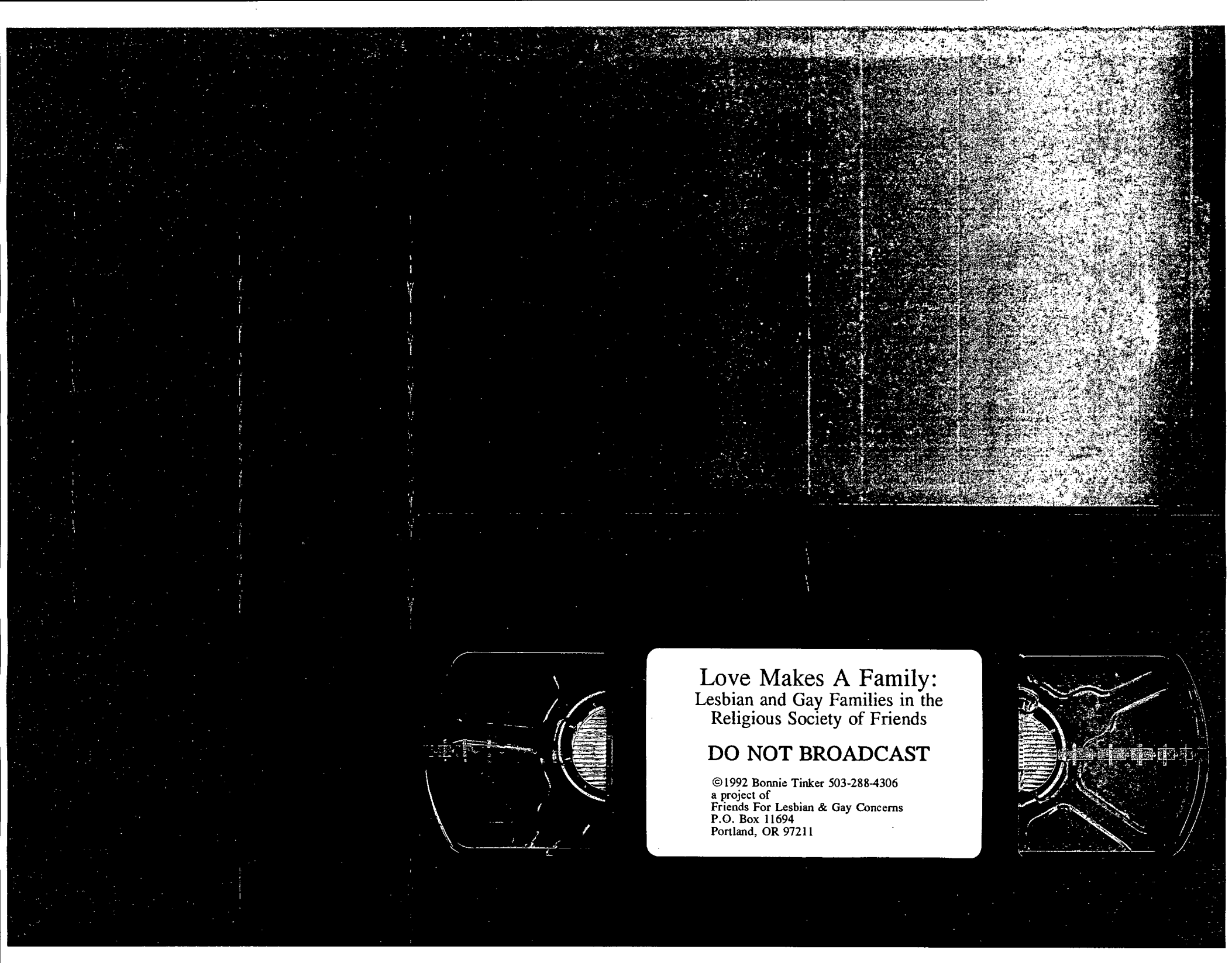

Love Makes A Family:
Lesbian and Gay Families in the Religious Society of Friends

DO NOT BROADCAST

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a project of
Friends For Lesbian & Gay Concerns
P.O. Box 11694
Portland, OR 97211

ANNOTATED MINUTES

Tuesday, March 30, 2004 - **9:00 AM to 1:00 PM**
The Century Room at the Century Hotel
8185 SW Tualatin Sherwood Road
I-5 South to Exit 289, Right on Nyberg to Tualatin Sherwood Road

THREE COUNTY REGIONAL MEETING

Multnomah County Chair Diane Linn convened the meeting at 9:20 a.m., with Vice-Chair Serena Cruz and Commissioners Lisa Naito and Maria Rojo de Steffey present, and Commissioner Lonnie Roberts excused; Clackamas County Chair Bill Kennemer, Vice-Chair Martha Schrader and Commissioner Larry Sowa present; and Washington County Chair Tom Brian, Vice-Chair Dick Schouten and Commissioners John Leeper and Andy Duyck present, and Commissioner Roy Rogers arriving at 10:04 a.m.

JM-1 The Multnomah County Board of Commissioners is hosting a regional meeting of the Clackamas, Washington and Multnomah County Commissioners. The purpose of this meeting is to discuss the interests of the counties and the possibility of mental health coordination. This meeting is open to the public.

MELINDA MOWERY, CLACKAMAS COUNTY; DERALD WALKER, SETH LYON AND AMY BAKER, MULTNOMAH COUNTY; AND ROD BRANYAN, WASHINGTON COUNTY PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION ON ISSUES INCLUDING DIFFERENCES AND SIMILARITIES OF MENTAL HEALTH TREATMENT SERVICES; LEGISLATIVE ISSUES. JOHN BALL AND JON MANTAY PARTICIPATION IN BOARD DISCUSSION REGARDING ASSOCIATION OF OREGON COUNTIES COMMUNICATIONS; LEGISLATIVE DELEGATION; AND POSSIBLE ITEMS OF DISCUSSION FOR NEXT REGIONAL MEETING.

There being no further business, the meeting was adjourned at 1:00 p.m.

Wednesday, March 31, 2004 - **4:00 PM to 6:00 PM**
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

PUBLIC HEARING

Chair Diane Linn convened the meeting at 4:00 p.m., with Vice-Chair Serena Cruz and Commissioners Lisa Naito, Lonnie Roberts present; and Commissioner Maria Rojo de Steffey arriving at 4:03 p.m.

PH-1 The Multnomah County Board of Commissioners is requesting public testimony on a Resolution reiterating the county's position to adhere to the legal opinion that it is unconstitutional to deny marriage licenses based on gender or sexual orientation. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk. The Boardroom will be open one hour prior to the meeting.

CHAIR LINN WELCOMED ALL AND ADVISED THAT COMMISSIONER ROJO WILL BE ALONG SHORTLY AS SHE IS COMING FROM ANOTHER MEETING. CHAIR LINN ADVISED THAT TESTIMONY WOULD BE LIMITED TO TWO MINUTES PER PERSON TO ALLOW EVERYONE THE OPPORTUNITY TO SPEAK; AND REMINDED THE AUDIENCE TO BE RESPECTFUL TO ALL.

CHRISTINE SJOGREN; JUDITH VEAZEY; KELLY WHITTY; TESS FIELDS; DAMION MOYER-SIMS; DAVID MAYNARD; GLENNA SHEPHERD; TIFFANY HARRIS; APRIL LEWIS; CAROL FRENCH; TOM POTTER; VERLIN BYERS; VICTORIA GUILLEBEAU AND JOHN SCHWEIBERT TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ROGER BROWN TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE

LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. W. J. MARK KNUTSON AND KATHLEEN SAADAT TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. GREG ALLEN; KAREN MEYER; JULIE SOUTHGATE AND JOY AASEN TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. LINDA DONSKY; THOMAS LUCKETT AND NORM COSTA TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. JAEHEE RANCOURT TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. GABRIEL DALESON AND COREY MICHAEL BRUESCH TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. THOMAS VALENCIA TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. HELENA CARLSON

TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. HELEN STANLEY TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. PER FAGERENG TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. YACOV NATAN LAWRENCE TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. KAREN WELLS TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ROBERT ZIEMER AND ARTHUR WAHLERS TESTIMONY IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. LIZ SCHLOSSER TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ALEC VESELY TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE

LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ERIKA SILVER; JOE AYERS AND RICHARD NELSON TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. CAROLYN MCCULLOCH; TUCK PUTNAM AND RUSSELL PERRONE TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. JOSEPH WOLF TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. KEITH FARRIS TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. DOUG MOXLEY; SCOTT WEAVER AND JOSH GRAHAM TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION.

The meeting was adjourned at 6:01 p.m.

Wednesday, March 31, 2004 - **7:00 PM to 9:00 PM**
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

PUBLIC HEARING

Chair Diane Linn convened the meeting at 7:00 p.m., with Commissioners Lonnie Roberts and Maria Rojo de Steffey present; Vice-Chair Serena Cruz arriving at 7:03 p.m.; and Commissioner Lisa Naito arriving at 7:04 p.m.

