Regarding On-Site Distribution of Condoms and Contraceptives

Commissioner Bauman moved and Commissioner Anderson seconded, for approval of R-1.

Public testimony heard from Connie Ravel, Charlotte Cook, Joseph Wire and Dr. Elizabeth Newhall in favor of this item; and Louise Weidlich opposed.

R-10 was UNANIMOUSLY APPROVED.

- R-5 Budget Modification DES #19A Requesting Authorization to Reduce the FY 91-92 Animal Control Budget by \$324,550 and Eliminating 30 Positions for a 100% Fee Supported Program, Effective April 1, 1992
- R-6 Budget Modification DES #19B Requesting Authorization to Reduce the FY 91-92 Animal Control Budget by \$138,931 and Eliminating 16 Positions for a County-Wide Service Level, Effective April 1, 1992

Public testimony heard from Cheryl Piper opposing the reduction of the Animal Control Budget proposed in R-5 and R-6.

UPON MOTION of Commissioner Hansen, seconded by Commissioner Kelley, to continue R-5 and R-6 until Thursday, February 20, 1992 was UNANIMOUSLY APPROVED.

- C-1 Ratification of an Intergovernmental Agreement Renewal between the Oregon Department of Transportation, Traffic Safety Division and the Sheriff's Office, Enforcement Division to Provide Enhanced DUII/DWS Enforcement
- C-2 Ratification of an Intergovernmental Agreement Between the Oregon Highway Division, the City of Portland and Multnomah County, Relating to Operation and Maintenance Costs and Other Obligations During and After Construction of Traffic Signals Located at NE Sandy Boulevard and 181st Avenue (CONTINUED FROM JANUARY 23, 1992)

UPON MOTION of Commissioner Bauman, seconded by Commissioner Kelley, the Consent Calendar (C-1 and C-2) was UNANIMOUSLY APPROVED.

- R-2 RESOLUTION in the Matter of Accepting Arts Plan: Animating our Community

UPON MOTION of Commissioner Anderson, seconded by Commissioner Kelley, RESOLUTION 92-26 was UNANIMOUSLY APPROVED.

- R-3 Ratification of a Revenue Intergovernmental Agreement between Multnomah County Social Services Division's Youth Program Office and the City of Portland to Provide \$22,126 in Funding to Assist in Extending the Hours of the Outside-In Drop in Center

UPON MOTION of Commissioner Kelley, seconded by Commissioner Hansen, R-3 was UNANIMOUSLY APPROVED.

Commissioner Hansen left the meeting at this time.

- R-4 Budget Modification NOND #26 Requesting Authorization to Create a Fiscal Specialist II Position in the Finance Division

UPON MOTION of Commissioner Bauman, seconded by Commissioner Kelley, R-4 was UNANIMOUSLY APPROVED.

- R-7 In the Matter of Request for Approval of Revenue Bond (RB 1-92) for Toyo Tanso USA, Inc.

UPON MOTION of Commissioner Kelley, seconded by Commissioner Anderson, RESOLUTION 92-27 was APPROVED with Commissioners Anderson, Kelley and McCoy voting aye and Commissioner Bauman voting no.

R-8 ORDER Authorizing an Agreement with the City of Portland Relating to the Allocation and Payment to the County of a Portion of Franchise Fees Collected by the City which are Attributable to Solid Waste Collection in Certain Unincorporated Areas of the County (CONTINUED FROM FEBRUARY 6, 1992)

UPON MOTION of Commissioner Bauman, seconded by Commissioner Anderson, ORDER 92-28 was UNANIMOUSLY APPROVED.

R-9 Second Reading and Possible Adoption of a Proposed ORDINANCE Amending Ordinance No. 646 (Firearms) by Expanding the List of Firearms in the Definition of "Assault Weapon", Clarifying Certain Language Pertaining to Excluded Firearms and Deleting Certain Provisions Concerning the Firearms Safety and Education Course

The Clerk read the proposed ordinance by title only. Copies of the complete document were available for those wishing them. A hearing was held.

Public testimony heard from Louise Weidlich opposing this item.

UPON MOTION of Commissioner Bauman, seconded by Commissioner Anderson, the correction of the following language: "The sheriff's office may charge a safety and education course fee up to [\$10.00.] \$25.00.".

The nonsubstantive correction of language to Section 2. Amendment was UNANIMOUSLY APPROVED.

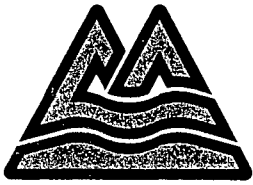
ORDINANCE 712 was UNANIMOUSLY APPROVED as amended.

There being no further business, the meeting was adjourned at 10:56 a.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON

By 

0207C/1-4
cap



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 606, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • CHAIR • 248-3308
PAULINE ANDERSON • DISTRICT 1 • 248-5220
GARY HANSEN • DISTRICT 2 • 248-5219
RICK BAUMAN • DISTRICT 3 • 248-5217
SHARRON KELLEY • DISTRICT 4 • 248-5213
CLERK'S OFFICE • 248-3277

AGENDA

MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS FOR THE WEEK OF

February 10 - 14, 1992

Monday, February 10, 1992 - 10:00 AM - Multnomah County/. .Page 2
City of Portland
Joint Briefing/MHRC

Tuesday, February 11, 1992 - 9:30 AM - Board Briefings. . .Page 2

Tuesday, February 11, 1992 - 11:00 AM - Agenda Review . . .Page 2

Tuesday, February 11, 1992 - 7:00 PM - Multnomah County/. .Page 2
City of Gresham Joint
Public Hearing/ROADS

Gresham City Hall Council Chamber
1333 NW Eastman Parkway

Thursday, February 13, 1992 - 9:30 AM - Regular Meeting . .Page 3

Thursday Meetings of the Multnomah County Board of
Commissioners are recorded and can be seen at the following times:

Thursday, 10:00 PM, Channel 11 for East and West side
subscribers

Friday, 6:00 PM, Channel 22 for Paragon Cable (Multnomah
East) subscribers

Saturday 12:00 PM, Channel 21 for East Portland and East
County subscribers

Monday, February 10, 1992 - 10:00 AM - NOON

Multnomah County Courthouse, Room 602

**MULTNOMAH COUNTY/CITY OF PORTLAND
JOINT BRIEFING/MHRC**

- B-1 Presentation of the Metropolitan Human Relations Task Force (MHRC) Report and Informal Hearing on the Recommendations to Portland City Council and Multnomah County Board of Commissioners. Presented by Raleigh Lewis, Judge Michael Marcus, Becky Wehrli (Task Force Members). 2 HOURS REQUESTED.
-

Tuesday, February 11, 1992 - 9:30 AM

Multnomah County Courthouse, Room 602

BOARD BRIEFINGS

- B-2 Briefing on the ARTS PLAN 2000. Presented by Bill Bulick. 9:30 AM TIME CERTAIN. 60 MINUTES REQUESTED.
- B-3 Status Report on the Expo Master Plan. Presented by Paul Yarborough, Bill McKinley and Bob Nilsen. 10:30 AM TIME CERTAIN. 30 MINUTES REQUESTED.
-

Tuesday, February 11, 1992 - 11:00 AM

Multnomah County Courthouse, Room 602

AGENDA REVIEW

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Tuesday, February 11, 1992 - 7:00 PM

Multnomah County Courthouse, Room 602

Gresham City Hall Council Chamber
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PUBLIC HEARING

- PH-1 PUBLIC HEARING and Testimony in the Matter of the Proposed Consolidations of County and City of Gresham Road Organizations and Fleet Management.

Thursday, February 13, 1992 - 9:30 AM

Multnomah County Courthouse, Room 602

REGULAR MEETING

CONSENT CALENDAR

JUSTICE SERVICES

SHERIFF'S OFFICE

- C-1 Ratification of an Intergovernmental Agreement Renewal between the Oregon Department of Transportation, Traffic Safety Division and the Sheriff's Office, Enforcement Division to Provide Enhanced DUII/DWS Enforcement

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-2 Ratification of an Intergovernmental Agreement Between the Oregon Highway Division, the City of Portland and Multnomah County, Relating to Operation and Maintenance Costs and Other Obligations During and After Construction of Traffic Signals Located at NE Sandy Boulevard and 181st Avenue (CONTINUED FROM JANUARY 23, 1992)

REGULAR AGENDA

NON-DEPARTMENTAL

- R-1 In the Matter of the Friends of Forest Park Presentation of Books to the Board of County Commissioners. Presented by John Sherman 9:30 AM TIME CERTAIN
- R-2 RESOLUTION in the Matter of Accepting Arts Plan: Animating our Community

DEPARTMENT OF HEALTH

- R-3 Ratification of a Revenue Intergovernmental Agreement between Multnomah County Social Services Division's Youth Program Office and the City of Portland to Provide \$22,126 in Funding to Assist in Extending the Hours of the Outside-In Drop in Center

NON-DEPARTMENTAL

MANAGEMENT SUPPORT

- R-4 Budget Modification NOND #26 Requesting Authorization to Create a Fiscal Specialist II Position in the Finance Division

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-5 Budget Modification DES #19A Requesting Authorization to Reduce the FY 91-92 Animal Control Budget by \$324,550 and Eliminating 30 Positions for a 100% Fee Supported Program, Effective April 1, 1992

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- R-7 In the Matter of Request for Approval of Revenue Bond (RB 1-92) for Toyo Tanso USA, Inc.

NON-DEPARTMENTAL

- R-8 ORDER Authorizing an Agreement with the City of Portland Relating to the Allocation and Payment to the County of a Portion of Franchise Fees Collected by the City which are Attributable to Solid Waste Collection in Certain Unincorporated Areas of the County (CONTINUED FROM FEBRUARY 6, 1992)
- R-9 Second Reading and Possible Adoption of a Proposed ORDINANCE Amending Ordinance No. 646 (Firearms) by Expanding the List of Firearms in the Definition of "Assault Weapon", Clarifying Certain Language Pertaining to Excluded Firearms and Deleting Certain Provisions Concerning the Firearms Safety and Education Course

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METROPOLITAN HUMAN RELATIONS COMMISSION TASK FORCE

ORDER OF PRESENTATION TO CITY/COUNTY JOINT INFORMAL


Ralieggh Lewis	Introduction and Overview of Process and the Mission of MHRC
Miachel Marcus & Gail Preston	Enforcement
Becky Wehrli & Ramona Soto-Rank	Future Focus
Donna Red Wing	Increase Size; Portfolio of Mayor and Chair Appointing Authority stays same
Sam Pierce	Resignations & Training of Board
Bernie Guisto	Plan to Expand Jurisdiction
Rabbi Rose	Issue based structure; Annual Meetings; Annual Evaluations; Office Location and Commission Composition
Rodney Page	Staff size recommendations
Laurie Sitton	Importance of CCACD
Joan Smith	\$450,000 Budget
Ralieggh Lewis	Qualifications for Executive Director and Appointment of First Chair of new MHRC

Metropolitan Human Relations Commission

City/County Advisory Committee on the Disabled

DATE: February 10, 1992

TO: Portland City Council
Multnomah County Commissioners

FROM: Laurie P. Sitton 
CCACD Chair

RE: MHRC Task Force Report and Recommendations
The future role of CCACD

The City/County Advisory Committee on the Disabled is comprised of 18 volunteers, each of which either experiences a disability or is somehow very closely involved with issues affecting the disabled, and in this way we cover a broad spectrum of disabilities.

We are housed under the umbrella of Metropolitan Human Relations Commission, as both groups are focused on promoting civil rights and human relations.

The Disability Project was established in 1979 to comply with state and federal mandates regarding program accessibility, barrier-free facilities, equal employment opportunities, and to provide technical assistance on issues affecting the disabled population in our community. We monitor compliance, as mandated by law, a project that exists nowhere else in the tri-county area. In addition it is our charge and personal commitment to act as advocates while promoting disability awareness, reducing attitudinal, communication and architectural barriers.

While we strongly urge Council and Commissioners to keep this important work going through the recommendations of the Task Force, the passage of the Americans with Disabilities Act provides us with many more areas and issues to formally address in our community. As such, we wish to emphasize the urgent need of additional clerical/staff assistance for MHRC. In addition, we request that CCACD's budget be sequestered from MHRC's budget, returning to its original structure in the years before 1986 in which the Disability Project and CCACD controlled its funding for programs, projects, education, travel, etc.

The members of CCACD look forward to continued partnership with the new MHRC, and our role in the development and implementation of Diversity Action in the Portland Future Focus Strategic Plan - bridging to the new century.



Multnomah County

1120 S.W. Fifth Avenue
Room 516
Portland, Oregon 97204-1989
(503) 796-5136
(503) 796-5393/TDD



City of Portland

January 31, 1992

Mr. Wm. Hilliard
Editor
The Oregonian
1320 S.W. Broadway
Portland, Or.
97205

Mr. Hilliard:

As a member of the Metropolitan Human Relations Commission Task Force I was offended by the critique of our Task Force which appeared in an editorial on Jan. 17th.

MHRC has had it's hands tied behind it's back so to speak over the last several years with the debilitating budget cuts and the political maneuverings of past administrations.

Our charge as a task force was to figure out how MHRC could be made more effective and therefore adequately address the diverse and troubled community it is meant to serve. We took our charge with utmost seriousness and with sincerity.

Your portrayal of our efforts was insulting and you misrepresented our recommendations and rationale. You should have extended to us the courtesy of allowing our recommendations to be presented to our Mayor and County Chair before being tried on your editorial page. It was both irresponsible and premature for your opinion to come out before our final recommendations.

I would hope that the MHRC Task Force, MHRC itself and The Oregonian all would have the same end in mind for our community that is the elimination of hate and discrimination. We need to be willing to put our money where our mouth is and give the needed support to a NEW and STRONGER MHRC one that is able to have the necessary clout to effect change through both education, advocacy and on that same continuum enforcement.

Gayle Hyde Preston

3943 SE Ivon
Portland, Or.
97202



CITY OF
PORTLAND, OREGON
OFFICE OF THE MAYOR

GLADYS McCOY
MULTNOMAH COUNTY CHAIR
1021 S.W. 4th, ROOM 134
PORTLAND, OREGON 97204

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

NOTICE OF INFORMAL JOINT CITY-COUNTY MEETING

Monday, February 10, 1992

10:00 A.M. - 12:00 Noon

Room 602, Multnomah County Courthouse

AGENDA:

Report From The Metropolitan Human
Relations Commission Task Force

PARTICIPANTS:

Task Force Members
Raleigh Lewis et al.

(Mayor Clark)
NLH: 1/29/92

1992 FEB - 3 AM 11:37
MULTNOMAH COUNTY
OREGON

OK

MHRC

METROPOLITAN HUMAN RELATIONS COMMISSION

Annual Report

1990-1991

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PROLOGUE

In 1950, the Portland Inter-Group Relations Commission was formed to act as an advisory committee to the Mayor on issues of multi-cultural relations in Portland. From 1950 through 1966, the Commission was known as the Portland Human Relations Commission.

In 1969, through a cooperative effort between Multnomah County and the City of Portland, the organization became known as the Metropolitan Human Relations Commission (MHRC). Because of this agreement, the organization was able to significantly expand its activities. Acting as a liaison between citizens and both county and city government, MHRC set forth to accomplish the following goals:

- Achieve mutual understanding and respect among economic, religious, ethnic, and social groups.
- Conduct research to provide programs aimed at improving intergroup understanding.
- Conciliate intergroup conflicts.

MHRC also acts as a resource for discrimination complaints. Because MHRC presently has no enforcement authority, discrimination complaints are monitored and referred to the appropriate agencies.

MISSION STATEMENT

The Metropolitan Human Relations Commission believes in the dignity and worth of all human beings. MHRC's mission is to foster mutual understanding and respect, and to protect the human rights of all economic, religious, ethnic, racial, national origin, disability, age, sex, and sexual orientation groups in Multnomah County.

Metropolitan Human Relations Commission

1120 S.W. Fifth Avenue

Room 516

Portland, Oregon 97204-1989

V/TDD: (503) 796-5136

**MULTNOMAH
COUNTY
COMMISSION**



Commissioner Gladys McCoy, Chair

Commissioner Pauline Anderson

Commissioner Rick Bauman

Commissioner Gary Hansen

Commissioner Sharron Kelley*

**PORTLAND
CITY
COUNCIL**



J.E. "Bud" Clark, Mayor

Commissioner Earl Blumenauer

Commissioner Dick Bogle

Commissioner Gretchen Kafoury*

Commissioner Mike Lindberg

* Commissioner Liaison

THE COMMISSION

The Metropolitan Human Relations Commission is comprised of fifteen people who have demonstrated a special interest and competency in the human relations field.

Seven commissioners are appointed by the Portland City Council, and seven are appointed by the Multnomah County Commission. One commissioner, a member-at-large, is appointed by the Metropolitan Human Relations Commission itself.

Commissioners are volunteers who serve for a three-year term. Each term is renewable for an additional three years.

Each commissioner serves on two committees. The Executive Committee consists of the Chair, Vice Chair, the Member-at Large, and the chairs of each standing committee.

Carolyn Leonard, Chair
Term Expires 12/31/93

Janet Chandler, Vice Chair
Chair, Research Committee
Term Expires 12/31/93

Kao Chin
Term Expires 12/31/93

Nathan Cogan
Chair, Advocacy Committee
Term Expires 12/31/91

Sid Galton
Chair, Personnel/Nominating Committee
Term Expires 12/31/91

Bernie Giusto
Term Expires 12/31/91

Donnie Griffin
Chair, Public Information Committee
Term Expires 12/31/93

Jaime Lim
Term Expires 12/31/92

Cheryl Perrin
Member-At-Large
Term Expires 12/31/93

Sam Pierce
Term Expires 12/31/92

Don Schwehn
Term Expires 12/31/91

Laurie Sitton
Ex-Officio 6/30/91

The Commission is comprised of the Executive Committee and four standing committees. Additionally, ad hoc committees are occasionally formed to address certain issues or to implement specific goals, such as planning the annual awards ceremony, or monitoring report recommendations.

With the exception of the Commission Chair and each committee chair, the Commissioners serve on two sub-committees.

EXECUTIVE COMMITTEE

Carolyn Leonard, Chair
Janet Chandler, Vice Chair &
Research
Nathan Cogan, Advocacy
Sid Galton, Personnel/Nominating
Donnie Griffin, Public Information
Cheryl Perrin, Member-at-Large
Laurie Sitton, CCACD

ADVOCACY COMMITTEE

Nathan Cogan, Chair
Bernie Giusto
Cheryl Perrin
Don Schwehn

PERSONNEL/NOMINATING

Sid Galton, Chair
Janet Chandler
Kao Chin

PUBLIC INFORMATION

Donnie Griffin, Chair
Jaime Lim
Cheryl Perrin
Sam Pierce

RESEARCH

Janet Chandler, Chair
Kao Chin
Sam Pierce
Don Schwehn

From the Chair

These are troubled times in which we live!

There is an irrefutable rise in hate crimes and violence in Multnomah County. Equal access and opportunity to full employment and fair housing are not yet available to all residents. People with disabilities are still unable to utilize facilities and resources that many take for granted.

This is not a time for the City, County, or the Metropolitan Human Relations Commission to withdraw resources or support to the communities we serve, but rather it is imperative that efforts be combined in new ways to (1) affirm the dignity and worth of all human beings, and (2) create a milieu where diversity is embraced and flourishes.

During the 1990-91 fiscal year, citizen volunteers who make up MHRC spent countless hours working with Executive Director Jeannette Pai and Interim Executive Director Luis Machorro to foster mutual understanding and respect, and to protect the human rights of all economic, religious, ethnic, racial, national origin, disability, age, sex, and sexual orientation groups in Multnomah County. While acknowledging the difficult task of focusing limited resources

on the ever increasing problems faced by our constituency, Commissioners and staff take pride in our accomplishments over the past year.

Our efforts have allowed MHRC to address issues related to hate crimes, access in public buildings and on public transportation, equal opportunity in employment with the City, and *quality education* for all students in Portland Public Schools. Further, MHRC has focused its energy reviewing the housing needs of migrant families in East County and on mediation efforts in the Old Town business district. We have broadened our outreach. The challenge of allocating limited resources in ways that result in Multnomah County being a livable place for all residents is *real* and has not been an easy task.

Reflecting on the past year, we realize that we have faced issues that have tested our commitment to working toward fulfillment of our mission. However, these difficult times have increased our tenacity. Times are too perilous to look backwards. The Commission must work in concert with other government agencies, educational institutions, businesses, and the community-at-large. Together we can improve life in Multnomah County.

As part of our ongoing effort to increase our impact and effectiveness, MHRC will update its orientation procedures and participate in training designed to meet the challenges of this new decade. We will look at ways to improve the image of MHRC, and develop strategies for engaging some of the people who sit silently assuming that all is well because they are well. Though the future presents an uphill journey, all commissioners remain committed to the mission of MHRC and to the improvement of life in Multnomah County.

Combatting Increased Hate and Bias with Fewer Resources

Despite budget reductions, MHRC continued to build upon its solid foundation in the community to combat hate and bias in the metropolitan area.

Working with other government agencies, social service providers, and community groups, MHRC responded to community need through the work of the Commission as a whole, its subcommittees, and through its daily office operations.

Information & Education

The MHRC office responded to an average 500 telephone calls each month. Most callers requested information or referrals. Additionally, callers requested speakers for community events and schools. Both staff and commissioners assisted with mediation services when appropriate.

Commissioners continued to be visible in the community, working with other agencies and groups to respond to the increase in hate crimes, and to act as an advocate on human and civil rights issues.

Civil Rights Protection

As the opponents of lesbian and gay rights began to take their battle statewide, MHRC responded with letters and phone calls to State legislators and local officials. MHRC rallied the community and requested that both City and County commissioners send letters of support for state civil rights protection for gay men and lesbians. Although Senate Bill 708, which would have provided basic civil rights guarantees to lesbians and gay men, failed to become state law, MHRC worked with local community groups to provide the same protection on a local level.

Hispanic Project

Based on a summer 1990 MHRC report that outlined the shortage of services for Hispanics in the Old Town area, MHRC began to investigate the long-and short-term needs of downtown Hispanics. An advisory committee outlined proposals for an Information and Referral center, and a long-term multi-service center that would provide total social service support for minorities targeted in the Wyden Tar Heroin Task Force Report.

MHRC established both private and public funding sources for the proposed service center, and identified Oregon Human Development Corporation as the umbrella organization for the Project.

Affirmative Action Study

Each year, MHRC studies the City of Portland's Equal Employment

Opportunity and Affirmative Action programs.

This year's report assessed the effectiveness of hiring and retention of female and minority employees in two City bureaus -- the Portland Police Bureau and the Water Bureau.

The report concluded that minority representation in the City's workforce had risen only one-half of one percent in the last decade. Female representation for the same time period fared only slightly better with an increase of slightly over two percent.

Furthermore, the study noted that both female and minority loss rates exceed their hire rates. Although female employees comprise slightly over twenty-two percent of the City's workforce, they are fired at twice that rate, and resign at a rate three times as high.

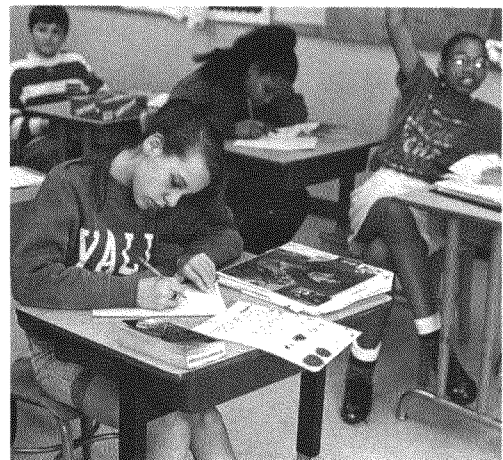
Thus, although the City needs to continue to recruit female and minorities for the City workforce, any success from its affirmative actions plans will come from improving its retention rates.

Equity in the Eighties

This study evaluated Portland Public School's progress in the last decade in achieving academic equity for minority students. The report

concluded that although appreciable work had been done, minority students still fall behind their white counterparts.

The report recommended that attention be given to reversing a ten-year trend of increased segregation in the district's schools. The report encouraged proportional representation of minority teachers and staff to minority student population.



"All children can learn if properly taught."

MHRC also recommended that the school district review the suspension, drop-out, and special education rates for American Indian, African American, Asian, and Hispanic students.

Arab-American Resolution

On February 7, 1991, during the Iraqi conflict, MHRC unanimously passed a resolution, sponsored by Commissioner Galton, urging all to respect the dignity, worth, and equal rights of Arab-Americans, who are loyal to this country, and to the principles of equal protection and non-discrimination.

MHRC Continues Battle Against Hate Crimes

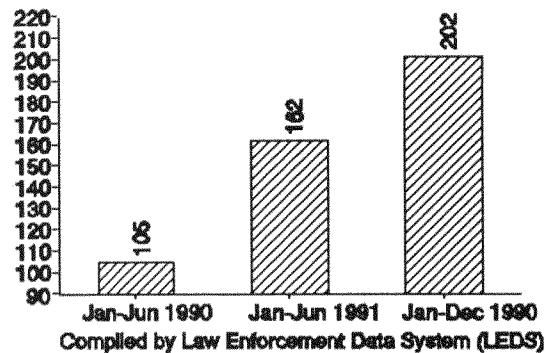
In 1988, MHRC began compiling statistics to reflect the number of hate crimes reported to local law enforcement agencies. The initial report, released at the end of the 1988-89 fiscal year established baseline data for hate crime in Multnomah County. The report called upon law enforcement agencies to establish common procedures for collecting data on hate crimes in Multnomah County.

In 1989, the Oregon Legislature mandated that law enforcement agencies forward certain statistics on hate crime activity to the state Law Enforcement Data System (LEDS) for annual compilation and quarterly updates. The LEDS report reflects only that category of activity that constitutes criminal acts reported to law enforcement agencies.

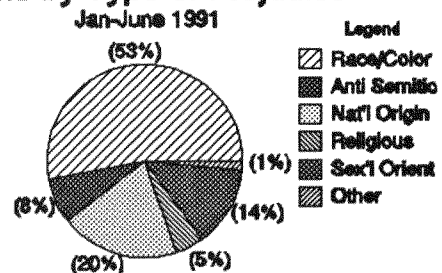
MHRC continues to track hate crime statistics in Multnomah County, and has recently undertaken a project aimed at following hate crime cases as they proceed through the criminal justice system.

A comparison of the first six months of 1990 and 1991 shows a rise in reported hate crime, both statewide and in Multnomah County.

Hate Crime In Multnomah County



Crime by Type of Prejudice



Compiled by Law Enforcement Data Systems (LEDS)

16th Annual Awards Luncheon Honors Human Relations Activists

First MHRC Director and Long-Time Staff Honored

For the sixteenth straight year human rights advocates, citizens and local officials came together to honor the efforts of those whose work has furthered human and civil rights. MHRC's annual awards luncheon, held this year on January 11, 1991 at the downtown Red Lion Hotel, honored both individual and group efforts in the human relations field.

Keynote speaker, Phyllis Lee, human resources director for Kaiser Permanente, spoke as a member of the Chinese community. The theme of her speech, "Each one, teach one," encouraged individuals to share their knowledge and understanding about diversity with others.



Keynote Speaker Phyllis Lee

Two new awards were created this year, the Rev. Martin Luther King, Jr. Humanitarian Award, and the Mulegeta Seraw Award. With the addition of these two awards, MHRC honored the work of seven different individuals and groups for their work in human and civil rights this past year.

Russell A. Peyton Human Relations Award

Named for the Commission's first executive director, this award is presented for outstanding commitment and service to human rights in the metropolitan area.

This year, the award was presented to Ron Herndon, director of Albina Ministerial Alliance Head Start Program, for his work with at-risk youth from various ethnic groups.

Past recipients include Carol and Ed Edmo, Stevie Remington, Donald Clark, Gretchen Kafoury, and Marie Smith.

Distinguished Service Awards

Two awards were presented for distinguished service to MHRC and the community.

Russell Peyton, the first MHRC executive director, was honored for his continued assistance over the past year. Mr Peyton has continued to play an active role in carrying out MHRC's mission.

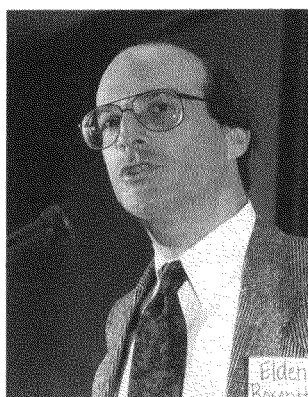
Staff member Jan Campbell was presented with the Distinguished Service Award to acknowledge her ten years of work as the disability project coordinator and as an MHRC staff member. Ms. Campbell's advocacy efforts on behalf of persons with disabilities has reached almost the entire state.

Two New Awards Honor Diverse Efforts in Human Relations Field

Mulegeta Seraw Award

This award, added this year and named in honor of the Ethiopian man who was beaten to death by Skinheads, honors those who have made significant contributions on a local human rights issue.

Attorneys Morris Dees and Elden Rosenthal were honored for their work representing the Seraw family in the lawsuit against Tom and John Metzger, leaders of the White Aryan Resistance. Following a lengthy trial, a jury ordered the Metzgers to pay a multi-million dollar judgment for their role in the beating death of Mulegeta Seraw.



Attorney Elden Rosenthal

Special Recognition Award

This year's award was presented to the Sisters of the Road Cafe for its work serving affordable meals in the Burnside community. The cafe serves approximately 200 people daily in the Old Town area.

Sonja Hilton Award

Robert Pike, attorney and disability access consultant, was honored for his advocacy on accessibility issues facing the disabled.

Martin Luther King, Jr. Humanitarian Award

This award was created this year to honor national and international humanitarian efforts. The Rev. Vincent Minh, Southeast Asian Vicariate, an advocate on refugee and immigrant issues, was honored. He has also been active in resettlement work with youth.



Sixteenth Annual Award Winners: (Front) Jan Campbell, Robert Pike, (Back) Elden Rosenthal, Genny Nelson, Rev. Minh, Frank Jenkins, Russell Peyton, Ben Priestley (for Ron Herndon).

CITY/COUNTY ADVISORY COMMITTEE ON DISABLED (CCACD)

The City County Advisory Committee on Disabled (CCACD), under the umbrella of the Metropolitan Human Relations Commission, continues to be at the forefront on issues affecting the lives of people with disabilities. CCACD provides technical assistance on issues affecting people with disabilities, monitors compliance on accessibility issues, and acts as an advocate on disability issues.

CCACD MEMBERS

Laurie Sitton, Chair
Grady Landrum, Vice Chair
Pat Anderson
Patty Arndt
Marian Bagi
Gary Boley
Kathy Cargill
Chuck Davis
Janine Delauney
Michael Huston
David Ingerson
Doris Julian
Kim Moreland
Marilyn Mork
John Murphy
Georgianne Obinger
Marc S. Pettibone
Kitty Purser
Kim Rabau
Joan Rainey
Rosella Samuelson
Don Schwehn
Marleme St. Onge

1990-91 MAJOR ACCOMPLISHMENTS

Monitoring OMSI and the African Rain Forest Exhibit to ensure accessibility.

Advocating for level platform access to the Westside light rail.

Providing technical assistance and awareness training to local government and the community.

Coordinating with the Bureau of Buildings to develop a visual alarm policy.

Participating in workshops and forums on the American Disabilities Act.

Working with Multnomah County's Affirmative Action office to develop a booklet on advocacy/support services in the community for persons with disabilities.

Producing and moderating a monthly radio talk show on issues affecting the lives of persons with disabilities.

Working with METRO, the Bureau of Buildings, and the Convention Center to bring the Convention Center into compliance with the State's Accessibility Code.

Assisting in on-site reviews of State buildings for accessibility compliance.

Participating on a variety of community boards and committees, including Tri-Met's Committee on Accessible Transportation, Comprehensive Housing Affordability Strategy, Senior and Disabled Services Division Council, Portland Public School's Accessibility Committee.

Participating on the planning committee for the President's Committee on Employment of Persons with Disabilities 1995 National Conference, which will be held in Portland.

**1990 MHRC
COMMISSIONERS**

Carolyn Leonard, Chair
Paulette Peynet, Vice-Chair
Adriana Cardenas
Janet Chandler
Kao Chin
Nathan Cogan
Sid Galton
Jaime Lim
Luis Machorro
Sam Pierce
Don Schwehn
Ramona Soto-Rank
Alex Stone
Maria Tenorio
Laurie Sitton, Ex-Officio

**1991 MHRC
COMMISSIONERS**

Carolyn Leonard, Chair
Janet Chandler, Vice-Chair
Kao Chin
Nathan Cogan
Sid Galton
Bernie Giusto
Donnie Griffin
Jaime Lim
Cheryl Perrin
Sam Pierce
Don Schwehn
Laurie Sitton, Ex-Officio

Metropolitan Human Relations Commission
1120 S.W. Fifth Avenue, Room 516
Portland, Oregon 97204-1989

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ANNUAL REPORT PREPARED BY ANGELA L. KANE
PHOTOGRAPHS BY RICHARD J. BROWN AND TIM MANTZ



Meeting Date: FEB 10 1992

Agenda No.: B-1

(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: Metropolitan Human Relations Commission Task Force Report

BCC Informal Feb, 10m 1992
(date)

BCC Formal _____
(date)

DEPARTMENT non-departmental

DIVISION Comm. Kelley

CONTACT Carolyn Marks Bax

TELEPHONE x2738

PERSON(S) MAKING PRESENTATION Raleigh Lewis, Judge Michael Marcus,
Becky Wehrli, task force members

ACTION REQUESTED:

☒ INFORMATIONAL ONLY

☐ POLICY DIRECTION

☐ APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: 10 a.m. - noon

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: _____

BRIEF SUMMARY (include statement of rationale for action requested,
as well as personnel and fiscal/budgetary impacts, if applicable):

Présentation of Metropolitan Human Relations Task Force Report and
informal hearing on recommendations to Portland City Council and
Multnomah County Board of Commissioners. No action is recommended
at this time.

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL Sharon Kelley

Or

DEPARTMENT MANAGER _____

(All accompanying documents must have required signatures)

BOARD OF
COUNTY COMMISSIONERS
1992 FEB - 6 PM 2:48
MULTNOMAH COUNTY
OREGON

MULTNOMAH COUNTY/CITY OF PORTLAND
JOINT BRIEFING/MHRC

February 10, 1992

ATTENDANCE SHEET

<u>NAME</u>	<u>JURISDICTION</u>
Gladys McLean	Mult. Cty
Mick Lindley	City of Portland
James Red Wing	
Gayle Preston	
Michael Mucci	MHRC Task Force
Brenda Katoom	City of PDX
Pauline Anderson	Mult. Co.
Beim Jim	City of Gresham / Oregon State Police
Becky Melli	PMCA
DONNIE GRIFFIN	MHRC TASK FORCE
SAMUEL PIERCE	MHRC TASK FORCE
Russell Peyton	MHRC Task Force
Sharon Huggins	Multnomah County
Randy Page	
Bud Clark	City of Portland
Raleigh Lewis	Chair of Joint Task Force
Rabbi Emanuel Rose	Task Force member
Rick BAUMAN	Multnomah County
Joan H. Smith	MHRC Task Force
Barbara Clark	City Auditor
Earl Blumenauer	Portland
Nick Boyle	City of Portland

PLEASE RETURN TO THE BOARD CLERK WHEN COMPLETE. THANK YOU.

**METROPOLITAN HUMAN
RELATIONS COMMISSION
TASK FORCE REPORT
TO
PORTLAND CITY COUNCIL
AND
MULTNOMAH COUNTY BOARD
OF COMMISSIONERS**

FEBRUARY 1992

**METROPOLITAN HUMAN RELATIONS COMMISSION
TASK FORCE**

Adriana Cardenas: Program Manager Governor's Commission on Agricultural Labor

Bernie Guisto: Councilor, City of Gresham

Donnie Griffin: Director Corporate Communications/Community Affairs
US West Communications

Raleigh Lewis: Administrator Civil Rights Division Bureau of Labor and Industries

Michael Marcus: Judge, Multnomah County District Court

Rodney Page: Executive Director, Ecumenical Ministries

Russell Peyton: First Executive Director of MHRC

Sam Pierce: Executive Director, Minority Youth Community Action Program, Inc.

Gayle Preston: Chair, Richmond Neighborhood Association

Donna Redwing: Executive Director of Lesbian Community Project

Emanuel Rose: Rabbi, Temple Beth Israel

Laurie Sitton: Chair of City/County Advisory Committee on the Disabled (CCACD)

Joan Smith: Public Utilities Commissioner for the State of Oregon

Ramona Soto-Rank: Board of Directors, American Indian Association

Chareundi Van Si: Coordinator, Unaccompanied Refugee Minors,
CSD Metro Regional Office

Becki Wherli: Executive Director, Portland/Multnomah Commission on Aging (PMCOA)

(1/17/92)

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METROPOLITAN HUMAN RELATIONS COMMISSION TASK FORCE

INTRODUCTION

"We value an open and friendly community that is free from bigotry and intimidation. We value a community that welcomes and respects the individuality, unique talents, and contributions of all people regardless of age, race, gender, ethnicity, sexual orientation, religion, physical or mental ability, or financial means."

This expression of values, taken from the Portland Future Focus Plan, reflects our growing awareness of the need for the people who live and work in the metropolitan area to accept and value the differences found among us. The City of Portland and Multnomah County established the Metropolitan Human Relations Commission (MHRC) as a reflection of their commitment to address problems whose sources are prejudice, bigotry, ignorance, and lack of understanding between groups. In the years since the MHRC was established, rapidly changing attitudes and demographics have made work in human relations increasingly important to the quality of life in the metropolitan area. The links between the health of our people, the health of our economy and our ability to get along with one another have become clearer and clearer.

The Metropolitan Human Relations Commission Task Force, found these values expressed our concerns and vision for the future of Portland and Multnomah County. If we are to come anywhere close to success in making real the Future Focus Goal: "To embrace and celebrate diversity and eliminate bigotry, enhancing our sense of community," we must insure that resources are available to support a body that can make a major contribution towards that goal. The Task Force has, through its recommendations presented the City and County with ideas of what that body should do and how it should function. Leadership, resource coordination, civil rights advocacy and education, and enforcement of the City's new civil rights ordinance are duties we propose as the purview of the new Metropolitan Human Rights Commission. Regardless of what we call it, the City and County need a body to carry out the work of a Metropolitan Human Relations Commission, to provide leadership, as we work towards realizing our collective vision.

The Task Force recognizes that we are recommending a significant increase in funding for the new MHRC. We believe we have made recommendations that will truly meet future needs of Multnomah County and the challenge of Future Focus. Our recommendations for funding are based on what we believe will actualize the City's and County's commitment to the safety and well being of all of the people in the City of Portland and Multnomah County, especially those who are targets of discrimination and bigotry.

MHRC MISSION STATEMENT: The Metropolitan Human Relations Commission believes in the dignity and worth of all human beings. MHRC's mission is to foster mutual understanding and respect, and to protect the human rights of all economic, religious, ethnic, racial, national origin, disability, age, sex, and sexual orientation groups in Multnomah County.

BACKGROUND

In 1950, the Portland Inter-Group Relations Commission was formed to act as an advisory committee to the Mayor on issues of multi-cultural relations in Portland. Then in 1969, Multnomah County and the City of Portland joined forces through a cooperative agreement to establish a centralized agency to promote better human relations and discourage discrimination. This partnership enabled the group, which became known as the Metropolitan Human Relations Commission, to significantly expand its activities. The Commission was charged with the following responsibilities:

Securing mutual understanding and respect among economic, religious, ethnic, and social groups;

Conciliating inter-group conflicts;

Conducting positive programs aimed at improving inter-group understanding.