PH-2 The Multnomah County Board of Commissioners is requesting public testimony on a Resolution reiterating the county's position to adhere to the legal opinion that it is unconstitutional to deny marriage licenses based on gender or sexual orientation. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk. The Boardroom will be open one hour prior to the meeting.

CHAIR LINN WELCOMED ALL AND ADVISED THAT TESTIMONY WOULD BE LIMITED TO TWO MINUTES PER PERSON TO ALLOW EVERYONE THE OPPORTUNITY TO SPEAK; AND REMINDED THE AUDIENCE TO BE RESPECTFUL TO ALL.

BONNIE TINKER AND ABBY HAYWOOD TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. MIKE LOWRY TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. MARTIN BROWN AND MARIANNE CHIMI TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. MICHAEL MAUCK TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO

ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. ALISA SIMMONS; CHERYL VEAZEY; WARREN JAMES; DON JOHNSON; ANN DUFFY; MARCUS DOMINGUES; RICK FERNÁNDEZ; MARTIN GONZALEZ; MORGAN MILLER; JAMIE BOLYARD AND SHERYL AND SUSAN ANDERSON TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. JOE BOBZIEN TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. JOHN GARLINGTON TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. JIM ROBISON TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. BRUCE PATTON TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ROSEMARY ADAMSKI MARLOTT TESTIMONY IN OPPOSITION TO THE MANNER

IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. LARRY CRAPO; CORNEL TUDORACHE AND RICHARD PAUL WELLER TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ELLEN BENNETT; CAYLOR ROLING AND CAROL BOEHM TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. CAROL DAGUE READ STATEMENT OF STEVE MYERS IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. DOUGLASS RENFROW; KAREN KEENEY; AUDREY SIENKIEWICZ AND NANCY CLARK TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. STUART RANCOURT TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. KEVIN BAILY-GILLIAM; CATHERINE SALVESON; PETER EMERSON; JIM EMERSON; FAITH WOLFSON AND MITCH ZAHN TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE

LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. JEFF MATTSON TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. KIM BARIGAR AND CHRISTINE TANNER TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. KENTON JOHNSON TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. DEE VON ENTRESS AND CHUCK KISSELBURG TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. LOUIS BELL TESTIMONY IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. SHAWN BERTHEL AND SEAN GABE TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION.

The meeting was recessed at 8:57 p.m. and reconvened at 9:07 p.m.

MICHAEL CHURCHILL; PAM PERRY; CECIL PRESCOD AND DIXIE HOBACK TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION

THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. BARRY MOWER TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. MARION HAMMER; CM HALL; WALTER F. BROWN; MARY BROWN AND R. NICKI NICOLO TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. BRYCE DAVIS TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. BERNIE CONSTANTINE AND PAULA CASNER TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. STEPHEN HUI TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. JEANNA SUMMERS; HOLLY HEIN; CHARITY WARREN; MARGARET HAMMITT-MCDONALD; KARRIE WALTERS AND ALISON PASSALAQUA TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE

LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. KAREN PROCTOR AND CURT LAYLOCK TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. BRENT CARTER; ANTONIA STRENGTH; GINHEE RANCOURT AND JUDAH MIGHTY WARRIOR RANCORT TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION.

The meeting was adjourned at 10:10 p.m.

Thursday, April 1, 2004 - **9:00 AM to 9:30 AM**
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

Chair Diane Linn convened the meeting at 9:00 a.m., with Vice-Chair Serena Cruz and Commissioners Lisa Naito, Lonnie Roberts and Maria Rojo de Steffey present.

E-1 The Multnomah County Board of Commissioners Will Meet in Executive Session Pursuant to ORS 192.660(1)(h). Only Representatives of the News Media and Designated Staff are allowed to Attend. Representatives of the News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Executive Session. No Final Decision will be made in the Executive Session. Presented by Agnes Sowle.

EXECUTIVE SESSION HELD.

There being no further business, the meeting was adjourned at 9:15 a.m.

Thursday, April 1, 2004 - **9:30 AM to 12:00 PM**
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

Chair Diane Linn convened the meeting at 9:32 a.m., with Vice-Chair Serena Cruz and Commissioners Lonnie Roberts and Maria Rojo de Steffey present, and Commissioner Lisa Naito arriving at 9:33 a.m.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER CRUZ, SECONDED BY COMMISSIONER ROJO, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-4) WAS APPROVED, WITH COMMISSIONERS CRUZ, ROBERTS, ROJO AND LINN VOTING AYE.

NON-DEPARTMENTAL

C-1 Appointments of Joe Ryan, William Ross, Judith Booze, Steve Walsh, Jeff Kaiser, Lee Wolbert and Greg Olson to the MULTNOMAH COUNTY BICYCLE AND PEDESTRIAN CITIZEN ADVISORY COMMITTEE

C-2 Appointment of Gary Marchke to the CITIZEN INVOLVEMENT COMMITTEE

SHERIFF'S OFFICE

C-3 Government Non-Expenditure Contract (190 Agreement) 0310510 to Form and Participate in the Regional Economic Crime Investigation Center

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES

C-4 RESOLUTION Authorizing Cancellation of Uncollectible Personal Property Taxes for Tax Years 1992/1993 through 2003/2004

RESOLUTION 04-031.

Commissioner Naito arrived at 9:33 a.m.

REGULAR AGENDA
PUBLIC COMMENT

Opportunity for Public Comment on non-agenda matters. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk.

THOMAS BUCHHOLZ REQUEST FOR INFORMATION REGARDING MULTNOMAH COUNTY CODE AND OREGON REVISED STATUTES AND CRIMINAL CODE AS IT APPLIES TO ANIMALS REQUIRING PROTECTIVE CUSTODY AND CARE DUE TO MISTREATMENT OR NEGLECT.

NON-DEPARTMENTAL

R-1 PROCLAMATION Proclaiming April 18 through April 24, 2004 as Multnomah County Volunteer Week

COMMISSIONER CRUZ MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-1. KATHLEEN TODD EXPLANATION AND RESPONSE TO QUESTION OF COMMISSIONER ROBERTS. GARY MARCHKE READ PROCLAMATION. COMMISSIONER NAITO AND CHAIR LINN COMMENTS IN APPRECIATION. PROCLAMATION 04-032 UNANIMOUSLY APPROVED.

COMMISSION ON CHILDREN, FAMILIES AND COMMUNITY

R-2 NOTICE OF INTENT to Submit a Proposal for a Summer Food Program Expansion Grant to the United Way of the Columbia-Willamette

COMMISSIONER CRUZ MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF R-2. JOSHUA TODD EXPLANATION AND COMMENTS IN SUPPORT. NOTICE OF INTENT UNANIMOUSLY APPROVED.

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES

COMMISSIONER NAITO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-3 THROUGH R-8. GREG HERLEAN EXPLANATION. RESOLUTIONS 04-033 THROUGH 04-038 UNANIMOUSLY ADOPTED.

R-3 RESOLUTION Declaring Property within the Mead Building, 421 SW 5th Avenue, Portland, Oregon, to be Surplus and Approving a Real Property Lease to Elders in Action

RESOLUTION 04-033.

R-4 RESOLUTION Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to Loaves and Fishes Centers, Inc.

RESOLUTION 04-034.

R-5 RESOLUTION Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to Independent Living Resources, Inc.

RESOLUTION 04-035.

R-6 RESOLUTION Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to Gresham Seniors United

RESOLUTION 04-036.

R-7 RESOLUTION Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to YWCA of Portland, Inc.

RESOLUTION 04-037.

R-8 RESOLUTION Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to Ride Connection

RESOLUTION 04-038.

NON-DEPARTMENTAL

R-9 Bridge Lighting Plan and Proposed Agreement for Hawthorne Bridge Lighting. Presented by Pauline Anderson and Paddy Tillett (Willamette Light Brigade), Amy Joslin (County Sustainability Initiative), and Jon Henrichsen (County Bridge Section).

COMMISSIONER ROJO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-9. PAULINE ANDERSON, AMY JOSLIN AND PADDY TILLETT EXPLANATION AND RESPONSE TO BOARD COMMENTS IN APPRECIATION AND SUPPORT. AGREEMENT UNANIMOUSLY APPROVED.

R-10 **10:15 AM TIME CERTAIN**: PUBLIC HEARING and Consideration of a RESOLUTION Approving Chair's Administrative Decision Regarding Marriage Licenses

[FROM MARCH 25, 2004 BOARD MEETING: UPON MOTION OF COMMISSIONER CRUZ, SECONDED BY COMMISSIONER ROJO, CONSIDERATION OF SUBSTITUTE RESOLUTION APPROVING CHAIR'S ADMINISTRATIVE DECISION REGARDING MARRIAGE LICENSES WAS APPROVED, WITH COMMISSIONERS NAITO, CRUZ, ROJO AND LINN VOTING AYE, AND COMMISSIONER ROBERTS VOTING NO.]

CHAIR LINN WELCOMED ALL AND ADVISED THAT TESTIMONY WOULD BE LIMITED TO TWO MINUTES PER PERSON TO ALLOW EVERYONE THE OPPORTUNITY TO SPEAK. CHAIR LINN REMINDED THE AUDIENCE TO BE RESPECTFUL TO ALL.

BARBARA BELLUS TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. RAYMOND SABA TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO

ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. MARK PIERCE TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ROBERT LEVERENZ; JAMIE MAUL; PAT MAHONE; MICHAEL SORENSEN; SUSAN LINDSAY AND SHO DOZONO TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. RAYMOND LOVE; NANCY CHRISTENSON AND AL BACON TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. JOSHUA ULRICH TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. JIM SNIDER TESTIMONY IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. M'LOU CHRIST TESTIMONY IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES; AND IN SUPPORT OF THE

GOVERNMENT GRANTING LEGAL UNIONS. MARLA ROSENBERGER; MARY BOTKIN AND MOSES ROSS TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. TAMMY CASTERLINE AND ELVA MILLER TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ELLEN EATON AND LINDA TRAEGER TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. MYRNA MOSS; BRIAN SIMMONS; IAN CRARY AND RONALD MILLER TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. MIKE MACCUTCHEON TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. JILL METCALF TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. JOSH ROBERTS; ROBIN CASTRO; JUDITH YOUNGMAN; DAVE DORNACK; BARBARA CARNEGIE CAMPBELL AND STEVE WITTE TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO

ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. GORMAN GRAY; HARRY WAYNE STEWART, JR. AND JOHN GORDON TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. CHRISTOPHER ROBINSON TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. PHYLLIS ERNSBERGER AND TERRY MILLER TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. TIMOTHY BERG TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ROBERT FARRIS TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. DARRELL DIMOTTE TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE

LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. TED KRIESEL TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. FRANK LESSA TESTIMONY IN SUPPORT OF THE GOVERNMENT GRANTING LEGAL UNIONS. ROGER STEFFANI TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. KATHY BELGE TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. MUNDI STEINER TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. ANTHONY RICHARDS TESTIMONY IN SUPPORT OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. CARLY DENOS TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION; AND IN OPPOSITION TO THE MANNER IN WHICH FOUR COMMISSIONERS CAME TO THE DECISION TO

ISSUE MARRIAGE LICENSES TO SAME SEX COUPLES. DONNA OH TESTIMONY IN OPPOSITION TO THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION. JEFF STRANG; MOLLIE CLARKE; STEVE WAGENHOFFER AND BONNIE TINKER TESTIMONY IN SUPPORT AND APPRECIATION OF THE BOARD'S POSITION TO ADHERE TO THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION.

COMMISSIONERS NAITO, ROJO AND CRUZ AND CHAIR LINN EXPRESSED THEIR APPRECIATION FOR THE PHONE CALLS, EMAILS AND PUBLIC TESTIMONY THEY HAVE RECEIVED, THANKED THOSE WHO CAME TO THE HEARINGS MADE POSSIBLE BY COMMISSIONER ROBERTS TO SHARE THEIR STORIES; AND COMMENTED IN SUPPORT OF THEIR POSITION IN SUPPORT OF THE LEGAL OPINION THAT IT IS UNCONSTITUTIONAL TO DENY MARRIAGE LICENSES BASED ON GENDER OR SEXUAL ORIENTATION.

RESOLUTION 04-039 APPROVING CHAIR'S ADMINISTRATIVE DECISION REGARDING MARRIAGE LICENSES ADOPTED, WITH COMMISSIONERS NAITO, CRUZ, ROJO AND LINN VOTING AYE, AND COMMISSIONER ROBERTS VOTING NO.

There being no further business, the meeting was adjourned at 12:29 p.m.

BOARD CLERK FOR MULTNOMAH COUNTY, OREGON

Deborah L. Bogstad

Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

BOARD OF COMMISSIONERS

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MARCH 30, 31 & APRIL 1, 2004

BOARD MEETINGS

FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:00 a.m. Tuesday Clackamas, Washington and Multnomah County Commissioners Joint Meeting on Mental Health Issues
Pg 2	4:00 p.m. and 7:00 p.m. Wednesday - Two Public Hearing Sessions on Issuance of Same Sex Marriage Licenses
Pg 3	9:00 a.m. Thursday Executive Session
Pg 4	9:30 a.m. Thursday Proclaiming April 18 through April 24, 2004 as Multnomah County Volunteer Week
Pg 5	9:45 a.m. Thursday Bridge Lighting Plan and Proposed Agreement for Hawthorne Bridge Lighting
Pg 5	10:15 a.m. Thursday Public Hearing and Board Vote on Resolution Regarding Issuance of Same Sex Marriage Licenses

Thursday meetings of the Multnomah County Board of Commissioners are cable-cast live and taped and may be seen by Cable subscribers in Multnomah County at the following times:

Thursday, 9:30 AM, (LIVE) Channel 30
Friday, 11:00 PM, Channel 30
Saturday, 10:00 AM, Channel 30
Sunday, 11:00 AM, Channel 30
Produced through Multnomah Community Television
(503) 491-7636, ext. 333 for further info
or: http://www.mctv.org

Tuesday, March 30, 2004 - **9:00 AM to 1:00 PM**
The Century Room at the Century Hotel
8185 SW Tualatin Sherwood Road
I-5 South to Exit 289, Right on Nyberg to Tualatin Sherwood Road

THREE COUNTY REGIONAL MEETING

JM-1 The Multnomah County Board of Commissioners is hosting a regional meeting of the Clackamas, Washington and Multnomah County Commissioners. The purpose of this meeting is to discuss the interests of the counties and the possibility of mental health coordination. This meeting is open to the public.

Wednesday, March 31, 2004 - **4:00 PM to 6:00 PM**
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

PUBLIC HEARING

PH-1 The Multnomah County Board of Commissioners is requesting public testimony on a Resolution reiterating the county's position to adhere to the legal opinion that it is unconstitutional to deny marriage licenses based on gender or sexual orientation. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk. The Boardroom will be open one hour prior to the meeting.

Wednesday, March 31, 2004 - **7:00 PM to 9:00 PM**
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

PUBLIC HEARING

PH-2 The Multnomah County Board of Commissioners is requesting public testimony on a Resolution reiterating the county's position to adhere to the legal opinion that it is unconstitutional to deny marriage licenses based on gender or sexual orientation. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk. The Boardroom will be open one hour prior to the meeting.

Thursday, April 1, 2004 - **9:00 AM to 9:30 AM**
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

E-1 The Multnomah County Board of Commissioners Will Meet in Executive Session Pursuant to ORS 192.660(1)(h). Only Representatives of the News Media and Designated Staff are allowed to Attend. Representatives of the News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Executive Session. No Final Decision will be made in the Executive Session. Presented by Agnes Sowle. 30 MINUTES REQUESTED.

Thursday, April 1, 2004 - **9:30 AM to 12:00 PM**
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

CONSENT CALENDAR - 9:30 AM
NON-DEPARTMENTAL

C-1 Appointments of Joe Ryan, William Ross, Judith Booze, Steve Walsh, Jeff Kaiser, Lee Wolbert and Greg Olson to the MULTNOMAH COUNTY BICYCLE AND PEDESTRIAN CITIZEN ADVISORY COMMITTEE

C-2 Appointment of Gary Marchke to the CITIZEN INVOLVEMENT COMMITTEE

SHERIFF'S OFFICE

C-3 Government Non-Expenditure Contract (190 Agreement) 0310510 to Form and Participate in the Regional Economic Crime Investigation Center

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES

C-4 RESOLUTION Authorizing Cancellation of Uncollectible Personal Property Taxes for Tax Years 1992/1993 through 2003/2004

REGULAR AGENDA - 9:30 AM
PUBLIC COMMENT - 9:30 AM

Opportunity for Public Comment on non-agenda matters. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk.

NON-DEPARTMENTAL - 9:30 AM

R-1 PROCLAMATION Proclaiming April 18 through April 24, 2004 as Multnomah County Volunteer Week

COMMISSION ON CHILDREN, FAMILIES AND COMMUNITY - 9:35 AM

R-2 NOTICE OF INTENT to Submit a Proposal for a Summer Food Program Expansion Grant to the United Way of the Columbia-Willamette

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES - 9:40 AM

R-3 RESOLUTION Declaring Property within the Mead Building, 421 SW 5th Avenue, Portland, Oregon, to be Surplus and Approving a Real Property Lease to Elders in Action

R-4 RESOLUTION Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to Loaves and Fishes Centers, Inc.

R-5 RESOLUTION Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to Independent Living Resources, Inc.