Twenty two years later, the charge reads as though it was just written, expressing an urgent need for promoting better human relations in the metropolitan area. Over the years, MHRC has made significant contributions to human relations in our community. Its primary tools have been the commitment and expertise of its members and staff to advocate for human rights through research, public information and education. Its decades of work are epitomized by what MHRC's first Executive Director, Russell Peyton, fondly calls, "the sweet voice of reason". The Commission has served as the human relations liaison between citizens and both county and city government for two plus decades under the original charge and organization without occasion to revisit those original goals and objectives.

In the 1990-1991 MHRC annual report, Chairwoman Carolyn Leonard, begins her letter From the Chair with the statement, "These are troubled times in which we live!". Community leaders and public officials are acutely aware of increasing acts of racist, homophobic and sexist violence, as well as organized efforts to promote insidious discrimination. In the fall of 1991, Portland adopted a civil rights ordinance which expands local protection against discrimination to include sexual orientation and source of income as well as federally protected classes. Portland must now decide what agency should be given responsibility to enforce compliance with the ordinance for these two locally protected classes. MHRC has requested that enforcement powers be added to their responsibilities.

The City must also consider what role MHRC should assume to implement the Action Steps in Portland's Future Focus Diversity Plan. And, as 1992 ushers the American Disabilities Act into effect, the City County Advisory Committee on the Disabled (CCACD) will likely experience greater demand for its technical assistance, compliance monitoring and advocacy. Collectively, these factors create a critical opportunity to reexamine what we as a community need our Commission to be and what structure and resources MHRC will require to effectively respond to these needs.

TASK FORCE COMPOSITION, CHARGE, AND PROCESS

Throughout September 1991 the Mayor, County Chair and the City and County's MHRC liaison Commissioners Gretchen Kafoury and Sharron Kelley discussed the idea of creating a task force to study MHRC and make recommendations on what, if any changes, would enable MHRC to most effectively meet the demands of the 90's. Towards the end of the month, Mayor Clark and Chair McCoy appointed a task force that reflects the diversity of the community,

On October 4, 1991 Chair McCoy, City Commissioner Kafoury and County Commissioner Kelley met with the Metropolitan Human Relations Commission Task Force to present their charge. Chair McCoy appointed Raleigh Lewis to chair the task force and Gayle Preston agreed to serve as vice chair. After reviewing the background information and noting that now, more than ever, the community needs a strong human relations agency, Chair McCoy issued the following charge as a basis for the task force review:

1. Is the MHRC mission statement sufficiently broad and inclusive to encompass the needs and goals of our community?

What changes, if any, do you recommend?

2. As currently constructed:
Can the MHRC organizational structure, budget, staff and program provide the community with an appropriate level of leadership and service?

What changes, if any, do you recommend?

3. As currently constructed can the MHRC:
Carry out the Action Steps called for in the Future Focus Diversity Plan?

4. As currently constructed can the MHRC:
Act as the enforcement authority for the City of Portland's Civil Rights Ordinance?

If the answer is "no", what changes need to be made in order to make MHRC a viable option for this responsibility?

Prior to this introductory meeting, Commissioners Kafoury and Kelley interviewed MHRC Commissioners and asked for their individual responses to these questions. A summary of the responses was given to the task force.

After discussing the exigency of their charge, task force members agreed to meet weekly through the end of 1991. They spent the first few weeks interviewing ex-MHRC commissioners, previous directors, the current MHRC chair and vice chair, a previous MHRC chair and a member of the CCACD. Following work sessions to review the interviews, the task force divided into two committees to address the issues of Future Focus and enforcement. The committees met independently for two weeks and presented the task force with detailed recommendations. In mid-December the task force began making its final recommendations regarding MHRC's mission statement, organization, staff and budget in relationship to the task forces recommendations regarding Future Focus and enforcement. The task force was diligent in its task and focused on developing recommendations that would result in effective, inclusive and broad based service to the community.

The Metropolitan Human Relations Task Force will present its recommendations to the City of Portland and Multnomah County Commissioners at a joint meeting on February 11, 1992.

RECOMMENDATIONS FROM THE TASK FORCE

RECOMMENDATION: Change the name of the commission from: the Metropolitan Human Relations Commission to: the Metropolitan Human Rights Commission.

Rationale: It is important to indicate to residents that the MHRC has been given new responsibilities and is moving in a new direction.

RECOMMENDATION: Leave the MHRC mission statement as is except for changing the word sex to gender.

Rationale: The word gender is more definitive, it is also less likely to be misunderstood when sexual harassment and gender harassment may be at issue.

RECOMMENDATION: Assign the MHRC enforcement authority as outlined in the MHRC Task Force Enforcement subcommittee report attached. This recommendation would not effect current negotiations between the City and the Oregon Bureau of Labor and Industries (BOLI). The recommendation is for MHRC to assume enforcement responsibilities at the end of the City's contract with BOLI.

Rationale: Placing enforcement authority with MHRC would provide direct City Council accountability for effectiveness, as well as send a strong message that the City is willing and able to address discrimination.

RECOMMENDATION: Assign to the MHRC the duties and responsibilities related to the Future Focus Plan as delineated in the attached MHRC Task Force, Future Focus Subcommittee report.

Rationale: The City of Portland completed a major planning effort based on community input and a high level of citizen participation. It seems particularly appropriate for the MHRC to assume much of the responsibility for implementing portions of the Future Focus Diversity Action Plan as indicated.

RECOMMENDATION: Increase the number of Commissioners serving on the MHRC from fifteen to twenty one.

Rationale: The increase would allow for a "mix" of commissioners (see recommendation re board composition) and more people to carry out the mission of MHRC.

RECOMMENDATION: Remove the MHRC from the Office of Neighborhood Associations, have the Mayor of Portland and the Multnomah County Chair serve as the Commissioners in Charge, and not delegate MHRC to the portfolios of other commissioners.

Rationale: The challenging work of the MHRC requires the support and visibility gained from being in the Mayor's and the County Chair's portfolio.

RECOMMENDATION: Keep the appointing authority for the Commission as is, with ten appointments made by the Mayor of Portland and ten by the County Chair and one appointed by the MHRC.

Rationale: The Task Force feels that increased, direct involvement and support of the Mayor and County Chair for the MHRC, including selection of board members, is critical to its success.

RECOMMENDATION: Ask all current MHRC commissioners to resign, allowing any who wish to reapply for appointment to do so.

Rationale: This Task Force recommendation is consistent with the recommendation of changing the name of the MHRC to indicate a change in direction and responsibilities. Current commissioners have devoted much time and energy to the MHRC and the City and County must recognize and appreciate the work they have done.

RECOMMENDATION: Require that all new MHRC commissioners be trained regarding the responsibilities of Commission membership and in the history, goals and objectives of the MHRC.

Rationale: This training will assist commissioners in carrying out the duties and responsibilities of the MHRC. It will also help them to work as a team.

RECOMMENDATION: Assign the same jurisdiction for the new Metropolitan Human Rights Commission as that of the Metropolitan Human Relations Commission, instruct the new MHRC to return to Portland and Multnomah County in 1995 with a plan for the regional (Metro, Washington and Clackamas Counties) operation of the MHRC.

Rationale: Discrimination and hate crimes know no boundaries, need for an MHRC extends beyond the limits of Portland and Multnomah County. The plan must show each governing body's financial contribution to a regional MHRC.

RECOMMENDATION: Structure the MHRC so that committees are issue based and encourage other members of the community to serve on subcommittees.

Rationale: The MHRC Task Force concurs with the Future Focus recommendation that MHRC focus on one or two broad research issues, one or two broad advocacy issues and hold one or two broad based events per year. Such an approach would lend external focus and direction to the MHRC instead of having much of its energy focused on committees internal to the organization.

RECOMMENDATION: Require the MHRC to hold annual meetings to set its yearly agenda and involve other interested community groups in the process. This same group should perform a six month check regarding progress on the agenda.

Rationale: This would insure community involvement in both setting and monitoring the MHRC agenda.

RECOMMENDATION: Evaluate annually, the effectiveness and efficiency of the new MHRC as advocate and enforcement agent, based on specific goals and objectives developed each year. The City and County should be responsible for evaluations each year, (evaluation of enforcement would start one year after its implementation).

Rationale: Annual evaluations help insure that MHRC programs are effective and effecient in responding to the needs of the community, and in the development and use of resources.

RECOMMENDATION: **Locate MHRC offices on the ground floor of the Portland Building.**

Rationale: Higher visibility, easier accessible to local officials, easy access for the public, and freedom from a potentially intimidating environment: the Portland Building's offices.

RECOMMENDATION: **Insure that the MHRC reflect the diversity of the community as much as possible. Suggested consideration in the composition of the Commission:**

Individual Appointees:

Commitment to Diversity	Have time and energy
**Tied to Organizations	Diversity of Skills
Geographically Representative	Communications
Some High visibility leaders	Administration
Some activists	Legal/enforcement
Tied to community	knowledge

Overall Commission Composition:

Public Sector	Private Sector
Not For Profit	Racial Groups
Gender Balance	Religious Groups
Sexual Orientation	Disabled Representation
Age Range	

Rationale: The MHRC should reflect as much as possible the diversity of the community. Also, it is important to involve affected groups in designing projects and responding to issues. Representatives of affected groups sometimes lack the resources and "clout" to quickly get things done, which is why it is also important to have representation from visible leadership who may be unable to make the same time commitment as others but have clout.

**** People tied to organizations are not necessarily a formal representative of the organization. Commissioners should have the ability to make decisions and act freely without having to "check with their board/group". The idea is for people to be connected to groups with whom they talk about ongoing MHRC activities the group may want to support, or in which the group may want to be involved.**

RECOMMENDATION: Staff the new Metropolitan Human Rights Commission as follows:

1 Director; 1 Diversity Coordinator (Future Focus); 1 Disability Coordinator; 1 Intake person & 1 Investigator for Enforcement; 1 Full Time receptionist (for the office); Two positions either clerical or staff assistant, one each to be determined by the MHRC director and the Disability Project Coordinator.

Rationale: In addition to being human rights advocates and educators for City and County residents, this TASK FORCE has recommended assigning MHRC additional responsibilities, i.e., enforcing civil rights and implementing parts of the Future Focus Plan. It is important to recognize that the City County Advisory Committee on the Disabled (CCACD) is also part of MHRC and responsible for implementing Federal Requirements under the new Americans With Disabilities Act, (with which the City and County must comply).

RECOMMENDATION: Allocate approximately \$450,000 as budget for the new MHRC, reflecting the costs of more staff, services and supplies not including the costs of testers or hearings officers. The figure includes enforcement costs which would not be needed until the 93-94 budget cycle.

Rationale: We recognize the significant increase in the MHRC budget should this recommendation be implemented. This recommended budget is directly related to recommended staffing which in turn is directly related to program recommendations. The task force feels strongly that if the work of the MHRC is to be done properly then the organization must be properly funded and staffed.

RECOMMENDATION: Add to the qualifications called for in the current description of the job of MHRC Executive Director, i.e., the requirements that the person have experience working with federal agencies, experience fundraising and grantwriting and have knowledge of quasi-judicial process.

Rationale:

Two of the additional qualifications would help insure the Director's ability to carry out enforcement responsibilities of the organization. The third (grantwriting and fundraising) would enhance funding for MHRC special projects.

RECOMMENDATION:

Appoint the first Chair of the new MHRC. The Mayor and County Chair should agree on the appointment of the Chair and work with the current liaison commissioners to appoint the new board. Immediately upon acceptance of these recommendations, MHRC staff should be moved under the City Commissioner in charge.

Rationale:

The Task Force wishes to reemphasize its belief that the involvement of the Mayor and County Chair is critical if a viable commission is to be established. The recommended criteria should be attended carefully in the selection of commission members if the MHRC is to be able to carry out the responsibilities of enforcement and implementing portions of the Future Focus Plan. The Task Force believes moving the staff under the City Commissioner in charge will provide some stability and direction for staff in the interim.

**MHRC TASK FORCE
ENFORCEMENT COMMITTEE RECOMMENDATIONS**

There is a general misconception that human rights advocacy and civil rights enforcement are separate and distinct functions. In practice, they are inseparable.

Advocacy activities range from education and rallies, that may or may not be response driven, to a strategized, progressive enforcement response, that may or may not involve litigation. Enforcement is an integral part of the advocacy continuum. It is the piece that makes the general public and those with disregard for civil rights sit up and take notice. Whether conducting workshops on unlearning racism, seminars on fair housing or a media events to publicize imposition of significant fines and punitive damages for violating civil rights, the ultimate objective is the same - to bring about a positive change in cultural attitudes. And although pursuit of that goal may be a long road, enforcement hastens the route to several objectives of that goal: it earns public credibility for the agency charged with advocacy; it encourages victims to report and work with the agency toward that goal; and even when it does not change the values and attitudes of violators, it results in marked changes in behavior and practices.

There appears to be an underlying concern that delegating enforcement authority to the agency charged with advocating for human rights may somehow bias the enforcement procedure or lead to a perception of bias. Although staff and Commissioners may share common values regarding human rights, there is no inherent conflict in the agencies ability to process a complaint, conduct an impartial staff investigation and make an objective determination that the evidence does or does not support the allegations. Quite similarly, judges are likely to hold common values based upon their knowledge and respect for the law, however, the public never considers that these values indicate a conflict of interest or alter the judges ability to offer an objective and fair trial. By implementing a model such as the one the committee proposes on the attached flow chart, the only formal decision made by MHRC staff would be whether or not there is sufficient evidence that probable cause exists.

MHRC is the appropriate agency to enforce the City's civil rights ordinance. Placing enforcement authority with MHRC would provide direct City Council accountability for effectiveness, as well as send a strong message that the City is willing and able to address discrimination and hate. The value of a civil rights ordinance is a function of how well it serves victims of discrimination and the City has a vested interest in making its ordinance effective. Claimants need timely, specific relief (i.e. job reinstatement, housing availability) not an ordeal that rubs salt into the wound due to delay and uncertainty. The key is

developing a process that can respond to this need and the enforcement committee believes that their proposed model would enable MHRC to respond quickly, accurately and cost efficiently, without the burden of backlog that BOLI operates under. The enforcement committee members agree that there is no point in pursuing enforcement unless it gets people what they need as quickly as possible. A few well publicized successful claims would greatly increase the credibility of MHRC and encourage residents to call for civil rights assistance and advocacy.

There are three basic component to enforcement models.

1. Means for the complaint to arrive - intake/screen.
2. Means for initial investigation to determine probable cause that violation occurred - investigation.
3. Means for the complaint to be mediated and/or heard - resolve.

The attached flow chart depicts the committee's proposal which is outlined below.

PROCEDURE

1. MHRC would provide intake and screening services
2. Contracted testers would be dispatched within 24 hours, if appropriate - (testers can provide irrefutable proof, which can expedite investigation and save money at later stages)
3. Respondent notified of complaint after testers complete work. MHRC investigator conducts formal investigation to compliment testing or when testing is not beneficial, i.e. discriminatory practices.
4. MHRC staff makes a determination whether or not probable cause exists. If there is no substantial evidence the claim is dismissed. If there is substantial evidence, the claimant is referred to a pool of private attorneys, willing to represent claimants on contingent fee basis. Both sides receive the same file from MHRC and MHRC is no longer an active participant in the proceedings.
5. If the claimant chooses to pursue mediation rather than adjudicative advocacy MHRC could contract for mediation services as suggested in the MHRC's proposal.
6. Claimants and respondents could choose to pursue either administrative or judicial tracks, however, a request by either party to take the judicial track would take precedence. Both tracks could coexist until a hearing begins in one.
7. Administratively routed cases would be heard by a City hearings officer (utilizing current staff or contracting).
8. Judicially routed cases would proceed to Federal or State Court. Appeals would be made to respective Court of Appeals.

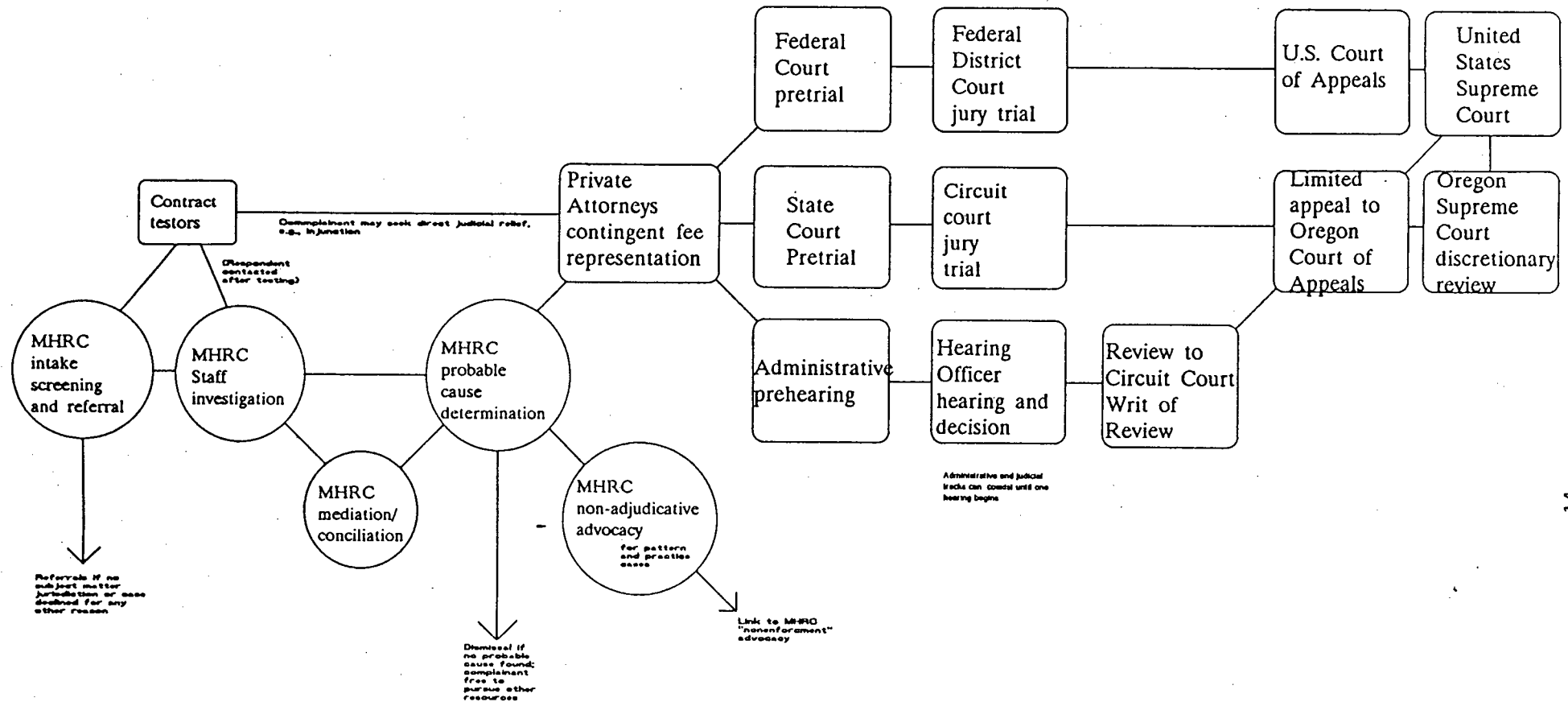
Angela Kane's MHRC enforcement proposal estimates that one new intake and one new investigation staff would be sufficient to process the anticipated number of complaints - currently, MHRC

receives 400 calls per year, estimate of 50 to be referred to mediation and 10 to proceed to hearings. Costs for enforcement staff and mediation services, excluding hearings officer and testing services, are estimated at an additional \$85,700 per year. If MHRC develops procedures and remedies which meet State and Federal equivalency requirements, MHRC would be entitled to receive State and Federal monies for cases involving respectively protected classes.