R-6 RESOLUTION Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to Gresham Seniors United

R-7 RESOLUTION Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to YWCA of Portland, Inc.

R-8 RESOLUTION Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to Ride Connection

NON-DEPARTMENTAL - 9:45 AM

R-9 Bridge Lighting Plan and Proposed Agreement for Hawthorne Bridge Lighting. Presented by Pauline Anderson and Paddy Tillett (Willamette Light Brigade), Amy Joslin (County Sustainability Initiative), and Jon Henrichsen (County Bridge Section). 30 MINUTES REQUESTED.

R-10 **10:15 AM TIME CERTAIN**: PUBLIC HEARING and Consideration of a RESOLUTION Approving Chair's Administrative Decision Regarding Marriage Licenses

CABLE/MEDIA STREAMING COVERAGE FOR PUBLIC HEARINGS

Cable coverage of the March 25, March 31 and April 1, 2004 Board meetings/public hearings are produced through Multnomah Community Television. The following meetings will be cable-cast live and taped and may be seen by Cable subscribers in Multnomah County at the times and cable channels listed below. Call 503-491-7636, ext. 332 for further info or log onto http://www.mctv.org for the program guide/playback schedule. These Board meetings are also available live via media streaming at http://www.co.multnomah.or.us/cc/live_broadcast.shtml or thereafter at http://www.co.multnomah.or.us/cc/pastmeetings.shtml. Call Board Clerk Deb Bogstad 503-988-3277 for further information.

Thursday, March 25, 2004 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

10:15 AM TIME CERTAIN: PUBLIC HEARING and Consideration of a RESOLUTION Approving Chair's Decision to Issue Marriage Licenses to Same-sex Persons. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk. The Boardroom will be open one hour prior to the meeting.

Thursday March 25, 9:30 AM, (LIVE) Channel 30
Friday, March 26, 11:00 PM, Channel 30
Saturday, March 27, 10:00 AM, Channel 30
Sunday, March 28, 11:00 AM, Channel 30

Wednesday, March 31, 2004 - **4:00 PM to 6:00 PM**
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

PUBLIC HEARING

The Multnomah County Board of Commissioners is requesting public testimony on a Resolution reiterating the county's position to adhere to the legal opinion that it is unconstitutional to deny marriage licenses based on gender or sexual orientation. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk. The Boardroom will be open one hour prior to the meeting.

Wednesday, March 31, 4:00 PM, (LIVE) Channel 29
Saturday, April 3, 2:00 PM, Channel 29
Sunday, April 4, 4:00 PM, Channel 29
Wednesday, April 7, 8:00 PM, Channel 29
Saturday, April 10, 5:00 PM, Channel 29

Wednesday, March 31, 2004 - **7:00 PM to 9:00 PM**
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

PUBLIC HEARING

The Multnomah County Board of Commissioners is requesting public testimony on a Resolution reiterating the county's position to adhere to the legal opinion that it is unconstitutional to deny marriage licenses based on gender or sexual orientation. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk. The Boardroom will be open one hour prior to the meeting.

Wednesday, March 31, 7:00 PM, (LIVE) Channel 29
Saturday, April 3, 4:00 PM, Channel 29
Sunday, April 4, 6:00 PM, Channel 29
Friday, April 9, 8:00 PM, Channel 29
Saturday, April 10, 7:00 PM, Channel 29

Thursday, April 1, 2004 - 9:30 AM to 12:00 PM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

10:15 AM TIME CERTAIN: PUBLIC HEARING and Consideration of a RESOLUTION Approving Chair's Administrative Decision Regarding Marriage Licenses. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk. The Boardroom will be open one hour prior to the meeting.

Thursday April 1, 9:30 AM, (LIVE) Channel 30
Friday, April 2, 11:00 PM, Channel 30
Saturday, April 3, 10:00 AM, Channel 30
Sunday, April 4, 11:00 AM, Channel 30

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 1, 2004
Agenda Item #: C-1
Est. Start Time: 9:30 AM
Date Submitted: 03/18/04

Requested Date: 4/1/2004 **Time Requested:** Consent Calendar

Department: Non-Departmental **Division:** Chair's Office

Contact/s: Chair Diane Linn, Delma Farrell

Phone: 503/988-3308 **Ext.:** 83308 **I/O Address:** 503/600

Presenters: N/A

Agenda Title: Appointments of Joe Ryan, William Ross, Judith Booze, Steve Walsh, Jeff Kaiser, Lee Wolbert and Greg Olson to the Multnomah County Bicycle and Pedestrian Citizen Advisory Committee

NOTE: If Ordinance, Resolution, Order or Proclamation, provide exact title.
For all other submissions, provide clearly written title.

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1. **What action are you requesting from the Board? What is the department/agency recommendation?** Request approval of appointments of Joe Ryan, William Ross, Judith Booze, Steve Walsh, Jeff Kaiser, Lee Wolbert and Greg Olson to the Multnomah County Bicycle and Pedestrian Citizen Advisory Committee

2. **Please provide sufficient background information for the Board and the public to understand this issue.** The purpose of the Multnomah County Bicycle and Pedestrian Citizen Advisory Committee is to advise the Transportation and Land Use Planning Division on matters involving bicycle and pedestrian transportation; identify issues, problems, opportunities and assist in evaluating projects for the Bicycle Capital Improvement Plan and Pedestrian Capital Improvement Plan; act as liaison between the Division and organizations represented; and serve as source of volunteers for assisting the Division at public events supporting bicycle an pedestrian issues.

3. **Explain the fiscal impact (current year and ongoing).** No current year and/or ongoing fiscal impact.

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

If a budget modification, explain:

- **What revenue is being changed and why?**
- **What budgets are increased/decreased?**
- **What do the changes accomplish?**
- **Do any personnel actions result from this budget modification? Explain.**

- **Is the revenue one-time-only in nature?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

- **Why was the expenditure not included in the annual budget process?**

- **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- **Why are no other department/agency fund sources available?**
- **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**

- **Has this request been made before? When? What was the outcome?**

If grant application/notice of intent, explain:

- **Who is the granting agency?**
- **Specify grant requirements and goals.**
- **Explain grant funding detail – is this a one time only or long term commitment?**
- **What are the estimated filing timelines?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**
- **How will the county indirect and departmental overhead costs be covered?**

4. **Explain any legal and/or policy issues involved.** No legal and/or policy issues involved

5. **Explain any citizen and/or other government participation that has or will take place.** NA

Required Signatures:

Department/Agency Director: Jeanie Lin **Date: 3/18/2004**

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 1, 2004
Agenda Item #: C-2
Est. Start Time: 9:30 AM
Date Submitted: 03/18/04

Requested Date: 4/1/2004 **Time Requested:** Consent Calendar

Department: Non-Departmental **Division:** Chair's Office

Contact/s: Chair Diane Linn, Delma Farrell

Phone: 503/988-3308 **Ext.:** 83308 **I/O Address:** 503/600

Presenters: N/A

Agenda Title: Appointment of Gary Marchke to the Citizen Involvement Committee

NOTE: If Ordinance, Resolution, Order or Proclamation, provide exact title.
For all other submissions, provide clearly written title.

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1. **What action are you requesting from the Board? What is the department/agency recommendation?** Request approval of appointment of Gary Marchke to the Citizen Involvement Committee

2. **Please provide sufficient background information for the Board and the public to understand this issue.** The Citizen Involvement Committee (CIC) informs residents of their opportunities and rights in the decision making process of all branches of County government. The CIC creates meaningful citizen involvement opportunities and integrates citizens into the decision making process. There are 15 volunteer members - 12 from specific commission districts and 3 recommended from County Boards and/or civic groups (at large). Nominees are passed forward by the Citizen Involvement Committee and appointed to 3-year terms by the County Chair with approval of the Board of County Commissioners. Citizen Involvement Committee members have a 2-term limits.

3. **Explain the fiscal impact (current year and ongoing).** No current year and/or ongoing fiscal impact.

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

If a budget modification, explain:

- **What revenue is being changed and why?**
- **What budgets are increased/decreased?**
- **What do the changes accomplish?**
- **Do any personnel actions result from this budget modification? Explain.**

- **Is the revenue one-time-only in nature?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

- **Why was the expenditure not included in the annual budget process?**

- **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- **Why are no other department/agency fund sources available?**
- **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**

- **Has this request been made before? When? What was the outcome?**

If grant application/notice of intent, explain:

- **Who is the granting agency?**
- **Specify grant requirements and goals.**
- **Explain grant funding detail – is this a one time only or long term commitment?**
- **What are the estimated filing timelines?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**
- **How will the county indirect and departmental overhead costs be covered?**

4. **Explain any legal and/or policy issues involved.** No legal and/or policy issues involved

5. **Explain any citizen and/or other government participation that has or will take place.** NA

Required Signatures:

Department/Agency Director: Jeanie Lin **Date: 3/18/2004**

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 1, 2004
Agenda Item #: C-3
Est. Start Time: 9:30 AM
Date Submitted: 03/18/04

Requested Date: April 1, 2004 **Time Requested:** N/A

Department: Sheriff's Office **Division:** Executive

Contact/s: Brad Lynch

Phone: 503-988-4336 **Ext.:** 84336 **I/O Address:** 503/350

Presenters: Consent Calendar

Agenda Title: Government Non-Expenditure Contract (190 Agreement) 0310510 to Form and Participate in the Regional Economic Crime Investigation Center

NOTE: If Ordinance, Resolution, Order or Proclamation, provide exact title.
For all other submissions, provide clearly written title.

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1. **What action are you requesting from the Board? What is the department/agency recommendation**? Approval of intergovernmental agreement.

2. **Please provide sufficient background information for the Board and the public to understand this issue.** Under this agreement the Sheriff's Office will be joining with other local law enforcement jurisdictions and Federal Executive Agencies for the purpose of forming the Regional Economic Crime Investigation Center (RECIC). The Center's purpose and mission is to provide a centralized location for local, state, and federal law enforcement agencies to reduce economic crime through coordinated information collection, investigation, prosecution, and public education.

3. **Explain the fiscal impact (current year and ongoing).** No participating jurisdiction is committed to any funding of RECIC. Staffing and other contributions by the Sheriff's Office will come from existing resources.

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

If a budget modification, explain:

- **What revenue is being changed and why?**
- **What budgets are increased/decreased?**
- **What do the changes accomplish?**
- **Do any personnel actions result from this budget modification? Explain.**
- **Is the revenue one-time-only in nature?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

- **Why was the expenditure not included in the annual budget process?**
- **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- **Why are no other department/agency fund sources available?**
- **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**
- **Has this request been made before? When? What was the outcome?**

If grant application/notice of intent, explain:

- **Who is the granting agency?**
- **Specify grant requirements and goals.**
- **Explain grant funding detail – is this a one time only or long term commitment?**
- **What are the estimated filing timelines?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**
- **How will the county indirect and departmental overhead costs be covered?**

4. **Explain any legal and/or policy issues.** This agreement has been reviewed by the County Attorney's Office.

5. **Explain any citizen and/or other government participation that has or will take place.** None, other than above.

Required Signatures:

Department/Agency Director: Bernie Lefto **Date: 03/18/04**

Budget Analyst

By: **Date:**

Dept/Countywide HR

By: **Date:**

MULTNOMAH COUNTY CONTRACT APPROVAL FORM

Contract #: 0310510

Pre-approved Contract Boilerplate (with County Attorney signature) ☐Attached ☐Not Attached Amendment #:

CLASS I	CLASS II	CLASS III A
Contracts $75,000 and less per 12 month period	Contracts over $75,000 per 12 month period	☒ Government Contracts (190 Agreement)
☐ Professional Services Contracts ☐ PCRB Contracts ☐ Maintenance Agreements ☐ Licensing Agreements ☐ Public Works Construction Contracts ☐ Architectural & Engineering Contracts ☐ Revenue Contracts ☐ Grant Contracts ☐ Non-Expenditure Contracts	☐ Professional Services Contracts ☐ PCRB Contracts ☐ Maintenance Agreements ☐ Licensing Agreements ☐ Public Works Construction Contracts ☐ Architectural & Engineering Contracts ☐ Revenue Contracts ☐ Grant Contracts ☐ Non-Expenditure Contracts	☐ Expenditure ☒ Non-Expenditure ☐ Revenue **CLASS III B** ☐ Government Contracts (Non-190 Agreement) ☐ Expenditure ☐ Non-Expenditure ☐ Revenue ☐ Interdepartmental Contracts

Department: Sheriff's Office Division: Enforcement Date: 03/17/04
Originator: Sheriff Bernie Giusto Phone: 503-988-4300 Bldg/Rm: 503/350
Contact: Brad Lynch Phone: 503-988-4336 Bldg/Rm: 503/350
Description of Contract: IGA to form a regional centralized crime investigation center for the reduction of economic crimes.

RENEWAL: ☐ PREVIOUS CONTRACT #(S):
RFP/BID: RFP/BID DATE:
EXEMPTION #: ORS/AR #:
Effective DATE: EXPIRATION DATE:
CONTRACTOR IS: ☐ MBE ☐ WBE ☐ ESB ☐ QRF State Cert# or ☐ Self Cert ☐ Non-Profit ☒ N/A *(Check all boxes that apply)*

Contractor Regional Economic Crime Investigation Center
Address 1111 SW Second Ave, Room 1526
City/State Portland, Or
ZIP Code 97204 Linda Hawkins, Program Coordinator
Phone 503-823-0539 Fax 503-823-0095
Employer ID# or SS#
Contract Effective Date 04/01/04 Term Date perpetual
Amendment Effect Date New Term Date

Remittance address *(If different)*

Payment Schedule / Terms
☐ Lump Sum $ ☐ Due on Receipt
☐ Monthly $ ☐ Net 30
☐ Other $ ☐ Other

Original Contract Amount	$
Total Amt of Previous Amendments	$
Amount of Amendment	$
Total Amount of Agreement $	$0

☐ Requirements Funding Info:

Original Requirements Amount	$
Total Amt of Previous Amendments	$
Requirements Amount Amendment:	$
Total Amount of Requirements	$

REQUIRED SIGNATURES:

Department Manager		DATE
Purchasing Manager		DATE
County Attorney	S.A.	DATE 3-17-04
County Chair		DATE 4-1-04
Sheriff		DATE 3-18-2004
Contract Administration		DATE

COMMENTS:

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-3 DATE 04.01.04
DEBORAH L. BOGSTAD, BOARD CLERK

INTERGOVERNMENTAL AGREEMENT
And
MEMORANDUM OF UNDERSTANDING
REGIONAL ECONOMIC CRIME INVESTIGATION CENTER

1. PARTICIPATING AGENCIES

THIS AGREEMENT to form the Regional Economic Crime Investigation Center (RECIC) is made and entered into pursuant to Oregon Revised Statute Chapter 190.010 and 31 U.S. Code §6305 by and between the law enforcement "Executive Agencies" of the United States Government ("Federal Executive Agencies" – FEA) and State and local law enforcement executive agencies ("State Executive Agencies" – SEA), collectively referred to herein as "Participating Agencies" who are signatories hereto and or signatories to any amendment or modification hereto, specifically:

A. State Executive Agencies:

1. Beaverton Police Department
2. Bellevue Police Department
3. Clark County Sheriff's Office
4. Eugene Police Department
5. Lake Oswego Police Department
6. Marion County Sheriff's Office
7. Medford Police Department
8. Milwaukie Police Department
9. Multnomah County Sheriff's Office
10. Portland Police Bureau
11. Salem Police Department

12. West Linn Police Department

B. Federal Executive Agencies:

1. Federal Bureau of Investigation (FBI)
2. Federal Trade Commission
3. U. S. Postal Service
4. U. S. Secret Service
5. U.S. Attorney – Department of Justice

THE PARTICIPATING AGENCIES HEREBY AGREE AS FOLLOWS:

2. PURPOSE AND MISSION

A. Mission. The Regional Economic Crime Investigation Center (RECIC) provides a centralized location for local, state and federal law enforcement agencies to reduce economic crime through coordinated information collection, investigation, prosecution, and public education.

B. Justification. Economic crime is the fastest growing sector of crime in the nation and in the region. Across the nation, the combination of check fraud, credit card fraud, bank fraud, loan fraud, insurance fraud, identity theft and money laundering results in economic losses of over $300 billion annually. The Portland Police Bureau alone receives over 500 identity theft reports a month, and the average victim loses at least $1,000 and at least 175 hours of personal time. The U.S. General Accounting Office reports an average cost of up to $20,000 for investigation of a case and up to $11,443 for prosecution of a case. Local agencies working independently report insufficient resources to effectively investigate and prosecute reported crimes. Because

perpetrators strike in multiple jurisdictions, several jurisdictions might be working on one case at a time unknowingly duplicating efforts and inefficiently using scarce resources.

For these reasons, the above agencies agree that a multi-jurisdictional collaborative approach will both reduce the occurrence of economic crime and improve the efficiency of investigation and prosecution by eliminating duplication of services and maximizing resources.

C. Purpose. The purpose of RECIC is to provide a centralized location for local, state and federal law enforcement agencies to combine information and resources to provide the following coordinated services:

1. Receive crime reports and prioritize cases for investigation
2. Investigate cases and conduct crime analysis
3. Identify and prosecute appropriate cases
4. Provide public education, prevention and victim assistance.