The committee strongly recommends that MHRC utilize testers to make a quick determination of probable cause in appropriate complaints. The Fair Housing Council of Oregon has already contacted the city with a proposal to provide testing services.

In summary, the enforcement committee stresses that enforcement is an integral and critical part of advocacy and there is no conflict in delegating enforcement authority to the agency charged with "fostering mutual understanding and respect, and to protect the human rights of all economic, religious, ethnic, racial, national origin, disability, age, sex and sexual orientation groups in Multnomah County". MHRC is the best agency to enforce the city's civil rights ordinance and development of a process that serves victims of discrimination swiftly and appropriately is imperative.

MHRC Enforcement Flow Chart



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

REPORT OF MHRC TASK FORCE
FUTURE FOCUS SUBCOMMITTEE

The task of the subcommittee was to review the Future Focus Plan Document, placing an emphasis on the Diversity Action Plan, and comment - propose a role for MHRC.

DIVERSITY ACTION PLAN

F.F. Action Items

Proposed MHRC Role

Research &
Reporting

MHRC should serve as the central location for the collection of research conducted or compiled locally as serve as the linkage to organizations seeking data.

MHRC should conduct research on 1 or 2 broad issues per year where it can be determined that adequate research is either non-existent nor being conducted by another group locally. A broad issue would be one facing more than one ethnic group or protected class.

MHRC should document hate crimes.

Marketing & Special
Events

MHRC should support the efforts of other organizations through volunteer or staff time, formal co-sponsorship, financial or in-kind contributions.

MHRC should take the lead role in pulling together a coalition of organizations to work on 1 or 2 broad based events each year that focus on an issue that impacts the quality of life of many ethnic groups and/or members of protected classes.

MHRC TASK FORCE
FUTURE FOCUS
Page 2

Education, Training
Information, Mediation

MHRC should serve as a central clearinghouse by maintaining a current list of training opportunities, educational resources and mediation services and provide information to the public on issues of diversity.

MHRC should identify gaps in information/training and encourage other organizations to meet those needs.

Monitoring Affirmative
Action

MHRC should monitor City and County progress in meeting affirmative action goals and provide technical assistance to help local government implement changes.

Advocacy, Networking

MHRC should identify and maintain periodic contact with all organizations working locally to celebrate and ensure the acceptance of diversity in our community.

MHRC should advise the City and County on policies, ordinances and laws regarding their consistency and fairness.

MHRC should select one or two broad advocacy issues per year, develop goals and proactive strategies to effect change.

MHRC should establish the capacity to mobilize individuals and groups towards a rapid, organized, community response to major incidents which demonstrate bigotry and intimidation.

Leadership Development

MHRC should take responsibility for developing leadership within its own organization.

MHRC should establish a small mentorship program to develop community leadership.

NOTE: MHRC should recommend that specific steps for addressing the issues of sexual orientation, the disabled and the aged be included in the Diversity Action Plan. MHRC should assist in the development and implementation of those steps.

RESPONSES TO OTHER FUTURE FOCUS ACTION PLANS:

EDUCATION

Gender & Ethnic
Awareness to Teachers

MHRC should influence school systems in the area of diversity, especially community based primary prevention education. (Education sec. 6.1 & 6.2)

LEADERSHIP

Assure diverse
Participation in
Leadership activities

MHRC should assist in the evaluation of outreach to groups by community organizations, promote outreach where organizations unsuccessful

MHRC should assist with appointments to commissions through a MHRC development program.

CRIME

Training in cultural
and social differences
for all City & County
Employees

MHRC should assist with the development of training and location of resources for training

Crisis response services
for hate crimes

MHRC should assist in the development of a crisis response system to respond to hate crimes and develop a better working relationship with the law enforcement agencies

MANAGING REGIONAL GROWTH

Overall response to issue

MHRC should help recruit, train and recommend people to serve on Neighborhood Coalition Boards, MHRC person should be on oversight committees for Education, Leadership and Crime.

1/16/92

METROPOLITAN HUMAN RELATIONS COMMISSION BUDGET PROJECTIONS

<u>CURRENT BUDGET: FY 1991-92</u>	<u>TOTAL</u>	<u>\$217,750</u>
Total Personal Services		\$150,136
Professional Services (Contract)		\$31,136
Printing and Distribution		\$7,600
Communication Services (Phones)		\$2,462
Facilities Services (PDX Bldg. \$15.92 sq.ft.)		\$14,272
Fleet Services (local travel)		\$518

* Please note that totals are not actual sums of items listed. A number of items, e.g. supplies, insurance are not itemized.

Currently MHRC has three staff: an interim manager, a disabilities program coordinator, and a secretary. ONA consolidated the Disabilities Program budget into the general MHRC budget. The Task Force has recommended that the Disabilities Program have separate and distinct budget.

The task force report also recommends several new positions. A Diversity Coordinator to implement the Future Focus Diversity Plan, a support staff position for the Diversity Program, a support staff person for the Disabilities Program, and two enforcement positions.

Although the task force recommends that MHRC be given enforcement authority, the City of Portland is currently entering into contracts with the Bureau of Labor and Industry (BOLI) and the Fair Housing Council of Oregon that will be in effect through the end of the next fiscal year, June 1993. Additional MHRC staff for enforcement (one intake and one investigator) are recommended for inclusion in the FY 1993-94 budget.

* New and increased items are in bold.

ESTIMATED FY 1992-93 BUDGET:

MHRC Executive Director (entry level)	\$50,000
Secretary Clerk 2	\$28,000
Professional Services	\$31,000
Printing and Distribution	\$7,600
Communication Services	\$2,500
Facilities Services (increased space)	\$25,000
Local Travel	\$500
Commission Training	\$3,000

DIVERSITY PROGRAM:

Diversity Coordinator	\$36,000
Secretary Clerk 2	\$28,000
Printing and Distribution	\$3,800
Fund for assisting/partnership projects	\$10,000

<u>Estimated Total (w/o Disabilities Program)</u>	<u>\$240,000</u>
---	------------------

DISABILITIES PROGRAM BUDGET FY 1992-93:

Disabilities Coordinator (senior)	\$47,000
Secretary Clerk 2	\$28,000
Printing and Distribution	\$3,800
Facilities Services	\$5,000
Communications Services	\$500
Local Travel	\$250
Misc. Project Operations	\$1,200
<u>Estimated Total</u>	<u>\$95,000</u>

ENFORCEMENT BUDGET FY 1993-94:

Enforcement Intake Staff	\$35,000
Investigator	\$44,000
Mediation Services (\$20/hr. X 50)	\$5,000
Hearings Officer (\$100/hr., 10 cases)	\$10,000
Testing Services (\$200-\$250 test)	\$10,000
Printing and Distribution	\$4,000
Communications Services	\$1,000
Local Travel	\$300
<u>Estimated Total</u>	<u>\$115,000</u>

* The contracts for enforcement of the City's ordinance with BOLI and the Fair Housing Council of Oregon are being completed at this time. These contracts do not include legal costs for cases which proceed to hearings. The next 17 months will help determine an average for the number of complaints filed, the number of claims that are dismissed or determined to show probable cause, the number of cases that are testable and the proportion of cases that proceed to conciliation or hearings. Cities of similar size with similar ordinances report about 50 cases that can be conciliated and approximately 10 that go on to hearings.

The information we have at this time is that for the remainder of FY 1991-92 BOLI will receive \$10,000 and the Fair Housing Council of Oregon will receive \$2,000. The contract with BOLI for FY 1992-93 will be for \$25,000 and the contract with the Fair Housing Council of Oregon will be for \$10,000.

SUMMARY

The Metropolitan Human Relations Commission Task Force, established by the City of Portland and Multnomah County to review the Metropolitan Human Relations Commission and make recommendations to the City and Multnomah County, has completed its task. The sixteen member Task Force has (as a whole or in subcommittees) with few exceptions met 2 to 2 1/2 hours weekly since October 11, 1991. The questions we were asked to address and our responses form the heart of this report. The structure for our review was provided in the form of four questions to which we have given our best responses. We provide here a summary of our responses to those questions.

Q1: Is the MHRC mission statement sufficiently broad and inclusive to encompass the needs and goals of our community? What changes, if any, do you recommend?

A1: We have recommended changing one word in the mission statement. We discussed the statement in light of our recommendations on Future Focus implementation and Enforcement Authority for the MHRC and found the mission statement adequate.

Q2: As currently constructed can the MHRC organizational structure, budget, staff and program provide the community with an appropriate level of leadership and service: What changes, if any do you recommend?

A2: NO: Our recommendations range from increasing the size of the board and insuring a viable "mix" of board members to recommending that the MHRC responsibilities be expanded to include Enforcement and Future Focus implementation because we believe the City and Multnomah County are in need of these functions and that a **Metropolitan Human Rights Commission** can best meet the need. The provision of an appropriate level of leadership and service to the community is directly related to an appropriate level of staff for the MHRC.

Q3: As currently constructed can the MHRC carry out the Action steps called for in the Future Focus Diversity Plan?

A3: NO: Existing staff is not adequate to respond to the Future Focus plan and related recommendations made by this body. Please see the Future Focus subcommittee report and staff and budget recommendations.

Q4: As currently constructed can the MHRC act as the enforcement Authority for the City of Portland's Civil Rights Ordinance?

A4: NO: Existing staff is not adequate to allow the MHRC to act as enforcement agent for the City's new Civil Rights Ordinance. Please see the Enforcement subcommittee report and staff and budget recommendations.

CONCLUSION:

In a time when our Metropolitan Area is battling the image of one which thrives on hatred and bigotry we cannot afford to be without a body which carries out the functions of an MHRC. In a time when people of good will are looking for ways to combat that hatred and bigotry, we cannot afford to be without the leadership of a body which does advocacy and education. In a time when it is an economic imperative that we learn to live with one another, we cannot afford to have the Future Focus Diversity Plan poorly implemented or ignored. The elected officials of the City and the County must decide to give priority to the overall issue of human rights and support that priority, not only by providing dollars but by being directly involved in the effort. We are a citizen body which has done its best to recommend that which we believe best for the City of Portland and Multnomah County. We have taken our task seriously and respectfully ask that you take our responses in an equally serious manner. Thank you for the opportunity to serve.

APPENDIX

Metropolitan Human Relations Commission

City/County Advisory Committee on the Disabled

RECEIVED

OCT 07 1991

COMMISSIONER OF
PUBLIC UTILITIES

October 7, 1991

TO: Kathleen Saadat

FROM: Jan Campbell *JC*

SUBJECT: METROPOLITAN HUMAN RELATIONS TASK FORCE

Enclosed are materials that I would like to share with the MHRC Task Force. I believe it is important that they know the role of the Disability Project and The City/County Advisory Committee on the Disabled.

Thanks much.

JC

A-1

1120 S.W. Fifth Avenue
Room 516
Portland, Oregon 97204-1989
(503) 796-5136
(503) 796-5393/TDD



Multnomah County



City of Portland

CITY OF PORTLAND

ANNOUNCES AN OPEN COMPETITIVE EXAMINATION FOR:

HANDICAPPED PROGRAM COORDINATOR

y:

This is program and planning and coordination work. The employee will develop plans and programs designed to address local handicapped accessibility problems using Federal funds. Responsibilities include coordinating programs designed to ensure accessibility and equal opportunity for the disabled; scheduling and attending public forums to discuss issues relevant to handicapped services; providing information to City/County Commissioners and staff regarding handicapped assistance issues; and monitoring program-generated data and information to evaluate program performance and agency compliance. The Handicapped Program Coordinator will also be responsible for obtaining and providing information about handicapped legislation, regulations and any changes in legislation and regulations.

Metropolitan Human Relations Commission

Multnomah County • City of Portland

FRAMEWORK AND GUIDELINES FOR TRANSFERRING AND INCORPORATING THE HANDICAPPED ASSISTANCE PROJECT INTO MHRC'S ORGANIZATIONAL STRUCTURE

I OBJECTIVES

To formally incorporate the Handicapped Assistance Project within MHRC operations while making provisions for flexibility and latitude in the carrying out of the Handicapped Assistance Project's mission.

II PURPOSE

To provide a more appropriate organizational context and support system for the Handicapped Assistance Project within the City/County structure.

III RATIONALE

The City of Portland and the County of Multnomah have committed themselves and are required by certain federal laws to address themselves to advertent and inadvertent discrimination against the handicapped in local government processes. These processes often prevent handicapped citizens from having fair access to government services or employment.

Under the leadership of the Mayor on the City side and the former Board Chairman on the County side, projects to address the needs of the handicapped were planned and initiated. After approximately a year's worth of program development, it became evident that the handicap project would be more appropriately accommodated within a human rights advocacy organization like MHRC rather than under an administrative and management office. It was further agreed that since the County and the City both had to address similar issues in this regard, a joint City/County agency as host would be a mutually beneficial arrangement.

This document proposes guidelines for articulating the Handicapped Assistance Project into MHRC and identifies sources of authority relationships and procedures toward effecting that purpose.



CITY/COUNTY ADVISORY COMMITTEE ON THE DISABLED

PURPOSE:

The City/County Advisory Committee on the Disabled (CCACD) is responsible for advising the City and County regarding matters relating to federal, state, and local laws which affect the disabled community.

RESPONSIBILITIES:

1. Study and make written recommendations on the City's/County's efforts to achieve program accessibility and barrier-free facilities in compliance with Sec. 504, subpart C, Program Accessibility.
 - a. Evaluate existing policies and practices in relation to Federal Regulations prohibiting discrimination on the basis of disability.
 - b. Advise the City/County in modifying policies and practices that do not meet Federal requirements, including the removal of architectural barriers.
 - c. Monitor City's/County's efforts to determine where architectural barriers exist.
 - d. Recommend steps to provide alternative services or programs when architectural barriers cannot be immediately removed.
 - e. Recommend methods to ensure that persons with auditory or visual impairments are informed of programs and services provided for them by the City/County.
2. Study and make recommendations for appropriate steps to achieve equal employment opportunities for the disabled.
 - a. Study equal employment opportunity policies and programs as they relate to disabled individuals.
 - b. Consult with City/County in determining appropriate remedial steps to eliminate the effects of any discrimination that resulted from adherence to those policies and practices.

- c. Recommend employment criteria which would not eliminate disabled individuals from employment opportunity solely because of their disability.
 - d. Recommend modifications to work environments that limit accessibility to the work site, thus limiting employment opportunities for the disabled person.
 - e. Recommend to City/County ways to effectively increase community awareness of job opportunities available to the disabled population.
3. Compliance with subpart A, Section 34.6 (1) of Sec. 504 of the Rehabilitation Act of 1973 (Self-Evaluation Procedures) will be carried out on a yearly basis. To determine the results of City/County efforts to comply with Sec. 504, a self-evaluation of current policies and practices must be conducted in consultation with the City/County Advisory Committee on the Disabled.

The self-evaluation report must:

- a. Summarize review of policies and procedures;
 - b. Assess modifications that have been made to policies and practices which did not meet 504 standards;
 - c. Review efforts to correct effects of any past discrimination on the basis of disability;
 - d. Recommend remedial steps to eliminate effects of former discriminatory practices.
4. Educate the community regarding the disabled.
- a. Produce and moderate a weekly radio show.
 - b. Conduct forums and workshops.
 - c. Present an annual Sonya Hilton Award to a person or organization who has demonstrated commitment to the human rights of the disabled, either voluntarily or professionally.

JOB RELATED JOB DESCRIPTION
FOR

Analyst: Barnes
Date: 05/83

HANDICAP PROGRAM COORDINATOR - 0877
Class Title & Job Class Number

DOMAINS & TASKS

- A. PROGRAM AND PLANNING FOR HANDICAP ASSISTANCE TITLE V, SECTION 503/504 OF THE REHABILITATION ACT OF 1973. Develops plans and program designed to address local handicap accessibility problems using Federal funds.
1. Reviews current Federal, State and local guidelines to ascertain the impact of changes upon programs within the City and County.
 2. Develops and recommends programs which address the accessibility situation of handicapped persons and adhere to Federal guidelines in order to obtain appropriation funded by all Federal departments empowered to give Federal financial assistance.
 3. Plans, monitors and organizes activities within program area and authority.
 4. Prepares and submits reports to appropriate authorities for approval.
- B. COORDINATION OF SERVICES. Coordinates programs designed to ensure accessibility and equal opportunity for the handicapped population.
1. Develops and maintains working relationship with public and private sectors.
 2. Develop "Handicap Assistance" resource directory, to be utilized as a referral document.
 3. Schedule and attend public forums, community organizations, and private and non-profit agencies to discuss issues relevant to Handicap Services.
 4. Formulate a unification of goals and objectives; evaluation and assessment of programs performance and recommendations for corrective action.
 5. Provide information to City/County Commissioners and staff regarding Handicap Assistance related ordinances to address any misunderstanding and/or apprehension and to ensure passage of ordinances.
- C. MONITOR PROGRAM PERFORMANCE AND COMPLIANCE. Monitors program-generated data and information to evaluate program performance and agency compliance.
1. Establish system of monitoring program performance.
 2. Monitors and maintains program compliance in adherence to Federal regulations and guidelines.
 3. Conducts on-site monitoring visits to assess program performance and to determine compliance with contractual and applicable federal regulations.
 4. Prepares program recommendations and corrective action based on research and analysis.

A-6

DES: Frequency

D = Daily Q = Quarterly
W = Weekly SA = Semi-annually
M = Monthly Y = Yearly

Importance - If the task is not performed or if this task is performed poorly, how damaging will the consequences normally be to the public, and/or the agency?

Mi = Minor : Very little damage
I = Important : Moderate damage
C = Critical : Considerable damage

HANDICAP PROGRAM COORDINATOR - 0877
Class Title & Job Class Number

DOMAINS & TASKS

- D. PROGRAM CORRESPONDENCE. Provides and obtains information about Handicap legislation, regulations and changes.
1. Corresponds with representatives of Federal agencies in order to obtain clarification of guidelines and regulations and provide information about program activities.
 2. Corresponds with public service agencies in the Portland area in order to explain policies, procedures and regulations.

DES: Frequency

D = Daily Q = Quarterly
W = Weekly SA = Semi-annually
M = Monthly Y = Yearly

Importance - If the task is not performed or if this task is performed poorly, how damaging will the consequences normally be to the public, and/or the agency?

Mi = Minor : Very little damage
I = Important : Moderate damage
C = Critical : Considerable damage

IV

GUIDELINES

A. Source of Authority

By City Council action during the budget process, the Handicapped Assistance Project was administratively transferred from the Office of Management Services to MHRC.

B. Proposed Action

1. In accepting administrative responsibility for the Handicapped Assistance Project as delegated by City Council and County Board, it is the understanding and intention of MHRC to accept authority and responsibility for the following:
 - a. Program accountability -- assure that the use of resources, personnel, and funds to accomplish the purposes the City Council has intended; and to fulfill program objectives agreed to by City Council, County Board, and MHRC.
 - b. Fiscal accountability -- the administration and management of the relevant project funds.
 - c. The administration and supervision of project personnel.
2. The Handicapped Assistance Project will be accountable for:
 - effective program planning
 - annual submission of program objectives
 - quarterly program review
 - timely reporting on progress and problems

A. The Handicapped Advisory Committee will assist the Project staff in the following areas:

- setting priorities for expenditures of City and County funds which are designated to improve physical access to City and County buildings.
- previewing and reviewing all City and County projects targeted for the handicapped and providing validation for these projects that meet the Committee's criteria.
- providing technical assistance to the City and County Affirmative Action Offices in assuring compliance with Federal laws in employment for the handicapped.
- appoint one member to be a liaison between the MHRC Board and the Advisory Committee.
- prepare an annual program with goals, objectives, and performance measures to be included in MHRC's overall program goals.
- seek MHRC's concurrence on program activities not contained in the annual program.

B. This Committee shall operate under the following organizational guidelines:

- vacancies and replacements on the Committee will be filled by the Project Committee with ratification by the MHRC.
- the Committee will elect its own Chairperson for one-year terms of office; no person shall serve as Chairperson for more than two consecutive terms.