3. TERMS AND CONDITIONS

A. Power and Authority. The RECIC is vested with all powers, rights, and duties, including expenditure of appropriated funds and retaining of personnel, necessary for performing those functions in the coordinated investigation and prosecution of economic crime and permitted by applicable law. Those functions include, but are not limited to, coordinated criminal investigations, surveillances, arrests, and prosecutions of individuals and organizations involved in economic crime; coordinated seizure and forfeiture of property used or derived from illegal activity as may be allowed by applicable law; and application for and receipt of funds to be used in the enforcement of criminal law; and coordinating investigative efforts with private sector representatives to the extent allowed by law.

B. Governing Body.

1. RECIC shall be managed by an Operations Manager and Management Team, consisting of the District Attorney or designee from each participating county and one law enforcement representative from each participating jurisdiction. Each participating jurisdiction shall appoint, at its pleasure, one primary representative and one alternative representative who may attend all management team meetings and participate in the absence of the participating jurisdiction's primary representative.

2. The Operations Manager and Management Team, in coordination with the Board of the RECIC Foundation, shall be responsible for the appointment and establishment of employment terms and conditions, including compensation, and such terms shall be consistent with those of the represented jurisdictions, and adoption of RECIC's annual operating budget. The RECIC Foundation is an Oregon Public Benefit Non-Profit Corporation incorporated under ORS 65.001(37). The purpose of the Foundation is to support RECIC through setting policies for the Center, soliciting funds from public and private agencies, identifying policies and procedures for dissemination of funds to support the Center, public education, and evaluation. The RECIC Foundation Board will work collaboratively with the Management Team of RECIC according to its Articles of Incorporation and Bylaws. The RECIC Management Team supports the role of the Foundation in identifying policies for the Center.

3. All meetings of the management team and the RECIC Foundation Board of Directors shall be held in accordance with Oregon Public Meeting laws, ORS 192.610 *et.seq.*

C. RECIC Operations Manager.

1. The Board of the RECIC Foundation shall select and appoint a RECIC Operations Manager.

2. The RECIC Operations Manager shall be the chief operational and administrative officer of RECIC and shall be responsible for:

a. RECIC administration, personnel, purchasing, and budget functions

b. Identification, prioritization and coordination of RECIC operations, including but not limited to expenditure of money consistent with the adopted RECIC budget

c. Retaining personal services necessary to the RECIC operation

d. Entering into application agreements and obligations on behalf of RECIC

e. Hiring, training, discipline, and/or discharge of all subordinate RECIC personnel

f. Attending and providing executive staffing of the RECIC Foundation Board and RECIC Management Team meetings, and

g. Preparing and presenting the RECIC Annual Budget.

D. RECIC Funding. It is intended that RECIC will be self-supported in its operation. Costs of operating and maintaining RECIC will be borne through grants and contributions provided from participating agencies, contributions from the RECIC Foundation, and assets forfeited as a result of the RECIC's efforts to the extent allowed by applicable law. In entering into this Agreement, no participating jurisdiction is committing to any funding of RECIC except as explained below.

E. Staffing and Other Contributions. Each participating jurisdiction, through its appropriate law enforcement agency, commits to providing either staffing for RECIC efforts, materials and supplies, consultation and guidance, or other support as determined by that organization in

accordance with its policies and ability. In no event shall any participating jurisdiction's law enforcement agency or office be compelled to provide staffing of a RECIC effort that would result, in the opinion of that agency or office's chief law enforcement officer, in placing the agency office or its personnel at unnecessary risk. Participating jurisdictions' employees shall remain employees of their agencies, be assigned to RECIC as determined by their agencies, and while under such assignment, be under the control and direction of the RECIC Operations Manager or his or her designee.

F. Duration, Withdrawal, and Termination. This Agreement is perpetual and RECIC shall continue from year-to-year, provided, however:

1. Any participating jurisdiction may withdraw from RECIC upon providing not less than 30 days written notice to the Operations Manager and the President of the RECIC Foundation, and
2. RECIC may be dissolved upon mutual agreement of all participating jurisdictions. A participating jurisdiction may withdraw from RECIC without written notice required herein only if agreed to by all remaining participating jurisdictions' Board members.

G. Division of RECIC Property Upon Dissolution.

1. Participating jurisdictions terminating their participation in this Agreement waive all right to RECIC-owned personal property so long as RECIC continues to function as a multi-jurisdictional entity. If and when termination of all participating jurisdictions occurs, the withdrawing agency shall share in the disposition of all property owned by RECIC at the time of their withdrawal. All property acquired by RECIC after withdrawal of the party will not be considered for distribution to the withdrawing

party even thought the funds for purchase (forfeiture, grant, or otherwise) were acquired prior to withdrawal.

2. Possession of any shared and/or loaned equipment shall revert to the original participating jurisdiction that owns it.
3. Assets purchased by RECIC from grant, forfeiture, or other funds shall, at the termination of RECIC, be disbursed as follows:
    a. The participating jurisdictions at the time of the termination can, by not less than ¾ vote, agree to disbursement of specific assets to member agencies to be used exclusively for law enforcement and prosecution purposes.
    b. In the event a ¾ vote agreement cannot be reached as to any specific asset(s), the parties to this Agreement shall jointly request from the American Arbitration Association a list of qualified arbitrators. The parties shall select an arbitrator from the list by mutual agreement. If the parties are unable to agree on an arbitrator, the arbitrator will be chosen by the method of alternate striking of names from a list of five provided by the Association. The arbitrator's decision shall be binding on all parties to this Agreement.
    c. Notwithstanding any other provision of this Agreement, upon recommendation of the Management Team, and upon approval of the Board of the RECIC Foundation, the Operations Manager may make a disbursement of funds not needed for continuing operation of RECIC to participating jurisdictions.

H. Liability and Indemnification: Pursuant to ORS 190.080(3), the debts, liabilities and obligations of the intergovernmental entity shall not be, jointly and severally, the debts, liabilities and obligations of the parties to the intergovernmental agreement, but shall be allocated according to the provisions in this section.

For purposes of this partnership it is understood that each participating agency is responsible for liability issues resulting from the actions of its own officers and employees.[1] The participating federal agencies acknowledge that the United States is liable for the negligent or wrongful acts or omissions of its agents and employees, while acting within the scope of their federal employment to the extent permitted by the Federal Tort Claims Act.[2]

Each participating agency is responsible to provide workers' compensation insurance coverage or self-insurance for its own employees.[3] Each party hereto shall obtain and maintain in full force and effect adequate public third party liability insurance or self-insurance with respect to bodily injury and property damage to cover claims for injury to persons or damage to property arising from the performance duties authorized by this Agreement.[4]

To the extent permitted by Article XI, Sections 7 and 9 of the Oregon Constitution and by the Oregon Tort Claims Act, and subject to the Anti Deficiency Act, 31 U.S.C. §§1341 *et seq.*, and the Adequacy of Appropriations Act, 41 U.S.C. §11, and the availability of relevant Federal funds, each party, as the employing agency, shall defend, save, hold harmless and indemnify

[1] *See* HIDTA agreement at 4.
[2] *Id.*
[3] *Id.*
[4] *See* Master Interlocal Mutual Law Enforcement Assistance Agreement at 11.

each other party and such parties' officers, employees and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature whatsoever arising from, arising out of, or relating to activities of the indemnifying party or its officers, employees, subcontractors or agents under this Agreement,[5] subject to the following provisions and limitations:

1. Generally. Except as provided herein, liability for any and all loss, damages, injury, liability suits and proceedings however caused, arising directly or indirectly from the performance of duties under this Agreement shall be allocated in accordance with ORS 190.476;[6]

2. Claims Involving Unauthorized Intentional Conduct. The duty to defend or indemnify, established herein, shall not extend to liability alleged or found to have arisen

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[5] HIDTA at 4.

[6] **190.476 Delegation of supervision of police officers; agency liability.** (1) An officer exercising authority under ORS 190.472 is subject to the supervisory control of and limitations imposed by the commissioning agency. However, the commissioning agency may temporarily delegate supervision of the officer to another law enforcement agency.

(2) Any liability or claim of liability that arises out of the exercise of authority under ORS 190.472 by an officer acting within the course and scope of the officer's duties under ORS 190.472 is the responsibility of the commissioning agency unless:

(a) The officer acts under the direction and control of another agency; or

(b) The liability or claim of liability is otherwise allocated under a written agreement between the commissioning agency and another agency.

(3) All of the privileges and immunities from liability, exemption from laws, ordinances and rules, and all pension, relief, disability, workers' compensation insurance and other benefits that apply to the activities of officers when performing their duties within the territorial limits of their commissioning agencies apply to them and to their commissioning agencies to the same degree and extent while the officers exercise authority under ORS 190.472.

(4) As used in this section, "commissioning agency" means the agency for whom the officer is employed full-time and by whom the officer is compensated. [1997 c.855 §3]

out of bodily injury to persons or damage to property caused by or resulting from the unauthorized intentional conduct of personnel of any other party;

3. Claims Involving Sole Conduct of Person or Party. The duty to defend or indemnify, established herein, shall not extend to liability alleged or found to have arisen out of bodily injury to persons or damage to property caused by or resulting from the sole acts, omissions or negligence of personnel of any other party;

4. Claims Involving Concurrent Conduct. The duty to defend or indemnify, established herein, shall extend to liability for damages alleged or found to have arisen out of bodily injury to persons or damage to property caused by or resulting from the concurrent acts, omissions or negligence of personnel of the parties o only to the extent of the actual negligence of such personnel. Notwithstanding the existence of related liability claims against other parties, as to claims of concurrent liability, the duty to defend and indemnify shall extend to the party whose personnel's actual conduct, act or omission is agreed by the parties or later determined to have been the direct cause of the injury to persons or damage to property which is the subject matter of the claim.

5. Property of the Parties. No party to this Agreement shall be obligated to reimburse any other party for use of personnel or equipment, except that, in the event of emergency assistance in a major incident, the requesting agency shall retain responsibility for all extraordinary equipment, materials and supplies, including reasonable subsistence expenses.

6. Notice of Claims or Actions. If any party receives notice of claim, suit or action arising from the exercise or alleged exercise of authority under this Agreement, such party shall immediately (within twenty-four hours) notify in writing the Operations

Manager of the RECIC Center and all other known parties who are or may be affected by such notice of claim, suit or action.

7. Limitations. The indemnification requirements contained herein are subject to the limitations contained in the Oregon Constitution and the Oregon Tort Claims Act (ORS 30.260-300).

I. Amendments. This Agreement may be modified in writing upon three-fourths (3/4) or more vote of all participating jurisdictions.

J. Effective Date. This Agreement shall be effective when the governing bodies of two (2) or more participating jurisdictions have properly authorized it.

K. Severability. The terms of this Agreement are severable and a determination by an appropriate body having jurisdiction over the subject matter of this Agreement that results on the invalidity of any part shall not affect the remainder of this Agreement.

L. Interpretation. The terms and conditions shall be liberally construed in accordance with the general purposes of this Agreement.

M. Dispute Resolution. In the event of a dispute between any parties to this Agreement regarding the terms of this Agreement, the dispute and options for its resolution shall be reviewed, first, by chief law enforcement officers and second, by the designee of the governing body of the affected agencies. Any decision of the affected parties regarding the dispute shall be final as between those parties and shall be communicated in writing to the designated Operations Manager of RECIC. Any dispute, controversy or claim of breach arising out of or related to this Agreement which cannot be resolved by the affected parties shall be referred, first, to the Operations Manager and second to the RECIC Foundation Board for mediation. The designated administrator or mediator(s) appointed by a majority of the Board shall review the dispute,

controversy or claim and options for its resolution. Any action taken or decision made in informal consultation or mediation shall be subject to ratification by the governing bodies of the affected public agencies. Any dispute, controversy or claim of breach which cannot be resolved by mediation shall be submitted to binding arbitration in accordance with the rules and procedures set forth in ORS Chapter 36, and the judgment or award rendered by the arbitrator may be entered in any court having jurisdiction thereof.

N. Signatures to this Agreement. The parties shall sign this Agreement as follows:

1. Beaverton Police Department at page 14
2. Bellevue Police Department at page 15
3. Clark County Sheriff's Office at page 16
4. Eugene Police Department at page 17
5. Lake Oswego Police Department at page 18
6. Marion County Sheriff's Office at page 19
7. Medford Police Department at page 20
8. Milwaukie Police Department at page 21
9. Multnomah County Sheriff's Office at page 22
10. Portland Police Bureau at page 23
11. Salem Police Department at page 24
12. West Linn Police Department at page 25
13. Federal Bureau of Investigation at page 26
14. Federal Trade Commission at page 27
15. U.S. Postal Service at page 28
16. U.S. Secret Service at page 29

17. U.S. Attorney at page 30

IN WITNESS WHEREOF, the parties hereto have caused this Intergovernmental Agreement forming the Regional Economic Crime Investigation Center (RECIC) to be duly executed on the day and year provided below.

APPROVED AS TO FORM:

APPROVED AS TO FORM:

_____ Date:_____
Beaverton City Attorney

_____ Date:_____
Chief of Police, Beaverton

APPROVED AS TO FORM:

_____ Date:_____
Bellevue City Attorney

_____ Date:_____
Chief of Police, Bellevue

APPROVED AS TO FORM:

_____ Date:_____
Clark County District Attorney

_____ Date:_____
Sheriff, Clark County

APPROVED AS TO FORM:

_____ Date:_____
Eugene City Attorney

_____ Date:_____
Chief of Police, Eugene

APPROVED AS TO FORM:

_____ Date:_____

Lake Oswego City Attorney

_____ Date:_____

Chief of Police, Lake Oswego

APPROVED AS TO FORM:

_____ Date:_____
Marion County District Attorney

_____ Date:_____
Sheriff, Marion County

APPROVED AS TO FORM:

_____ Date:_____
Medford City Attorney

_____ Date:_____
Chief of Police, Medford

APPROVED AS TO FORM:

_____ Date:_____
Milwaukie City Attorney

_____ Date:_____
Chief of Police, Milwaukie

APPROVED AS TO FORM:

S.A. for
Agnes Sowle, County Attorney
For Multnomah County

Date: 3-17-04

Sheriff, Multnomah County

Date: 3/18/2004

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-3 DATE 04.01.04
DEBORAH L. BOGSTAD, BOARD CLERK

APPROVED AS TO FORM:

_____ Date:_____
Portland City Attorney

_____ Date:_____
Chief of Police, Portland

APPROVED AS TO FORM:

_____ Date:_____
Salem City Attorney

_____ Date:_____
Chief of Police, Salem

APPROVED AS TO FORM:

_____ Date:_____
West Linn City Attorney

_____ Date:_____
Chief of Police, West Linn

APPROVED AS TO FORM:

_____ Date:_____

Federal Bureau of Investigation

APPROVED AS TO FORM:

_____ Date:_____

Federal Trade Commission

APPROVED AS TO FORM:

_____ Date:_____

U.S. Postal Service

APPROVED AS TO FORM:

_____ Date:_____

U.S. Secret Service

APPROVED AS TO FORM:

_____ Date:_____

U.S. Attorney – Department of Justice

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 1, 2004
Agenda Item #: C-4
Est. Start Time: 9:30 AM
Date Submitted: 03/15/04

Requested Date: April 5, 2004 **Time Requested:** N/A

Department: Business and Community Services **Division:** Assessment & Taxation

Contact/s: Pat Frahler

Phone: 503-988-3345 **Ext.:** 22330 **I/O Address:** 503/175 Collections

Presenters: Consent Calendar

Agenda Title: RESOLUTION Authorizing Cancellation of Uncollectible Personal Property Taxes for Tax Years 1992/1993 through 2003/2004

NOTE: If Ordinance, Resolution, Order or Proclamation, provide exact title.
For all other submissions, provide clearly written title.

---

1. **What action are you requesting from the Board? What is the department/agency recommendation?**
   The Personal Property Collections Section is requesting the Board to approve the cancellation of Uncollectible Personal Property Taxes for 1992/93 through 2002/03, in the amount of $657,030.93. The Department of Business and Community Services recommends the biannual cancellation of Uncollectible Personal Property Taxes be approved.

2. **Please provide sufficient background information for the Board and the public to understand this issue.**
   Certain personal property taxes have been delinquent and the Multnomah County Tax Collector has determined that said taxes are wholly uncollectible and has requested the Board for an order directing that the taxes be cancelled pursuant to ORS 311.790. Attached documents: Write-Off List.

Please return original documents and copies of all to Angelika Loomis, 503/175 Collections following approval

3. **Explain the fiscal impact (current year and ongoing).**
There is a loss of revenue of $657,030.93 plus interest that indicates less monetary distribution to the Taxing Districts. This has ongoing impact because there is a lack of statutory authority to enforce and collect delinquent corporation taxes from the responsible corporate owner(s).

4. **Explain any legal and/or policy issues.**
No legal issues are expected.

5. **Explain any citizen and/or other government participation that has or will take place.**
No citizen participation is anticipated. Accounting Department will cancel these taxes once Board approval is received.

Required Signatures:

Department/Agency Director: David Q Boyer **Date: 03/15/04**

Budget Analyst

By: **Date:**

Dept/Countywide HR

By: **Date:**

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Authorizing Cancellation of Uncollectible Personal Property Taxes for Tax Years 1992/1993 through 2003/2004

The Multnomah County Board of Commissioners Finds:

a. Certain personal property taxes have been delinquent and the Multnomah County Tax Collector and County Counsel have determined that said taxes are wholly uncollectible and have requested the Board for an order directing that the taxes be cancelled pursuant to ORS 311.790.