MHRC TASK FORCE

NOTES FROM OCTOBER 11, 1991

PRESENT: , Raleigh Lewis, Chair; Gayle Preston, Vice-Chair; M. Marcus; R. Page; A. Cardenas; E. Rose; R. Peyton; D. Griffin; B. Wehrli; S. Pierce; D. Red Wing.

I. DISCUSSION AND QUESTIONS RE BACKGROUND

READING: There was a question about the difference between an Accounting Unit and a Reporting Unit, staff said they would research the answer. Rabbi Rose said he felt the need for more basic information on the history of the MHRC. Becky Wehrli asked if the MHRC used available training through such agencies as United way in the training of MHRC Commissioners, the answer was not at this time. There were requests to have copies of recent City Club recommendations re MHRC distributed to the Task Force Members.

II. HUMAN RELATIONS GROUPS/OTHER CITIES:

Information from Human Rights/Relations groups in Alaska, Eugene and Washington D.C. were distributed. Rabbi Rose again raised the issues of the need for more basic information. The absence of information on Seattle was noted and a request made for same. It was noted that Cleveland Ohio had been recommended for review as a good example of this kind of group. The sense of the groups seemed to be that more information on the local MHRC was needed before discussion on other cities.

III. DISCUSSION ON APPROACH:

Brief discussion re what are the issues that MHRC should address, what should MHRC be? No conclusions were drawn. Next was discussed whether to interview individuals to get a better idea of what the thinking is re MHRC. A motion was made by Michael Marcus and seconded by Rodney Page to hold interviews to hear people re MHRC.

During discussion of the motion, Becky Wehrli said she would like to hear a range of people, from those who support the MHRC to those who are non-supportive. Gayle Preston, expressed her wish to have Luis, Carolyn and Janet brought into the discussion early. The motion was passed unanimously. Beck Wehrli moved that the Task Force try to talk first with Carolyn Leonard, Jan Campbell, John Heflin, Janette Pai, Luis Machorro and Darryl Tukufu, and that another community person be found to talk with the Task Force. This motion passed unanimously.

Next the Task Force discussed talking with Commissioners Kelley and Kafoury to determine the issues that led to them writing to the MHRC and to get information on what they see as problems that need resolution. Rabbi Rose moved the Task Force ask to meet with Kelley and Kafoury: passed unanimously. Wehrli and Rose volunteered to talk to commissioners.

Task Force members generated questions for the people to be interviewed and asked staff to mail them to those people. Interviews will be scheduled as: 10' presentation, 10' questions and answer. The questions to be asked follow:

- 1) Re MHRC what has and has not worked and why? What do you mean by worked?
- 2) What do you see as the weaknesses/strengths of MHRC?
- 3) What is your perception of the community image of MHRC?
- 4) What are the issues that MHRC should address?
- 5) Do you know why the MHRC structure was changed from an office with several employees to one that contracted out for most of its research work?

C. Marks Bax, K. Saadat

Interview Schedule - October 18, 1991

4:00 p.m. Cathy Siemens, Community Activist

4:30 p.m. Carolyn Leonard, MHRC Chair

5:00 p.m. Luis Machorro, past MHRC Interim Director, past MHRC
Commissioner,

5:30 p.m. John Heflin, past MHRC Chair

REMINDER: MHRC Task Force meetings will be held in room C of the
Portland Building, Fridays, 4 p.m. - 6 p.m.

Thank you for asking me to share my thoughts with you regarding MHRC.

Should the Metropolitan Human Relations Commission exist? My answer is a resounding yes. I have been associated with MHRC for approximately 11 years and when functioning effectively, the commission can be a very forceful body in bringing awareness of human rights issues to the public as well as uniting that awareness with governmental bodies. MHRC is funded through city and county budgets and is accountable to them for their projects. Therefore, it is imperative that this unity occurs.

However, over the last five or six years the commission has been plagued by conflicts with the executive directors and among the commissioners themselves. An excessive amount of time has been consumed with administrative and personnel issues rather than the true work of the commission.

During my association with the metropolitan human relations commissions most of the strengths were in the early 1980s. Some of those were:

1. More of a camaraderie among the commissioners.
2. A staff, of I believe 5, that could more accessible to the public and the commissioners. I feel the commission was better represented in the community at this time just by the fact there were more bodies and could be more places at once.
3. The commissioners would help with projects initiated by the City/County Advisory Committee on the Disabled with very little prompting.
4. They recognized those in the community who volunteered on commission subcommittees and shared their beliefs regarding equal human rights. They were honored at a banquet once a year.
5. The staff and the commissioners appreciated each other and interacted on a positive level.
6. Jan Campbell, who has been the staff support of CCACD throughout all this change, has been a very visible force throughout the community regarding issues that affect the lives of people with disabilities. Through this continuity and her guidance, CCACD has thrived despite the many problems MHRC may or may not have had. She has also been the continuity of MHRCs goals as she served as interim director several times.
7. The Peyton awards banquet. This is an opportunity for members of the community and governmental offices to gather together with a common goal, recognizing diversity and equal human rights.

Purser
(12)

8. The MHRC newsletter. This is a valuable tool to disseminate information regarding human rights to the community. I think the newsletter was at its best both visually and content wise while Paulette Peynet was editor and Jeanette Pai was Executive Director.
9. One of the main exceptions to the strengths being primarily in the early 1980s was the tenure of Jeanette Pai as executive director of MHRC. She, with a handful of MHRC commissioners, interfaced with the community in such a way that MHRCs credibility was at an all time high. Community members wanted to volunteer to work with MHRC through these efforts. A good example of this was the overwhelming attendance at the Summit on Malicious Harassment. There were approximately 500 people from the community but I can only remember seeing 3 commissioners in attendance.

This leads me to, what I feel, are the weaknesses of MHRC.

1. There are and have been strong personality conflicts, especially, over the last few years, among the commissioners themselves. This creates very dysfunctional group dynamics.
2. The executive director and the commission have not solidified as a unit for several years.
3. The commission has no enforcement power once it has made recommendations to the City and County.
4. At some point in the mid 1980s it was decided to decrease the staff of MHRC and, instead, rely on independent contractors. I remember this being a budget decision--MHRC could get more services for the same amount of dollars. Contractors would not accrue benefits and would be hired for a specific task. However, I feel that the reduction in staff has been to the detriment of the commission. Contractors are focused on their specific project and do not necessarily vocalize the mission of MHRC while in the community. This has, in turn, watered down the perception of MHRC in the community.
5. At the present time, MHRC has no credibility in the community. The interactions that had been established when Jeanette Pai was executive director have all but disappeared.

To make MHRC "work" again I think the following things need to happen. The term "work" as I use it is to fulfill the mission statement of the commission, have the commissioners and the staff working as one, and the interactions with the commission, community and government be a positive one regarding equal human rights.

1. Have all the current commissioners resign and start fresh. Some commissioners have done this within the last year in an effort to put the commission back on track. I think there needs to be a diversity among the commissioners; but, at the same time, I feel that the commissioners should be willing to initiate projects, participate in project implementation and see it through to fruition. This should not be the sole responsibility of the staff.
2. The commissioners need to be visible in the community. I do not just mean having hearings such as this one were they sit up on a podium and the people are "audience" but working side by side with people of the community to uphold human rights. A good example of this was the way Bernie Giusto and Mike Lindberg participated in meetings, rallies, and social events of the Anti-violence Project, a committee founded as a result of the Summit meeting combating malicious harassment.
3. Have the MHRC newsletter become a stronger vehicle by it being delivered to every address in the county to let people know about the work and mission of the commission. It needs to maintain the quality and readability that was present under Paulette Peynet's editorship as well as have current news, not always what has happened.
4. Since I listed more staff as a strength, it will come as no surprise that I believe an adequate staff can spread the word about MHRC while accomplishing specific tasks.
5. Obtain enforcement power from City Council and County Commissioners to see that recommendations made be carried out. A good example are the recommendations made in the Equal Employment Opportunity reports made to the city and county. It is important that the community know that they are not just words on a page but that the recommendations will actually be implemented.
6. Have more of a round table forum with the community for commission meetings rather than the usual podium/audience format. This will create a more "equal" interaction. Also meeting in the community would be a positive step. The meetings of MHRC do not always have to be in the Portland Building downtown.
7. Hire an executive director and let that person be responsible for administration of the commission and supervision of the support staff. The commissioners should be more focused on the mission of the commission not administrative matters.

8. The committees of the commission need to be more issue oriented rather than arbitrary titles such as research. I think the public would more readily understand the issues and possibly be more willing to volunteer their time and/or money. This needs to be followed by action from commissioners, implementation from commissioners and evidence of projects completed.
9. Some type of ongoing training needs to be initiated that would help commissioners appreciated cultural differences among the commissioners themselves as well as different cultures throughout the community. Hopefully through this training they would become a model to the community as a body that appreciates others' viewpoints and diversity.
10. Re-institute a banquet honoring the people that have volunteered their time over the past year to fulfilling MHRCs mission. CCACD has done this annually to honor the folks that have helped them and have invited MHRC commissioners. Participation from commissioners varied. However, initiation of such an event has not come from MHRC in the last 5 or 6 years.

As a component of MHRC, I feel I must address the issue of the City/County Advisory Committee on the Disabled. When I first became a member of CCACD the committee had its own budget. In the early 1980s MHRC and CCACD's budget was combined. This combined services during a time of budgetary crunch.

Since that time the committee has received a salary for the project coordinator, minimal secretarial support, office space and limited supplies. It was not until 3 years ago that we started receiving a budget for the projects of the committee. Until that time we tried to accomplish our goals by volunteer efforts and in-kind donations as well as a grant written by Jan Campbell that was approved and funded. Needless to say, until that point, some of our vision was lost to budgetary constraints.

During the past several years as MHRC has been in turmoil, it has been advantageous for us that we have had the continuity of Jan Campbell as our staff liaison. I have felt that the committee has been treated as an orphan without a true home by the commission but at the end of each year, they were very willing to list CCACD's completed projects among their accomplishments. As MHRC has fumbled and fallen, CCACD has survived because of the members tenacity and Jan's encouragement. It is very hard to maintain a positive image of CCACD in the community when the parent organization you are affiliated with is floundering. Even now, the committee is being held in limbo, the only working body of MHRC.

I now think we are at a crossroads. I feel MHRC needs to exist but my commitment to CCACD is much stronger. The community is very much aware of the mission of the committee and its activities. There is a cohesiveness that I believe should not be broken. However, since one of the primary duties of the project coordinator and the committee is compliance issues, I think there are better spots for CCACD rather than under the umbrella of MHRC.

I am not sure that the committee could stand on its own as a commission; although its track record would certainly support that. The idea of being housed in the affirmative action office of the city and/or county seems a good marriage. We would then have more enforcement power than now and be focusing on the major goal of the committee, a barrier free environment for persons with disabilities. I feel that we could still coordinate some ventures with MHRC due to our common goal of equal human rights, but CCACD's mission is much broader based.

My recommendation for CCACD is that it definitely exist but be housed under a different umbrella such as affirmative action.

I hope I have answered all or most of your questions and thank you again for the opportunity to speak.

MHRC TASK FORCENOTES FROM NOVEMBER 1, 1991

PRESENT: Raleigh Lewis, Chair; Gayle Preston, Vice Chair; B. Guisto, R. Peyton, S. Pierce, D. Redwing, E. Rose, R. Soto Rank, B. Wehrli

ABSENT: D. Griffin, M. Marcus, R. Page, L. Sitton, J. Smith, C. Van-Si

1. DISCUSSION RE CONDUCTING ADDITIONAL INTERVIEWS: There was general agreement that the Task force had heard significant background information during interviews. Although Jeanette Pai was not available for the October interviews, the group received word that she would likely be available November 8th and several members expressed interest in hearing her views. Rabbi Rose moved that Jeanette be invited to meet with the Task Force and Adrianna Cardenas seconded his motion. The motion passed unanimously.

MHRC Commissioner, Nathan Cogan, was present and asked if the Task Force was planning on receiving testimony from MHRC Commissioners other than the Chair, Carolyn Leonard and Vice Chair, Janet Chandler. The group went over the list of those interviewed thus far, Cathy Siemens, ex-MHRC Commissioner; Luis Machorro, ex-MHRC Commissioner and previous Interim Director; John Heflin, ex-MHRC Chair; and Kitty Purser, CCACD. Mr. Cogan was asked if he would like to address the Task Force. He expressed his belief that the role of MHRC should be expanded in many areas, particularly enforcement, and pointed out that enhanced responsibilities and enforcement would require a more adequate budget. He estimated that MHRC could carry out their enforcement proposal with a total budget of not more than \$500,000.

2. DISCUSSION ON HOW TO PROCEED WITH CHARGE: Raleigh Lewis suggested that in the interest of time, the four components of the charge be delegated to committees. He recommended either two or four committees, adding that Task Force members could sit on more than one committee, depending on their interests. Becky Wehrli responded that they had been asked to look at functional issues and structural issues and offered that she did not think it was possible to analyze the issues in isolation. Bernie Guisto requested that Task Force members have an opportunity to share their individual perceptions at some point and Rabbi Rose suggested that they look for common perceptions gathered from the interview process. Because MHRC once had a very positive role in the community, Russell Peyton encouraged the group to explore what went wrong and what factors caused the changes. There was agreement that there was much to be done if the Task Force was to complete its charge by the end of the year, and the group moved forward with Ramona Soto Rank's proposal that they begin by examining the adequacy of the MHRC mission statement as a basis for future discussion.

3. CHARGE QUESTION 1: IS THE MHRC MISSION STATEMENT SUFFICIENTLY BROAD AND INCLUSIVE TO ENCOMPASS THE NEEDS AND GOALS OF OUR COMMUNITY?

WHAT CHANGES, IF ANY, DO YOU RECOMMEND?:

The Metropolitan Human Relations Commission believes in the dignity and worth of all human beings. MHRC's mission is to foster mutual understanding and respect, and to protect the human rights of all economic, religious, ethnic, racial, national origin, disability, age, sex and sexual orientation groups in Multnomah County.

It was generally agreed that the current MHRC Mission Statement was sufficient to cover the range of community needs and MHRC responsibilities, including the possibility of enforcement. Bernie Guisto stressed that his experience in law enforcement has demonstrated that the charge to protect implies and necessitates enforcement responsibilities.

Adrianna Cardenas moved that the current mission statement, with the change of sex to gender, be accepted. Gayle Preston seconded the motion and it passed unanimously.

4. CHARGE QUESTION 2: AS CURRENTLY CONSTRUCTED: CAN THE MHRC ORGANIZATIONAL STRUCTURE, BUDGET, STAFF AND PROGRAM PROVIDE THE COMMUNITY WITH AN APPROPRIATE LEVEL OF LEADERSHIP AND SERVICE?

WHAT CHANGES, IF ANY, DO YOU RECOMMEND?

The Task Force opened discussion related to the second question in their charge. Reference was made to interviewees' comments regarding a less than full compliment of commissioners being appointed, difficulties regarding attendance at regular MHRC meetings and maintenance of committee structure without sufficient membership and attendance. Becky Wehrli stated that 21 members might provide MHRC with a more appropriate level of commissioners to pursue community outreach and maintain a critical level of volunteer investment. It was suggested that mechanisms for filling vacancies and for removing non-attending, non-functioning commissioners need to be developed as do clear operating procedures.

Ramona Soto Rank moved that the MHRC be expanded to 21 members. The motion was seconded by Becky Wehrli and passed unanimously.

MHRC TASK FORCE NOTES 11/1/91
page 3

The group deferred budget discussions until the work of the commission has been defined.

Considerable discussion took place regarding the selection of the MHRC Executive Director and appointment of the Chair. MHRC's Executive Director is filled through a Civil Service process which City Personnel and the Director of the Office of Neighborhood Associations oversee and coordinate with MHRC. MHRC interviews the five top scoring applicants and recommends which candidate they prefer ONA to hire. Becky Wehrli commented that as long as MHRC is in good standing with the community, the Commissioner-in-Charge would honor their recommendation.

The MHRC Chair is elected by the commission body.

Several members of the Task Force felt that there needs to be some separation of power, with either the Chair of the Executive Director being appointed by the Commissioner-in-Charge. Concern was expressed that having the Executive Director hired by the Commissioner-in-Charge might cause split loyalties or political maneuvering. Others believed that this may improve the commission/staff working relationship by increasing the commissioners' respect for the Executive Director's professional expertise and perhaps encourage greater budgetary support from the Commissioner-in-Charge. No conclusions were reached.

Staff will provide the Task Force with an analysis of alternative models used by other commissions.

MEETING REMINDER: FRIDAY, NOVEMBER 8, 1991, 4 PM - 6 PM
PORTLAND BUILDING, SECOND FLOOR, ROOM C

B-12

HUMAN RIGHTS COMMISSION MODELS

CITY	COMM. SIZE	APPT. BY	STAFF	ENFORCE- MENT #comp/yr	BUDGET	POP. OF AREA	ADVOCACY	EDUCATION	EXEC.DIR.	ADDITIONAL INFORMATION OFFERED BY HRD STAFF
ANCHORAGE	9	Mayor, confirmed by assembly	8 (4 invest)	yes 180-200 workshare w/state city bdry	450-500K	220,200	Yes Dir. and Comm. Staff	Yes	Comm. Hires exempt	Can supeona, administer oaths Comm. chair elected by Comm Computer Volunteer - 1 wk. per qtr.
TACOMA	15	City Council	10.5 no Comm. staff	yes 200-250	500K	170,000	Yes	Yes	Appt. by City Mgr exempt	Human Rights Dept. 1. Investigations 2. Women's Rights 3. Community Educ. Comm. meets 2x/mo.- works on current issues
EUGENE	14 + 1 city councilor	City Council	1.5	yes 2-5	114,000	110,000	Yes majority of work informal mediation	Yes forums celebra- tions	Appt. by City Mgr formal process- not civil service	Volunteers - 30 appt. by City Council 15 Human Rights Comm. 15 straight committee work 1.5 volunteers from Univ. of OR, Lane C.C.
SEATTLE	15	7 Mayor 7 Council 1 HRC	HRD - 36 Enforce for State HRC - 2	yes 1500 - 1800	1.7 mil	enforce- ment State- wide	Yes HRC does	Yes	Appt. by Mayor exempt	Commission elects officers Purpose-to investigate, study, act to identify and relieve prolems of human rights Recommend policy, implement- ing legislation



DISTRICT COURT OF THE STATE OF OREGON
for MULTNOMAH COUNTY

DEPARTMENT NUMBER 12

1021 SOUTHWEST FOURTH AVENUE
PORTLAND, OREGON 97204

MICHAEL H. MARCUS

(503) 248-3250

JUDGE

Raleigh Lewis
Civil Rights Division
Bureau of Labor and Industries
State Office Building
Fourth Floor
Portland OR 97201

October 28, 1991

Re: MHRC Task Force Issues; Speaker

Dear Raleigh:

As I mentioned at our last meeting, I will not be able to attend all (or most) of our next task force meeting. I write to suggest that we invite Eugene's Human Rights Analyst, Greg Rickhoff (687 5177), to address the task force. I spoke at length with Greg today. His long tenure in the human rights business, his rich experience with Eugene's Human Rights Council, and his practical insights should be very helpful to our task force in answering the questions which face us.

I also propose for discussion by the task force the following issues:

1. Which, if any, of the following enforcement devices are essential to an effective and credible human rights agency:
 - a) High-visibility, adversarial, civil penalty/punitive damage oriented administrative or judicial litigation capacity?
 - b) Rapid response public safety (police, sheriff, district attorney), testers (through ##), mediation, and temporary court order (lawyers) capacity?
2. Is capacity for focused educational impact compromised or promoted by capacity for meaningful enforcement?
3. Is community credibility compromised or promoted by visible enforcement?

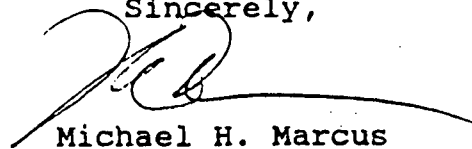
4. Can all constituent communities harmoniously share one agency? If so, what structural elements are necessary?

5. Assuming a human rights agency should have enforcement capacity, should the same agency be charged with enforcement against private and public entity/official respondents?

6. Assuming a human rights agency should have enforcement capacity, what structural elements are necessary to give it sufficient autonomy from political control?

For convenience, I have sent a copy of this letter to Carolyn Marks-Bax with a request that she provide sufficient copies for the members of the task force.

Sincerely,

A handwritten signature in dark ink, appearing to be 'MH' with a long horizontal flourish extending to the right.

Michael H. Marcus

cc: Carolyn Marks-Bax

MHRC TASK FORCE

MEETING NOTES: MEETING OF 11/8/91

Task Force Members Present: Cardenas; Lewis, Marcus, Page, Peyton, Pierce, Preston, Rose, Sitton, Smith, Wehrli

Task Force Members Absent: Guisto, Griffin, Red Wing, Soto Rank, Van-Si

- I. Report from Becky Wehrli and Rabbi Rose on their interviews with Commissioners Kelley and Kafoury: See notes attached.
- II. Discussion on approach to developing response to charge and making recommendations to the City of Portland and Multnomah County. B. Wehrli **made a motion** to have two subcommittees; the first to work on the issues presented in the Future Focus planning document as they relate to MHRC and the second to work on the issue of what it would take for the MHRC to assume the responsibility for enforcement **and** to have staff develop a matrix of information that will allow Task Force members to compare similar commissions, including information on funding, staffing, functions etc. Rabbi Rose **seconded** the motion. Discussion on the motion raised some questions to be addressed: 1) Would enforcement and advocacy be at conflict in one agency? (to be answered by Enforcement subcommittee); 2) What is MHRC's role in implementing the Americans with Disabilities Act? (to be answered by both subcommittees; 3) If enforcement and advocacy are not in conflict but on a continuum, where is MHRC on that continuum? 4) Where are the resources to make the changes in MHRC? The motion **passed** by unanimous vote.
- III. Assignments: Future Focus Subcommittee Chair: Becky Wehrli, other members: Rose, Cardenas, Sitton, Peyton. Enforcement Subcommittee Chair: Bernie Guisto, other members, Pierce, Page, Marcus, Preston. Staff will call absent members to find their committee preference.
- IV. Jeannette Pai spoke to the Task Force and passed out notes. In addition to comments in notes she raised issues related to clarifying the relationship of MHRC to the City of Portland; whether or not CCACD should be placed with Affirmative Action; consequences of having an Executive Director not hired by the Commissioners; the

for the MHRC to have a clear sense of direction; she commented that her inclination was to suggest reducing the size of the Commission in order to make it easier to get everyone going in the same direction. (a copy of her notes is attached)

Subcommittee meetings:

ENFORCEMENT: 4:00 PM, 11/15/91 ROOM 418 COUNTY COURTHOUSE
FUTURE FOCUS: 3:30 PM, 11/15/91 ROOM C PORTLAND BUILDING

NEXT FULL MEETING OF TASK FORCE: 3:30 PM 12/06/91 ROOM C PORTLAND BLDG.

MHRC Comments

Jeannette Pai

Mission of MHRC: to work toward the improvement of intergroup relations in Multnomah County/City of Portland. This translates into the following:

1. Advocacy/Community Organizer: call attention and take lead in addressing human rights issues using various approaches i.e. forums, media attention, marches, etc.
2. Mediation: function as a mediator between parties on human rights issues e.g. meeting called by MHRC between the Portland Opera, community members, and city/county officials regarding the casting of opera.
3. Coalition Builder: work to bring groups/individuals together to provide a united front and to facilitate collaboration on human rights issues.
4. Assist Grass Roots Organizations: provide technical assistance, information, share networks, and provide seed money to organizations/efforts related to human rights issues.
5. Monitor Affirmative Action Performance of City/County and Juvenile Justice System as per ordinance. Should be handled internally, not through contractors to provide consistency.
6. Liaison between Community and County Board and City Council, Civic Organizations, and governmental offices. Develop positive relationship with law enforcement agencies.
7. Provide Education on Issues: speakers bureau, printed material etc.

Priority Issues:

1. Bias Crimes
2. Oregon Citizens Alliance
3. Minority Youth in Public School System (in County, not just Portland)
4. Affirmative Action
5. AIDS Education
6. Develop Immediate Response Mechanism
7. Provide education on current issues.

***Emphasis should be on action and education. Secondary importance on research. Research should be done only as it serves to further efforts to education or advocate.*

Structural/Policy Changes:

1. Reduce number of commissioners to 9-11 people.
2. Representation must be balanced based on gender, race, ethnic origin, religion. It also must be balanced based on geographic area i.e. East County, North, Southwest etc. The issues vary dramatically based on area.

3. Commissioners must represent grass roots activists as well as high profile business/community leaders. People must be willing to take risks. More effective methods of outreach to business community can be developed e.g. funding for Summit.
4. Shorter term limitations for commissioners.
5. Absentee policy must be followed.
6. Periodic review of Commissioners should be done by appointing jurisdictions. Priorities of City/County may change need to check to see if Commissioners are responsive.
7. There are too many housekeeping Committees. Personnel and budget work can all be handled by the Executive Committee when necessary. Majority of issues need to go to full commission or ad hoc committees. Historically there has been too much power held by the Executive Committee.
8. Committees need to be focused on issues i.e. housing, bias crimes, etc. Community members would become involved in issue based committees.
9. By Laws need to be re-worked. They currently reflect historical power struggles.
10. Until stability is achieved the Executive Director should be hired by the City/County, or at least with close supervision. Currently it is too easy for Commissioners to attempt to manipulate staff by holding their jobs over their heads.
11. Lines of communication must be clarified i.e. what information goes to who.
12. Staff/Commissioner relationship must be clarified. There has been too much micro-management. Commission sets policy. Staff must be allowed to implement. Commissioners to not have time or expertise.
13. Staff need to feel valued.
14. CCACD must have a budget. There autonomy and effectiveness needs to be recognized by MHRC. If MHRC will not actively support CCACD there is no reason for CCACD to stay under MHRC. CCACD has long been a respected and strong force on disability issues. MHRC has not acknowledged CCACD's success. CCACD should not be put in a vulnerable position by being connected with MHRC.

Things to Do:

1. Commission meetings should occur in the community during the evening.
2. Community needs to be pulled into commission activities through issue focused committees.
3. Commissioners and staff must be present in the community at activities and meetings.
4. Commissioners could be asked to serve as liaison to "x" number of community organizations.
5. A small amount of money should be set aside to serve as seed money for community based organizations for start-up, programs, publications etc.
6. Review Community Speakout and Summit information. They outline community priorities. Or do new speakouts.
7. Re-activate Anti-Violence Project and the businesses who were pulled into the effort.
8. Interface with the Future Focus recommendations.
9. Response mechanism needs to be developed.
10. Be a leader in pulling together a coalition to counter the OCA efforts. The movement needs leadership from a non-gay/lesbian organization.

DEC 11 1991

MHRC TASK FORCE
NOTES FROM DECEMBER 6, 1991 MEETING

PRESENT: Raleigh Lewis, Chair; Gayle Preston, Vice Chair;
A. Cardenas, B. Giusto, D. Griffin, R. Peyton, S. Pierce, D. Red
Wing, E. Rose, L. Sitton, J. Smith, R. Soto Rank, C. Van-Si,
B. Wehrli

ABSENT: M. Marcus, R. Page

Task Force Chair, Raleigh Lewis, announced that today's discussion would focus on the Future Focus Subcommittee Report and that discussion of the Enforcement Subcommittee Report would be delayed until December 13, 1991.

1. DISCUSSION RE CITIZEN INVOLVEMENT COMMITTEE CBAC REPORT: There was a brief discussion of the CBAC report comments concerning MHRC staffing and budget issues. The MHRC Chair, Carolyn Leonard and previous Interim Director, Luis Machorro were interviewed by the CBAC and expressed concerns about staffing, budget and support from the City and County. Discussion was set aside until the Task Force tackles structural and budgetary recommendations.

2. REVIEW AND DISCUSSION ON THE FUTURE FOCUS SUBCOMMITTEE REPORT: Future Focus Subcommittee Chair, Becky Wehrli, presented an oral summary of the subcommittee report, pointing out that their task was to review the Future Focus document with primary emphasis on the Diversity Action Plan. In addition to reviewing the recommendations in the written report, Ms. Wehrli stressed the subcommittee's emphasis on having MHRC build its capability to network with the community, formally and informally. For example, representatives from community organizations might be part of the Commission composition and/or MHRC might have a small pool of funds to assist other groups in carrying out their activities. Ms. Wehrli highlighted the report's suggestion that MHRC serve as a clearinghouse for education and training, identifying gaps and encouraging appropriate community organizations to fill the needs. (This recommendation is based upon models used in child sexual abuse and drug awareness education.) The Future Focus Plan does not cover implementation of the American Disabilities Act and the subcommittee felt this was a major shortcoming that needs to be addressed. There was general agreement that the workplan inherent in the future focus subcommittee report was very appropriate for MHRC, but that further discussion regarding structure, staff and budget would be needed. Task Force members agreed to set aside such discussion until the Enforcement Subcommittees report and recommendations have been reviewed at the December 13, 1991 Task Force meeting. Staff was asked to provide the Task Force with MHRC's response to the Future Focus Plan, as well as information on other human relation commission models. Donnie Griffin seconded Gayle Preston's motion that the Future Focus Subcommittee recommendations be tentatively accepted, until the Task Force reviews the additional information. The motion passed unanimously.

3. ENFORCEMENT SUBCOMMITTEE REPORT: Bernie Giusto, Enforcement Subcommittee Chair, outlined the scope of the subcommittee discussions in three areas: Enforcement as advocacy, whether MHRC is the most appropriate agency for enforcement of the City's Civil Rights Ordinance, and the components of a successful enforcement model. He reiterated that discussion of the subcommittee report will be delayed until the December 13, 1991 Task Force meeting when Michael Marcus will be able to participate.

The meeting adjourned at 4:50 p.m.

NEXT MEETING: FRIDAY, DECEMBER 13, 1991, 3:30 P.M. - 5:30 P.M. AT THE PORTLAND BUILDING, SECOND FLOOR, ROOM C.

MHRC TASK FORCE MEETING NOTES
DECEMBER 13, 1991

PRESENT: Chair Raleigh Lewis, Vice Chair Gayle Preston, B. Giusto, D. Griffin, M. Marcus, R. Page, R. Peyton, E. Rose, L. Sitton, J. Smith, R. Soto Rank, B. Wehrli

ABSENT: A. Cardenas, S. Pierce, D. Redwing, C. Van-Si

1. ENFORCEMENT SUBCOMMITTEE REPORT AND DISCUSSION: Subcommittee Chair, Bernie Guisto, introduced the subcommittee and stressed two points: 1) the subcommittee felt strongly that if enforcement responsibilities were given to MHRC that the enforcement process must be timely and effective, and 2) an MHRC enforcement process must be buffered from political pressures and utilizing testers would enhance the objective, investigation process. (Please refer to the subcommittee report for more information on testers and process recommendations.)

Michael Marcus presented the subcommittee's recommendations. He noted that the subcommittee dealt with the question, "Should the same body that is the Human Rights Commission be the enforcement agency?", which is very different than responding to whether or not the current MHRC should be the enforcement agency. The subcommittee members, Bernie Giusto, Michael Marcus, Gayle Preston and Sam Pierce agreed that enforcement responsibilities belong in the MHRC office. In addition to the rationale presented in the report, Judge Marcus offered the following examples of compatibility between enforcement functions and MHRC's advocacy, education and research functions:

1. Oppressed populations are frequently alienated from the system and the enforcement agency would need to build credibility and trust within its constituent communities. It makes good sense to co-locate enforcement with the agency building networks with constituency groups likely to be victims of discrimination.
2. Successful enforcement could generate substantial public interest and participation in MHRC activities.
3. Analysis of discrimination complaints could be an accurate monitor of attitudes and behaviors within the community and might help MHRC focus its workplan and projects on predominant community needs.

Although the subcommittee felt there was absolutely no conflict of interest inherent in having MHRC staff doing objective intake and investigative activities, Judge Marcus did concede the possibility of alienating the professional colleagues of those who were penalized for discriminatory behavior. (e.g. Members of landlord/property management organizations) He encouraged the task force to acknowledge that generating flak is a natural consequence

of doing something tangible to curtail discrimination.

The Task Force reviewed the proposed enforcement model flow chart. Judge Marcus explained that testers could be dispatched within 24 hours, resulting in a timely determination of probable cause and gathering critical information that other methods of investigation cannot duplicate. Such information can provide almost irrefutable proof of discrimination and provides a major incentive for private attorneys to handle the case on a contingent fee basis. Testing is designed to duplicate complainant's personal characteristics (income, employment history, etc.) except for the factor believed to be the basis of discrimination (race, age, etc.).

In the subcommittee's proposed model, MHRC referral to mediation/conciliation would only be available prior to determination of probable cause.

The task force discussed developing a process and protections which could be determined by HUD to be equivalent to those used by the Federal government to enforce civil rights for federally protected classes. Equivalency would allow the agency to receive federal dollars for administering such procedures. Although the City's ordinance provides protection for sexual orientation and source of income, these are not federally protected classes and cases would not be eligible for federal dollars.

Russell Peyton stated his preference that MHRC continue its historical precedence of friendly advocacy through the "voice of friendly reason" and leave enforcement to a separate agency.

Becky Wehrli shared her serious reservations about combining advocacy and enforcement. She asked "How would MHRC respond to an outrageous act of discrimination that required the agency to simultaneously conduct a probable cause investigation and stage a response rally?" Judge Marcus replied that as long as the attorney who handles the case does not use the response rally as a fact to prove the complainant's claim, there is no conflict in MHRC pursuing the two distinct functions. Ms. Wehrli offered the following questions for discussion:

1. Would existing testers from the Fair Housing Coalition need additional training to test for other discrimination? Would MHRC need to train a pool of testers?
2. Who would MHRC contract with to provide mediation?
3. How would MHRC recruit private attorneys?

Judge Marcus responded:

1. The current scope of testers needs to be further explored.
2. The subcommittee did not discuss who would provide mediation, however, MHRC's enforcement proposal suggests contracting with the City's Neighborhood Mediation Office.
3. It is becoming financially attractive for attorneys to handle civil rights cases now that the punitive damages cap has been eliminated. Testing makes cases far less troublesome to develop and more likely to be successful. If a pool of attorneys is "handed" the "easy" cases, it would give MHRC some leverage to require the pool to handle "difficult" (non-testable) cases.

Joan Smith asked why the City Attorney's office would not represent claimants and Judge Marcus noted that it would be too costly and very politically complicated.

The recommendation to place enforcement responsibilities in MHRC was partially based on the subcommittees belief that BOLI has a backlog and does not use testers. Judge Marcus stressed that cases which can be investigated through testing should not be assigned to an agency which does not do testing. There was a comment (and staff does not know if it was facetious) that the more difficult non-testable cases could be handled by BOLI and MHRC could handle testable cases.

Raleigh Lewis took a few moment to briefly describe BOLI's Civil Rights Division. BOLI handles civil rights complaints statewide and deals with approximately 3000 complaints per year. The Bureau contracts with HUD (to handle cases within 60 days) and with OSHA (to handle complaints within 90 days). Other complaints are resolved within one year. They see that people of color are not only discriminated against in housing, employment, etc. they still find it difficult to find attorneys to represent them.

Ramona Soto Rank moved that the task force receive the report of the enforcement committee, subject to further reflection, response and action in relation to the other review committee report and research. Joan Smith seconded the motion which passed unanimously.

The Chair, Raleigh Lewis, encouraged task force members to come prepared on December 20th. He suggested that they be sure to read the City Club report on MHRC, the MHRC's Enforcement Proposal and take a few minutes to review the task force charge.

Next Meeting: December 20th, Portland Building, 2nd fl., rm. C

3:30-5:30 p.m.
B-23

MHRC TASK FORCE NOTES

DECEMBER 20, 1991

MEMBERS PRESENT: R. Lewis, Chair; G. Preston, Vice-Chair;
A. Cardenas; R. Lewis; M. Marcus; R. Peyton; S. Pierce;
D. Red Wing; L. Sitton; J. Smith; B. Wehrli

MEMBERS ABSENT: B. Giusto, R. Page, E. Rose, R. Soto Rank,
C. Van-Si

The task force used the four questions from their charge to frame discussion regarding the structure and responsibilities of MHRC. Several items were discussed and final recommendations determined, however, the bulk of issues/ideas presented require further discussion. For the purpose of creating working notes, resolved items have been separated from unresolved items. Below, you will find a summary of completed items, followed by a summary of unresolved items (questions/suggestions). The structure of the summary is based upon the four task force charge questions.

RESOLVED ITEMS:

Question 1 - Is the MHRC mission statement sufficiently broad and inclusive to encompass the needs and goals of our community? What changes, if any, do you recommend?

The task force answered Question 1 affirmatively with the recommendation to change the word sex to gender.

Question 2 - As currently constructed: Can the MHRC organizational structure, budget, staff and program provide the community with an appropriate level of leadership and service? What changes, if any, do you recommend?

As currently constructed, the task force answered no.

The task force reaffirmed its previous recommendation to increase the MHRC from 15 to 21 members.

It was agreed that MHRC should use an issue based committee structure as opposed to the function based committee structure they currently use. The Future Focus subcommittee report recommends that MHRC focus on one or two broad research issues, one or two broad advocacy issues and one or two broad based events per year. The report strongly encouraged greater networking with the community and the task force supported recruiting Future Focus Group members and community representatives to serve on MHRC committees.

Task force members supported Becky Wehrli's suggestion that MHRC be located in a storefront office.

UNRESOLVED ITEMS:

Question 2 - As currently constructed: Can the MHRC organizational structure, budget, staff and program provide the community with an appropriate level of leadership and service?
What changes, if any, do you recommend?

* Issues regarding Question 2 will be impacted by the task force recommendations on Questions 3 and 4.

1. What is an appropriate level of staff?
2. What is an adequate budget for MHRC to function effectively?
3. What jurisdiction(s) should MHRC serve? (e.g. City, City/County, Regional)
4. To whom should MHRC be organizationally accountable? (e.g. Mayor, Mayor/Co. Chair, liaison commissioner)
5. Should the current MHRC members be asked to resign?
6. Who should be recruited to serve on the commission or committees? Should there be specific slots to represent diversity and organizational affiliations including the Diversity Plan Focus Group? Should recruitment be weighted toward individuals ability to devote "time and work" and/or their ability to contribute "expertise and credibility"?
7. Who should appoint Commissioners?
8. Who should have the authority to hire and fire the executive director?
9. What are the general qualifications for the executive director?
10. Should MHRC's name be changed? What would be an appropriate name to represent recommended functions?
11. What is the appropriate role for the City/Co. Advisory Committee on Disabled? Should CCACD have commission status?

Question 3 - As currently constructed can the MHRC: Carry out the Action Steps called for in the Future Focus Diversity Plan?
If the answer is "no" what changes need to be made in order for the Action Steps to be carried out?

The task force committee response to the Diversity Action Plan calls for MHRC to monitor City and County progress in meeting affirmative action goals and assigns MHRC a significant coordinating role in conducting and compiling local research, documenting hate crimes, serving as a clearinghouse for education/training/mediation services, leadership development and networking and advocacy.

1. What is an appropriate level of staff to carry out the recommendations of the task force's future focus committee?
2. What is an adequate budget for MHRC to carry out the recommended Diversity Plan activities?
3. Who should be recruited to serve as an MHRC commissioner/committee member responsible for implementing the Diversity Plan?
4. What are the specific qualifications for the executive director, relevant to implementing the Diversity Plan recommendations?
5. What jurisdiction(s) should MHRC serve through recommended Diversity Plan activities? (City, City/Co., Regional)
6. Should MHRC exist without an enforcement role?

Question 4 - As currently constructed can the MHRC: Act as the enforcement authority for the city of Portland's Civil Rights Ordinance?

If the answer is "no", what changes need to be made in order to make MHRC a viable option for this responsibility?

The task force recognized that the current MHRC structure is not adequate to serve as the enforcement authority and pointed out that it would take time for changes to be implemented and a newly reconstituted agency to get up to speed. However, after discussing enforcement at length, the task force concluded that **MHRC should have enforcement responsibility for testable cases.** There was one dissenting vote. It was noted that BOLI was likely to serve as the interim enforcement agency and that the need is possibly too great, and methods of resolution so broad, that the community may be best served by multiple, cooperating agencies.

Raleigh Lewis pointed out the significant cost and staffing needs to handle cases for all federally protected classes. The task force's enforcement committee budget and staff recommendations were based on MHRC's projections for handling only sexual orientation and source of income discrimination, with other complainants being referred to BOLI.

1. What is an appropriate level of staff to carry out the recommendations of the task force's enforcement committee?
2. What is an adequate budget for MHRC to carry out the recommended enforcement activities?
3. Who should be recruited to serve as an MHRC commissioner/committee member if MHRC has enforcement responsibilities?
4. What are the specific qualifications for the executive director, relevant to enforcement responsibilities?
5. What should the enforcement staff structure be? How can the functions be separated to allow for MHRC to be politically buffered? (e.g. contacting with testers)

MHRC TASK FORCE NOTES

January 3, 1992

MEMBERS PRESENT: Cardenas; Gusito; Griffin; Lewis; Peyton; Preston; Red Wing; Rose; Sitton; Smith; Soto Rank; Wehrli

MEMBERS ABSENT: Marcus; Page; Pierce; Van-Si

Discussion started with consideration of the rationale to be used for the recommendations made in the 12/20/91 meeting. Griffin moved, Soto-Rank seconded motion to accept the rationale presented for changing "sex" to "gender" in the MHRC mission statement. Passed Unanimously.

Wherli moved, Cardenas seconded move to accept the rationale for recommending an increase in the number of MHRC Commissioners from 15 to 21. The motion passed with Peyton and Soto-Rank voting against the motion.

Wherli and Cardenas moved and seconded to accept the rationale for the next two items, i.e., Issue Based Committee structure and locating MHRC on the ground floor of the Portland Building. Both passed unanimously.

There was a motion to recommend that all current MHRC Commissioners be asked to resign. The motion carried. Sitton voted against and Preston abstained.

The question was raised as to whether geographic boundaries of MHRC responsibility should be expanded. Griffin moved/Soto-Rank seconded motion that recommendation be that jurisdiction remain the same at this time but that MHRC instructed to return in 1995 with a plan for the regional (Metro, Washington & Clackamas Counties) operation of the MHRC. Motion passed with Smith and Peyton voting against.

There was some discussion on the minimal level of staffing for MHRC. The discussion was set aside for a more in-depth discussion of the City/County Advisory Committee on Disabilities (CCACD) and its needs. Wherli moved/Soto-Rank seconded motion to recommend that CCACD be separate from MHRC with its own commission status. They saw a need to have greater visibility for the new

Americans With Disabilities Act (ADA) and greater focus on ADA/CCACD and the issues they address. Argument against was that politically it might be better if they remained together. When asked what she thought, Jan Campbell, Director of the City's Disability Project, responded that the needs are to fund projects and project staff, with MHRC commissioners being more vocal regarding the budget and the CCACD having some autonomy in developing and selecting projects. It was noted that the Project used to have its own budget which gave it some degree of autonomy. The motion failed 6-5, Cardenas, Griffin, Lewis, Peyton, Preston, Sitton voted against.

The discussion on overall staffing level resumed. Werhli moved /Guisto seconded the motion to recommend a minimal staff level of 7 FTE. Further discussion pointed out the need for more clerical support. The motion was amended to recommend 8 FTE as follows:

1 Director;

1 Diversity Coordinator (Future Focus);

1 Disability Coordinator;

1 Intake person for Enforcement;

1 Investigator for Enforcement;

1 Full Time receptionist (for the office);

Two positions either clerical or staff assistant, one each to be determined by the MHRC /director and the Disability Project Coordinator. The motion Passed. Griffin voted against.

Guisto raised the issue of dollars being needed for a Hearings Officer, Testers and some City Attorney time. There was short discussion on the priority placed on MHRC and the importance of giving the MHRC what it needs to do its work. If the work is to be done properly then the organization must be properly staffed. Recommendations for staffing are linked to recommendations for program and if there is an increase in workload, additional staff will be required. Based on the recommendations above, Bax and Saadat were asked to prepare a draft budget for discussion at the next meeting.

Griffin moved/Cardenas seconded a motion to recommend that MHRC be accountable only to the Mayor of Portland and the Multnomah County Chair and not be delegated to other commissioners. Discussion focused on whether this would provided the desired accountability if there happened to be a Mayor or Chair that was not interested in the MHRC. It was pointed out that sometimes there is greater support and effectiveness if a very interested commissioner is in charge than might happen with an official who has many, many things on his/her plate. The motion passed. Werhli, Cardenas, Rose and Preston voted against.

The motion to recommend changing the name from the Metropolitan Human Relations Commission to the Metropolitan Human Rights Commission passed. Wehrli, Cardenas, Peyton and Preston voted against. The intent of the name change is to help residents perceive that there has been a change in the responsibilities of the organization.

The motion to recommend that the appointing authority be kept as is, i.e., 10 appointments by Mayor, 10 appointments by County Chair and 1 appointed by MHRC, passed. Cardenas, Smith and Peyton voted against the motion. Rabbi Rose observed that some people may not want to serve with the enforcement connection.

There was lengthy discussion on the kinds of people that should be recruited to serve on the Commission. There was some thought that a certain number of slots should be identified for organizations representing specific groups, (Asian, Black, Native American, Hispanic, Jewish, Lesbian/Gay, Disabled), without naming specific organizations so that members can be rotated. In summary, to the extent possible, the Commission should reflect the diversity of the community. Recommendations for Commission Composition follow:

Individual Appointees:

Tied to Community
Geographically Representative
Some High Status/Leaders
Some Activists
Committment to Diversity

Tied to Organizations
Have Time and Energy
Diversity of Skills
Communication
Administration
Legal / Enforcement
Knowledge

Overall Commission Composition:

Public Sector
Not For Profit
Gender Balance
Sexual Orientation
Age
City Commissioner

Private Sector
Racial Groups
Religious & Non-Religious Groups
Disability
County Commissioner

Ordinance No. 164709

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:

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 contained in section 23.01.080 (A) through (D) of Chapter 1 of Title 23 of the code shall not be utilized until enforcement arrangements have been completed.

Passed by the Council,
Commissioner Mike Lindberg
MWessel:ts madelyn.wrk\civord.,10-1-91

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

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

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

4. refusal to contract with a governmental agency under 42 U.S.C. §1437f(a) "Section 8". A written statement containing the reason or reasons therefor should be sent to the City Attorney's Office, Room 315, 1220 SW 5th Avenue, Portland, Oregon 97204.

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 659.040 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 659.121.

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



Citizen Involvement Committee

2115 SE MORRISON

PORTLAND, OREGON 97214

248-3450

RECEIVED

NOV 22 1991

COMMISSIONER OF
PUBLIC UTILITIES

November 18, 1991

MEMORANDUM

To: MHRC Task Force Members
County Commissioners
City Commissioners

From: Gloria Fisher
Office of Citizen Involvement

Re: CBAC report

The Non-Departmental Citizen Budget Advisory Committee is a committee of seven citizens which reviews organizations that fall under the county's Non-Departmental category and makes program and budget recommendations to the Board of County Commissioners.

The CBAC has interviewed the Chair and former Acting Director of the Metropolitan Human Relations Commission and is forwarding the enclosed report to you, MHRC and city and county commissioners.

We are enclosing reports of the previous three years so you will understand the Non-Departmental CBAC's long-term interest in the Commission.

**NON-DEPARTMENTAL CBAC REPORT ON
METROPOLITAN HUMAN RELATIONS COMMISSION**

October 26, 1991

This report is issued by the Non-Departmental Citizen's Budget Advisory Committee, which is one of the system of CBAC's established under the Citizen's Involvement Committee (CIC) to provide citizen guidance to The County Commissioners' Budget and Policy making. It is intended to help formulate the County's position on MHRC, and the CBAC requests that it also be forwarded to the MHRC Task Force as knowledgeable Citizen input in keeping with the purpose of the CIC and CBAC process.

As part of its continuing work, the Multnomah County Non-Departmental CBAC recently met with Luis Machorro and Caroline Leonard to learn more about MHRC's problems and challenges. Here is a summary of observations and some recommendations based upon these meetings:

Carolyn Leonard candidly described problems and disagreements with some elected officials regarding the operation of MHRC. A few of the specific issues she addressed were:

- The need for adequate staffing and suitable office space. The current situation is not conducive to MHRC's accomplishing its missions.
- The question of employing the key staff of MHRC as contract employees to keep operating costs of MHRC low.
- The dilemma of trying to remain an effective, trusted and low profile mediator and research entity, while also providing leadership on human rights issues.
- The politics of MHRC, including the recent public criticism launched by an elected official which resulted in establishment of the commission to study MHRC.
- The inability of the Board to act cohesively.
- The suggestion of moving MHRC under the oversight of one of Portland City Commissioners.

Luis offered an analysis of the organizational problems and the need for over-arching policy direction. Specifically, he described the following problems.

- A need for adequate staffing to accomplish the variety MHRC's missions.
- A need for consistent Board level priority setting and policy direction.
- The problem of narrow interests expressed through the Board causing inefficiency and an inability to focus and follow through.

Summary: To the CBAC members, these problems seemed to fall into two broad categories. The first are public policy issues regarding MHRC's purpose and the appropriate structure to maximize its effectiveness. The second are problems preventing effective directorship from the Board. They are not the same, but they are interrelated.

MHRC is constituted as an independent entity, supported by both the City of Portland and Multnomah County. Its Board is appointed in part by both, and its funding comes from both. Each provide a liaison person to link the MHRC to the two government bodies. Apparently because of MHRC's organizational difficulties, it has come under attack for not

becoming visible enough, and for failure to lead effectively.

The failure of boards to provide effective leadership is a common problem when they are composed predominantly of individuals strongly committed to specific and narrow aspects of an organization's mission, inexperienced directors, and/or boards that are simply too large. It is predictable that such boards will have great difficulty in setting policy, providing direction, and giving broad guidance for that organization. Boards are supposed to broaden the view, define the mission, and ensure that adequate resources are in place for its accomplishment. They are not supposed to act as issue lobbyists.

Recommendations:

1. DECIDE TO "FISH OR CUT BAIT."

The County must decide whether the mission of MHRC is worthy or not. If the decision is that MHRC is not worth the cost of doing it right, then the County should stop supporting it altogether. If the decision is that it is worthy, as this Committee believes it is, then The City and County should make the needed commitments to ensure that it becomes as effective as it can. For the citizens and taxpayers sake, it is better to take the former option than to merely toy with the latter while raising hopes and wasting resources.

The following recommendations assume that the decision is to continue MHRC.

2. LEAVE MHRC AS AN INDEPENDENT ENTITY.

The CBAC agrees that MHRC has not been as effective as it should be, however, the Committee believes the reasons have little to do with lack of political oversight, or with it becoming a "runaway Commission" as has been suggested. Can a Commission that is by definition an independent entity, "runaway?" It might seem so to an official who is unable to get it to respond to their issue, but MHRC was not chartered to act at the direction of elected City or County Officials, but rather at the direction of its Board. If the Board is failing to direct adequately, then that should be corrected as described below.

We believe strongly that MHRC was correctly constituted as an independent entity to accomplish the important mission of improving human relations in Multnomah County and the City of Portland. The following are some of the reasons for it remaining an independent entity which we think are important and should not be ignored.

- MHRC's mission is directed at a community larger than either the legal boundaries of the City of Portland or Multnomah County.

- MHRC's independence from "politicking" (as opposed to policy making) gives it a special standing that should not be lightly tossed off.

- Placing MHRC under any City or County Commissioner would severely politicize MHRC, make it a probable target of political campaign attacks for each re-election

cycle for that Commissioner, and destroy MHRC's ability, in the long run, to become as effective as it otherwise can. The role of Liaison, does not create the same degree of problem that Commissioner "oversight" or "administration" would.

If a reconstitution is in truly in order, since MHRC's issues are really metropolitan area wide, its base should be broadened as widely as possible, and certainly not narrowed to the legal boundaries of the City of Portland.

The County should strongly oppose any move, no matter how well intentioned, to further politicize or parochialize MHRC in the mistaken expectation of making it more effective.

3. CHANGE THE STRUCTURE OF MHRC'S BOARD TO REFLECT A BROADER BASE AND TO ENSURE HIGH CALIBER DIRECTORSHIP.

As mentioned above, one principal reason for MHRC's failure to be effective, we believe results from a selection and nomination process that produces an overly narrow, constituent based Board.

Good directors and good boards don't just happen because people with strong commitments and shared values come together. People are not born with the skills to analyze, strategize, and move from thinking about the specific and immediate towards the abstract. In fact, we are by our evolutionary nature creatures that survived by moving from the abstract to quick and decisive action. This has important implications for directing organizations.

Directors have to learn how to direct through experience, mentoring, and formal training. It is best to have only a few people with very narrow and parochial interests on the Board, because they tend to move the issues from planning, strategy and evaluation towards specific tactics and objectives. This tends to derail the organization and undermines executive management's effectiveness. The smaller the organization, and the less its resources, the more disruptive weak directorship is.

MHRC's Board should be modeled after that of other successful organizations which have "outside" directors on the Board. These are people from unrelated fields with little specific knowledge about the technical workings of the organization or its executive mechanisms. They bring organizational skills and stabilizing objectivity to the organization. They require clear statements of overall purpose and goals, logical and consistent policy making to effectuate those goals, reporting by and interactive dialogue with the executive staff regarding how well they are achieving the objectives of the plan, reminders about goals and plans when executive staff begins to wander, and suggestions for executive staff drawn from other areas of human endeavor that have relevance but may not be otherwise considered. They also provide a networking ability into the broader community for the good of the organization.

Specifically, the makeup of the Board should represent a good cross section of the community's formal and informal power base, include experienced "outside directors", and

include a small but effective representation from the "constituencies". In addition, the Board should not be overly large since large boards also suffer difficulty in setting policy and directing effectively. If the input and involvement of more people is desired on various issues, that should not be accomplished by adding people to the Board. Instead, a smaller Board with a more effective system of task forces or advisory groups should be established. Board members should receive training regarding effective directorship.

4. PROVIDE MHRC ADEQUATE STAFF AND SUPPORT TO ACCOMPLISH ITS MISSION.

The Committee does not know whether the suggestion that MHRC convert to contract employees in order to lower operating expense through avoidance of fringe benefits cost is true or not. If it is, it exemplifies the other reason for MHRC's ineffectiveness. The CBAC thinks that if MHRC is to be funded at all, then it should be funded adequately, and certainly in compliance with the letter and spirit of State Laws regarding employment. Even if it were possible for MHRC to somehow legally follow this suggestion, it would be seen as a crippling hypocrisy running directly to MHRC's credibility. How could the City or County or MHRC Board speak about human relations issues, while using loopholes to deny its own employees the basic health insurance and other standard public employee benefits?

More importantly, there is a "coded message" implicit in this kind of idea that says this work is unimportant enough to only require a visible statement, but not important enough to adequately support the people doing the work. The attitude, that a token gesture is enough, is the same attitude that has kept MHRC from having the needed resources to accomplish its job even if it had good directorship.

Again, the County and City should either do it right, or not waste money making a ineffective show.

5. FINALLY, (A RECOMMENDATION FOR MHRC STAFF AND BOARD): LEARN TO USE THE MEDIA EFFECTIVELY.

Given the limited resources of MHRC it seems essential to find ways to maximize the leverage of MHRC as a catalyst organization. We sensed uneasiness with the notion of constructive use of media by MHRC.

MHRC needs to recognize the need for, understand the legitimacy of, and learn how to use the various instruments of media and communications more effectively. After all, MHRC's real mission is not to change tangible things, but to change ideas. Racial and sexual prejudice and discrimination are not animate objects, they are ideas. These ideas are taught and acquired in a variety of ways, and they are reinforced by amplifying fear and uncertainty.

We all readily accept the power of the media when it comes to selling tangibles. We are fully aware that it is possible to create a very compelling marketing image about an

object, that often far exceeds the reality of the object itself. Exactly the same is true for ideas. Media is neither good, nor evil. It is a tool, like a hammer. Just as a hammer can be used to build or as weapon to destroy, so the media be used to amplify prejudice or to diminish it. It is how the tool is used, not the fact of its use, that is good or bad.

If the fundamental task of MHRC, in the long run, is to change attitudes and ideas rather than to create things or organizations, then media, in all its various aspects represents one of the most effective and powerful tools available to it. Instead of shying away from it, MHRC should embrace and learn how to use it.

The best way to explore the possibilities in this area is to interact with people like the Portland Ad Council and get their professional assistance in developing a coordinated media plan.

NONDEPARTMENTAL CITIZEN BUDGET ADVISORY COMMITTEE
BUDGET RECOMMENDATIONS - 1990-1991

The following is the final report of the Non-Departmental Citizen Budget Advisory Committee. The recommendations are based on interviews of the organizations concerning their programs and projections, since we have not received copies of the budgets at this time. Our final report will be submitted at an appropriate time during the budget process.

Metropolitan Human Relations Commission

The Metropolitan Human Relations Commission has a very important role to play during this time of rising reported hate crimes. We also note that the City of Portland's affirmative action goals are not being met and that Multnomah County is deficient in minority employees at the higher levels. MHRC's new director has strengthened the program is establishing relationships with the county's citizens through an outreach program. We welcome the Commission's more pro-active effort and its higher visibility in the community.

We believe that in order to fulfill its role, which includes monitoring city and county employment practices and making recommendations for change; accepting, investigating and mediating human rights violations and conflicts; and public education, MHRC requires reorganization.

1. MHRC should be administered by Multnomah County, in the non-departmental area. This would take the administration of the Commission out of the City bureau and make it the independently operating commission that it was planned to be. This would take the Commission out of bureau politics and place it in the position to make recommendations to the cities and the county.
2. MHRC should have staff necessary to carry out its function. Contracting for human/civil rights services fails in that the contractor does not have an investment in the agency or its mission, there is not adequate follow-up, some information on which the contract is based is not available to MHRC, the director does not have administrative control over the contracts, funds cannot be transferred among functions. We recommend that staff be provided to carry out all of MHRC's previously contracted projects.

3. We support the request for additional staff.
4. We recommend that immediate steps be taken to renegotiate the intergovernmental agreement to share costs with the City of Portland, the City of Gresham, the other cities within Multnomah County and Multnomah County.

Multnomah County Citizen Involvement Committee

The Non-Departmental CBAC supports the request of the Citizen Involvement Committee for additional funds to expand its staff and outreach/education component. This will enable the CIC to more fully carry out its mission: to inform citizens concerning citizen involvement in Multnomah County, to advocate for meaningful and timely involvement opportunities for citizens in Multnomah County, and to integrate citizens into decision making processes of Multnomah County.

We support the addition of a full time person for community education/training and outreach and increases in printing and mailing budgets, as well as increasing the secretarial position to full time. The full budget request is \$181,751.

Commissioner's Budgets

We encourage the development of a pay scale for the "staff assistants" in the Commissioner's and Chair's offices so that these employees will be paid on an equitable basis depending on experience, expertise and performance. The current system allows for persons with substantially the same experience and duties to receive greatly disparate rates of pay.

Metropolitan Arts Commission:

We strongly encourage this commission to decentralize its services which are congregated in downtown Portland. We realize the importance of the locating the major cultural institutions downtown and encouraging their use by all county residents. However, we believe all neighborhoods should benefit from the encouragement of both participatory and spectator arts so that they will become an integral part of the community. Decentralization of the arts would also discourage the perception that art is for the elite. We commend the Commission for its programs designed to introduce youth to the arts and encourage the expansion of arts participation for all ages and all ethnic communities.

Very few art objects are located east of the Willamette and we note that no art objects were located at the newly developed Hollywood business district or along rebuilt Division Street. Every neighborhood has a suitable site and, with encouragement and guidance, could develop projects. The mural on Martin Luther King Boulevard is an excellent example.

MHRC Task Force

Board Members and Interested Parties:

While it is true that ensuring social justice is the responsibility of our elected officials, it is also true that it is the responsibility of our citizenry. As a society, it is critical that we move away from the concept that governmental bodies must bear the onus of curing social ills. In the matter of human relations, the response to the evils of hate crimes and bigotry is most properly addressed in the hearts and minds of informed and committed citizens. The values of social justice, then, would be upheld and represented by our governing bodies.

With this in mind, we strongly feel that such an entity as the MHRC must continue its mission and pursue it as a primarily volunteer agency with strong community ties. The grassroots activism, which lies as yet untapped in our neighborhoods, is the key to a successful implementation of human rights.

In consideration of this, we believe the following guidelines must be carefully considered in grappling with the issue of the future of the MHRC:

1. A clear mission statement with a written, formal action plan stating specific goals and directions is vitally important.
2. It is recommended that the MHRC report directly to the Mayor's office and the Co-Chair rather than a specific Commissioner in charge of a bureau, as is now the case.
3. A clear statement of board member responsibilities must be developed. Along with this, a decision must be made regarding the enforcement of board procedures and expectations. Members who cannot work within the mission of the board must be removed. The proper authority to do this must be designated.
4. MHRC must be given adequate support both in resources and visibility. While much activism will, by the nature of its mission, be volunteer and grassroots, there must be a paid staff who feel supported and are empowered by our elected officials. Money and appropriate media attention are important support tools.
5. Enforcement tools must be developed and delegated, i.e., an effective civil rights ordinance and adequate staff to examine issues of bigotry and hate crimes and properly channel these issues. MHRC might well consider expanding to include in its mission the development of a civil rights office charged with demonstrating a clear legal commitment to the entire process of guaranteeing the rights of all citizens.

6. Outreach and education needs to occur. This goes beyond a passive stand of just being a government body, sitting downtown with an acronym, and must be instead an active entity which has a clear plan of community involvement (see 1 above).
7. MHRC can be a body which would be available to mediate in intergroup conflicts and take a proactive stance where human and civil rights issues and conflicts arise.
8. Greater and more visible victim advocacy is needed. The victims of hate crimes must not be left to feel they are alone and disempowered.

In closing, the operation of MHRC must not be allowed to become part of any political ball game or personal agenda on the part of any person or body. Perhaps some fresh faces or more involvement with citizens working at a community level would prevent this. Hate crimes and bigotry are not the proper forum for political or personal aggrandizement -- as we must all agree.

Once again, this is a problem where citizens must be invited in and asked to participate. It is our quality of life, our neighborhoods and our self respect which is on the line here. MHRC can help us, guide us, and teach us, but we need to roll up our sleeves and do the job ourselves.

Fighting hate crimes is both our right and responsibility. In the end, we must remember the children of tomorrow. Bigotry and hatred are learned from adult role models. Let's work together to change the model.

Sincerely yours,

Terry Nichols Mary Nichols
Support Committee for Southeast
Anti-Racism Task Force

Gail Ora

RECEIVED

SEP 09 1991

COMMISSIONER OF
PUBLIC UTILITIES

September 6, 1991

Commissioner Gretchen Kafoury
City of Portland
1220 S.W. Fifth Avenue
Portland, Oregon 97204

REFERENCE: Task Force on Metropolitan Human Relations Commission Review

Dear Commissioner Kafoury: *Gretchen*

I'm greatly heartened to know that you and Multnomah County Chairwoman McCoy will be appointing a Citizens Task Force to review the organization and mandate of the Metropolitan Human Relations Commission.

Needless to say, If the Commission is going to survive, it must take a hard, comprehensive self-evaluation into its processes, procedures and output.

As a Portland citizen, past Commission staff member and concerned individual, I wish to provide some observations to you in your difficult task ahead. Difficult, because of the many divergent interests that have historically plagued the Commission. However, we need such a group.

The Review Task Force may wish to concentrate on the goal of the organization and its legal mandate. It is my feeling that the goal and structure of the Metropolitan Human Relations Commission may have outlived its utility.

Additionally, the MHRC should be an accounting unit and not a reporting unit. The change from an accounting unit to a reporting unit implemented in 1986 severely damaged the effectiveness of the group. By subsuming this body under the Office of Citizens Commissions, the group became demoralized.

From an organizational development perspective, the MHRC should report directly to the Mayor of Portland and the County Executive. Commission members should be appointed by the group after consultations and deliberations. The Executive Director, however, should be appointed by an external committee, constituted specifically for this purpose and with the concurrence of the Mayor and County Executive.

Staff should continue to be hired through the present Civil Service process.

Programs and activities should not be contracted to outside bodies. Although an argument could be made about the cost effectiveness of this procedure, a more salient point can be made, that contracting out MHRC activities and programs decreases the authority of the group and does not allow the staff to feel proprietary about the work of the group.

The City of Portland should also endeavor to place the Police Investigations Auditing Committee within the MHRC organization. It should appoint the Affirmative Action Officer of the City and County (now merged) to sit as an ex-officio member of the Commission. This will greatly enhance the visibility and the credibility of the AA/EEO programs and bring expertise to the Commission in its AA/EEO evaluation charge.

Additionally, Fair Housing activities being conducted by other City entities should be placed within the MHRC organization. This does not require any changes in fund allocation, but simply the staff and the activities.

The MHRC needs to be provided with an integrated investigatory component. The organization needs to be seen as more than just a paper pushing enterprise. This will present problems of where to limit these responsibilities and how to draft an ordinance to create these responsibilities.

The beauty of the MHRC having investigatory powers can be seen in the concept that if the organization is provided through a legal mandate with investigatory powers, then it can become a referring agency of the Equal Employment Commission and thus generate its own dollars for this activity. Presently, the Bureau of Labor and Industries receives approximately \$420 per case. There is no reason why the MHRC cannot become a referring agency.

Another strategy that needs to be utilized perhaps across all the citizen boards, committees or commissions; is the training of present and future citizen commissioners. Perhaps the City/County could implement a system by which all those individuals being appointed to volunteer bodies can be provided with a series of well planned and delivered workshops on duties, responsibilities and how to work collaborative in citizen bodies. The present ad-hoc system allows too many individuals to bring their own private agendas to the group impacting negatively on the organization.


The tenure of the group members should be limited to one four year term with a four year waiting period before an individual could again be appointed.

I know that the Task Force will have its hands full. I wish you and Chairwoman McCoy good luck in these efforts.

Continued good health and success.

With warm regards.

Sincerely,


Roberto Reyes-Colon
4218 S.W. Primrose Street
Portland, Oregon 97219-5232



CITY OF

PORTLAND, OREGON

DEPARTMENT OF PUBLIC WORKS

Earl Blumenauer, Commissioner
1220 S.W. 5th, 4th Floor
Portland, OR 97204
(503) 248-5577

RECEIVED
HUMAN RELATIONS COMMISSION

March 13, 1987

PM
VISITORS BUREAU

TO: Metropolitan Human Relations Commission

FROM: Earl Blumenauer

Enclosed herewith is a copy of the report of the Management Review Project on the Metropolitan Human Relations Commission. This report summarizes the evaluation work that I am conducting for all the bureaus, offices and commissions assigned to me. We have already discussed this project at your commission meetings and at your executive committee meetings. I appreciate your individual and collective assistance in this management review project and more generally in my efforts to understand the policies, priorities and work products of the Metropolitan Human Relations Commission.

This report has helped me focus on the important role that the Commission plays in our local society. I hope it will help us together focus our energy on assuring that the Commission provides effective leadership in human rights advocacy.

In the course of our evaluation, we developed three alternative management structures, which are described in this report and which I discussed at your meeting Monday, March 9. Please examine each of these options carefully to determine which would be most effective in providing the support you need to achieve your work priorities. As you make your assessment, you may define a combination or variation that is better suited to your Commission process and the nature of the Commission's role than any of the three here listed. Your judgement in this area is more developed than mine, and I will rely on your counsel.

The Commission and its commitment to human rights serve a fundamental need which I am dedicating to preserving. I look forward to a joint effort with you and a productive working relationship with each of you and all of you.

cc with enclosure:
Reymundo Marin
Rachel Jacky

DEPARTMENT OF PUBLIC WORKS
MANAGEMENT REVIEW PROJECT

METROPOLITAN HUMAN RELATIONS COMMISSION

March 12, 1987
Joan H. Smith
Project Consultant

MANAGEMENT REVIEW PROJECT

METROPOLITAN HUMAN RELATIONS COMMISSION

Review Project: purpose, method

The purpose of this project was to gather information about the current and future operation of various programs and services of the Metropolitan Human Relations Commission (MHRC). The information is to be used in the budget decision-making process and to assist the Commissioner of Public Works in managing the bureaus assigned to him.

In order to do the assessment, the consultant discussed the scope of the project with Commissioner Blumenauer and wrote a work plan reviewed and approved by his executive assistant. The work included identification of interested constituencies; review of minutes, reports, and commission materials; and personal interviews. (See Attachment A.) This report summarizes recommendations to the commissioner and MHRC based on assessment of the information gathered in the course of the project.

MHRC Operational Issues

The city and the county each contribute half of the MHRC budget. Recent and anticipated budget constraints required a re-evaluation of how MHRC operates and what it can do in a time of fiscal constraint. All those interviewed affirmed that the need continues for a strong voice for human rights. The issue then is how the commission can be most effective for the funds available, how it can improve its productivity, and how it can measure its productivity. While many of those interviewed spoke highly of the MHRC awards program and the first meeting of the Task Force on Racial and Religious Violence, they also pointed to a greater need for focus and advocacy. (See summary of MHRC activities in Attachment B.) The commission itself has spent considerable time on internal efforts to organize itself more effectively and set goals. The commission has the right and responsibility to adjust its operations to meet its goals, to perform effectively, and to accommodate reduced resources.

The Current Budget Proposal and Options

In an effort to address the issues of less money and the need for measurable results, the following budget proposal has been made (city only): \$100,000 as a base budget with an addition of a \$19,853 held in reserve for refugee issues. The commission has the authority to assess where its priorities should be and where it can be most effective by choosing one of the options described below. Once an option is chosen, the commission will submit a work plan by June 1 and quarterly progress reports to the Human Resources Coordinator.

Option A

MHRC develops a work program identifying its priorities and measure of productivity. It uses its budget to contract with qualified individuals and community groups to accomplish its programs and provide service. For example, it may contract for the awards program logistics or a seminar bringing together community leaders to discuss a topic of critical interest. The commission may also use its budget to grant money to community organizations which have programs or provide services in MHRC priority areas. MHRC continues its advocacy role through its monthly agendas, resolutions, and committee work. The commission hires no permanent staff.

Option B

MHRC develops a work program identifying its priorities and measure of productivity. It hires a professional to administer its contracts and grants, and a clerical to assist in correspondence, meeting arrangements and minutes. It uses the remainder of its budget as described in Option A to contract with community organizations or offer grants for programs, services, and support of advocacy efforts.

Option C

MHRC develops work program identifying its priorities and measure of productivity. It retains whatever portion of current staff can be supported within fiscal constraints. The commission continues its advocacy role, and relies on the staff to carry out the commissioner's work program. Key elements of the work program may be eliminated if the level of staff that can be funded is insufficient to achieve the entire work program.

Prepared by: Joan H. Smith
March 12, 1987

Attachment A

MANAGEMENT REVIEW PROJECT:
Metropolitan Human Relations Commission

Interviews: The following individuals were interviewed in the course of this project by the commissioner, his staff or the consultant.

Art Alexander
Nick Barnett
Marlene Bayless Mitchell
Representative Margaret Carter
Herb Cawthorne
Carol Edmo
Orcilia Forbes
Vikki Freeman
Sid Galton
John Heflin
Ron Herndon
Al Jamison
Michael Jans
Sid Lezak
Keeston Lowery
Ed Marihart
Jose Mata
Kris Olson Rogers
Rodney Page
Manny Rose
Kathleen Saadat
Ollie Smith
Dan Steffey
Beverly Stein

REPORTS & PROJECTS

7-84: None

8-84: None

9-84: Meeting with Mary Wendy Roberts to finalize CRD study update. A major project is the "modified diploma"--study its use and impact. Ongoing project of updating report on PPS suspensions, expulsions and dropouts.

10-84: Continue ongoing project of Statement on Interpretation/Translation in Court System.

11-84: None

12-84: Modified Criteria for Selecting & Recommending Commission Appointments and created new section: Nomination of Chairperson. Developed 85-86 committee goals.

1-85: Packages included in the budget for: A. Research & Advocacy, B. Handicapped, C. Fair Housing, D. CHRB/New Horizons. MHRC to take the lead in implementing the Fair Housing Testing Program. Planning to establish a data base.

2-85: None

EVENTS

7-84: Organize MHRC potluck and Peyton Awards luncheon.

8-84: Organize Peyton Awards banquet. Re. indo to organize a forum with Southeast Asian community for Sept/October.

9-84: Sponsor Second Cross-Cultural Workshop on Southeast Asian Refugees. Co-sponsorship requested by United Way for a Hispanic Workshop. Continue Peyton Awards planning.

10-84: Oregon Multicultural Education Association Conference in January (co-sponsorship?). CCACD to establish the Sonja Hilton Award. Continue Peyton Awards planning.

11-84: Participated in Affirmative Action workshop sponsored by Portland Federal Executive Board.

12-84: None

1-85: Peyton Awards Banquet held. The most successful ever hosted!

2-85: None

EVENTS MONITORED

7-84: None

8-84: CCACD toured and monitored Justice Center and Performing Arts Center for handicapped access.

9-84: Recommendations given on handicapped access to Justice Center and Performing Arts Center. County Self-evaluation.

10-84: CCACD monitoring County Self-evaluation for handicapped access. Liason with Jewish community re: homecoming at Lincoln HS scheduled on Jewish holiday.

11-84: State Handicapped Division proposal from Department of Human Resources. MHRC is fiscal agent for Community Housing Resource Board of HUD (CHRB).

12-84: Providing testimony for Multnomah County ordinance prohibiting sexual preference discrimination.

1-85: Johnnie Bell appointed to New Horizons Task Force on CHRB. Nitina Chavan to represent MHRC at OMRA conference.

2-85: Independent Living Center and the Civil Rights Restoration Bill.

OFFICE/STAFF ISSUES

7-84: Parking situation in Portland Building.

8-84: Changes made in the Executive Committee. Establish co-chairs in Equal Justice Committee. MHRC vacancies since Dec 83.

9-84: Resignation of Linda Johnson. Nomination of Thanh Hai Vominh. Monitoring MHRC budget.

10-84: Develop formal nomination procedure. Resignation of Donny Adair and Angelica Chathan. MHRC formally oppose ballot measures #2, #7 and #8. Committee established to evaluate Executive Director. Staff retreat planned.

11-84: Nominating Committee evaluating procedures for: prospective commissioners, MHRC chair, evaluation and reappointment of commissioners. MHRC out of travel funds.

12-84: Time lines and goals listed as important evaluation tools. Requested more input on budget issues. Request more operational funds.

1-85: Desire more Asian representatives on MHRC and more diversity. Budget request for staff increased from \$128,021 to \$176,848--new clerical and transportation. Thanh Hai Vominh resigned.

2-85: Newsletter guidelines and policies prepared. MHRC is aggressively lobbying City for budget increase.

REPORTS & PROJECTS

8-85: Study of entire PIIAC appeals to be conducted by the Equal Justice Committee.

9-85: None

10-85 None

11-85: Equal Justice Committee working on INS report and PIIAC evaluation. Employment Committee has had difficulty obtaining information for evaluating PPIC youth programs.

12-85: Report on INS delayed. Working on phone survey with CHERB for housing discrimination against women with children.

1-86: None

2-86: None

3-86: None

EVENTS

8-85: MHRC co-sponsor the Independent Living Conference in September.

9-85: Press conference protesting Year of the Dragon. Tubman Essay Awards expanded to four middle schools. East County Fair Housing Workshop. Co-promotion of Project Reach-- a multicultural program in East County.

10-85: Co-sponsor Conference on the Homeless (Nov 85) with Ecumenical Ministries of Oregon (EMO).

11-85: Peyton Awards banquet and Tubman essays discussed.

12-85: None

1-86: None

2-86: Request to co-sponsor the Ricky Sherover-Marcuse workshops, specifically "Unlearning Racism: Celebrating and Building Multicultural Alliances." Commission voted to develop criteria for co-sponsorship of events. MHRC to become the 28th sponsor of "Women in the Year 2000" conference. Dapo Sobowahin planned OMEA conference, which is a spin-off of MHRC.

3-86: None

EVENTS MONITORED

8-85: Monitoring PIIAC.

9-85: Citizens requested MHRC protest the movie Year of the Dragon for its racist portrayal of Asians. Continue monitoring the Police use of excess force.

10-85: Monitoring INS use of Police Data System files-- possibility of harassment of Hispanic community.

11-85: None

12-85: Maintain INS request for Police Data System files.

1-86: None

2-86: None

3-86: None

OFFICE/STAFF ISSUES

8-85: Work/study position with P60 discussed. Concern over the policy setting ability of the Executive Committee.

9-85: Debate over MHRC policy of protesting films, and possible link to censorship.

10-85: Name changed from Peyton Awards to MHRC Awards Luncheon. Continue solicitation of businesses for prospective members.

11-85: Discussion of criteria for evaluation of Executive Director. Role of the City and County in MHRC.

12-85: Adopted gay/lesbian rights policy statement. Awards luncheon planning. Tri-Commissions meeting.

1-86: Discussion of City FY 86-87 budget. Approved the revised evaluation form for the Executive Director.

2-86: Request by S. Galton to be reassigned committees. Commissioner Little felt that "there was no way to evaluate the Executive Director's performance due to the internal organization and direct line of responsibility as it relates to the programs." Voted to evaluate and recommend methods for staffing committees and MHRC functions. Michael Benjamin nominated. Debate over process of selection and role of Executive Committee in nomination of members. Problem of Nomination Committee not meeting prior to MHRC meeting.

3-86: Election of Commissioner Heflin to Vice-Chair.

REPORTS & PROJECTS

10-86: Cross-cultural training with the Police Bureau to become an ongoing program.

11-86: None

12-86: Five meeting rooms in City Hall and the Portland Building have been equipped with facilities for the hearing impaired through the efforts of CCACD. CCACD also working on access to local buildings and transportation facilities.

EVENTS

10-86: Office strategic planning workshop for office orientation and goal setting.

11-86: None

12-86: None

EVENTS MONITORED

10-86: Parade permit ordinance that might make it financially difficult for small organizations to hold rallies and parades. Problem facing downtown churches and lack of access during Sunday morning road races. Student in East County having to prove citizenship to enter school.

11-86: INS presentation to Commission concerning INS goals and actions--likely due to prior harassment of Hispanics by off duty INS agents.

12-86: None

OFFICE/STAFF ISSUES

10-86: By-law revisions adopted. MHRC Awards luncheon being planned for January. Possibility of MHRC being named in a lawsuit arising out of the Women in the Year 2000 Conference.

11-86: Committee Chair elections. Nomination of Commissioners for reappointment.

12-86: Re-election of MHRC Chair and Vice-Chair. Peyton Award winners and banquet plans approved. Discussion of new meeting time.