The Multnomah County Board of Commissioners Resolves:

1. That the Multnomah County Tax Collector is directed to cancel those certain personal property taxes which are listed and appended hereto and incorporated herein, for tax years 1992/1993 through 2003/2004 for the reason that the same are found to be uncollectible.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

_____
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By_____
John Thomas, Assistant County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-031

Authorizing Cancellation of Uncollectible Personal Property Taxes for Tax Years 1992/1993 through 2003/2004

The Multnomah County Board of Commissioners Finds:

a. Certain personal property taxes have been delinquent and the Multnomah County Tax Collector and County Counsel have determined that said taxes are wholly uncollectible and have requested the Board for an order directing that the taxes be cancelled pursuant to ORS 311.790.

The Multnomah County Board of Commissioners Resolves:

1. That the Multnomah County Tax Collector is directed to cancel those certain personal property taxes which are listed and appended hereto and incorporated herein, for tax years 1992/1993 through 2003/2004 for the reason that the same are found to be uncollectible.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
John Thomas, Assistant County Attorney

UNCOLLECTIBLE PERONAL PROPERTY ACCOUNTS
MARCH 2004

TAX ACCOUNT#	TAX REPORT CODE	WARRANT#	AMT.DUE	TAX.DUE
P438844	WRO	953297	$68.46	$30.20
P413759	WRO	930700	$166.05	$47.58
P406699	WRO	995307	$77.10	$47.79
P401841	WRO	930577	$182.38	$53.38
M353633	WRO	031555	$64.13	$64.03
P383065	WRO	941900	$195.04	$65.90
P434769	WRO	942324	$195.78	$66.21
P420043	WRO	962374	$186.33	$69.71
P396640	WRO	930068	$255.06	$79.63
P367441	WRO	920084	$281.70	$83.76
P405625	WRO	962266	$219.51	$86.02
P363766	WRO	922400	$289.06	$91.25
M358570	WRO		$96.83	$94.73
P363597	WRO	931881	$280.05	$94.84
M355571	WRO	021427	$164.53	$100.17
P393139	WRO	930504	$328.16	$106.54
P386237	WRO	962090	$311.86	$109.71
P439650	WRO	962551	$347.51	$126.45
P404946	WRO	920665	$412.85	$137.59
P386305	WRO	962091	$418.98	$158.51
P403862	WRO	930432	$581.71	$206.63
P382846	WRO	931654	$621.20	$223.93
P379231	WRO	941469	$561.50	$225.69
M356561	WRO	021461	$295.73	$226.51
P386504	WRO	941947	$650.86	$253.84
P386505	WRO	932342	$727.05	$264.43
P387135	WRO	930456	$802.33	$278.55
P387757	WRO	962115	$649.43	$287.55
P387136	WRO	930455	$951.41	$335.86
P387756	WRO	970124	$704.90	$338.97
P399768	WRO	930553	$987.69	$348.18
P392849	WRO	922017	$1,126.82	$373.57
P495947	WRO	000014	$665.88	$414.43
P429797	WRO	923281	$1,509.38	$531.27
P415866	WRO	930542	$1,742.69	$653.07
P422669	WRO	012258	$1,022.85	$776.29
P485547	WRO	032386	$1,356.23	$1,150.16
M355000	WRO	031581	$2,047.54	$1,254.26
M358373	WRO	031663	$3,168.63	$1,951.87
P411178	WRO	021199	$2,805.08	$2,057.89
P387755	WRO	010207	$3,963.50	$2,500.54
WRO			**$31,483.78**	**$16,367.49**

TAX ACCOUNT#	TAX REPORT CODE	WARRANT#	AMT.DUE	TAX.DUE
P362967	WRO CORP	971446	$277.30	$124.81
P363911	WRO CORP	002193	$352.42	$242.49
P367149	WRO CORP	970032	$930.73	$387.36
P367440	WRO CORP	920085	$258.79	$75.95
P367705	WRO CORP	952793	$174.75	$61.58
P369121	WRO CORP	961903	$321.95	$136.60
P369394	WRO CORP	011271	$2,271.64	$1,668.48
P372894	WRO CORP	970052	$762.92	$382.36
P381817	WRO CORP	020878	$3,076.60	$2,339.12
P382512	WRO CORP	001784	$436.26	$260.66
P385353	WRO CORP	962081	$365.22	$156.60
P385648	WRO CORP	994156	$739.09	$418.60
P389035	WRO CORP	980326	$869.82	$459.83
P389036	WRO CORP	982316	$909.39	$474.67
P389073	WRO CORP	994427	$93.84	$58.17
P393739	WRO CORP	970148	$747.91	$344.70
P405718	WRO CORP	021605	$331.61	$259.43
P408317	WRO CORP	972164	$425.70	$204.39
P408861	WRO CORP	953149	$884.11	$369.82
P409649	WRO CORP	011596	$642.00	$446.24
P413381	WRO CORP	960286	$862.20	$328.18
P414497	WRO CORP	950545	$192.15	$68.09
P414753	WRO CORP	953166	$285.21	$111.93
P415625	WRO CORP	020257	$4,911.47	$4,145.86
P416895	WRO CORP	962351	$287.38	$119.08
P417671	WRO CORP	980634	$550.96	$276.82
P425703	WRO CORP	011163	$197.50	$112.88
P428994	WRO CORP	950676	$1,710.80	$715.13
P430321	WRO CORP	020421	$940.18	$748.94
P430415	WRO CORP	982816	$424.05	$239.13
P431957	WRO CORP	980817	$1,114.85	$594.96
P433591	WRO CORP	002660	$8,929.34	$4,879.66
P435393	WRO CORP	021629	$1,045.68	$711.50
P436443	WRO CORP	993776	$545.68	$301.62
P436602	WRO CORP	021630	$303.18	$233.52
P438843	WRO CORP	961666	$170.17	$62.89
P438901	WRO CORP	953300	$780.75	$312.02
P442541	WRO CORP	962563	$643.30	$256.15
P442599	WRO CORP		$8.02	$8.02
P473197	WRO CORP	961391	$427.72	$183.62
P482915	WRO CORP	994799	$97.19	$60.24
P486576	WRO CORP	020953	$945.89	$766.10
P487324	WRO CORP	032395	$8,691.65	$7,939.34
P494640	WRO CORP	010546	$100.94	$40.46
P494641	WRO CORP	010547	$402.20	$266.40
P494644	WRO CORP	010548	$96.39	$37.05
P494646	WRO CORP	010549	$167.28	$90.21
P494648	WRO CORP	010550	$113.10	$49.57
P494649	WRO CORP	010551	$144.65	$73.24
P494661	WRO CORP	010552	$67.39	$15.28

TAX ACCOUNT#	TAX REPORT CODE	WARRANT#	AMT.DUE	TAX.DUE
P494662	WRO CORP	010553	$67.39	$15.28
P494663	WRO CORP	010554	$124.95	$58.46
P494665	WRO CORP	010555	$119.03	$54.03
P494666	WRO CORP	010556	$103.71	$42.53
P494667	WRO CORP	010557	$72.60	$19.20
P494668	WRO CORP	010558	$25.60	$19.20
P494670	WRO CORP	010559	$25.60	$19.20
P494671	WRO CORP	010560	$25.60	$19.20
P494672	WRO CORP	010561	$25.60	$19.20
P494679	WRO CORP	010562	$33.85	$25.38
P494680	WRO CORP	010563	$49.39	$37.05
P494682	WRO CORP	010564	$254.05	$190.54
P494691	WRO CORP	010565	$71.35	$53.51
P494693	WRO CORP	010566	$43.43	$32.58
P494697	WRO CORP	010567	$1,770.52	$1,327.89
P494708	WRO CORP	010568	$72.32	$54.24
P494709	WRO CORP	010569	$32.02	$24.01
P496396	WRO CORP	011274	$1,444.21	$1,047.91
P497755	WRO CORP	010570	$288.81	$216.61
P497776	WRO CORP	010571	$194.60	$145.94
P501080	WRO CORP	032445	$520.09	$462.81
P504283	WRO CORP	020941	$7,801.70	$6,609.12
P505936	WRO CORP	032489	$14,405.76	$13,241.74
P510834	WRO CORP	021690	$123.83	$105.54
P510840	WRO CORP	021691	$135.47	$115.46
P510841	WRO CORP	031347	$2,046.34	$1,788.01
P511046	WRO CORP	010574	$26.19	$19.64
P511074	WRO CORP	021692	$13.03	$11.11
P511179	WRO CORP	021693	$12.89	$11.38
P511192	WRO CORP	021694	$129.63	$110.48
P511198	WRO CORP	021695	$171.16	$145.88
P511199	WRO CORP	021696	$99.00	$84.38
P511210	WRO CORP	021697	$22.47	$19.16
P511218	WRO CORP	021698	$103.04	$87.82
P511225	WRO CORP	021700	$32.48	$27.68
P511232	WRO CORP	021701	$162.34	$138.36
P511233	WRO CORP	021702	$120.24	$102.48
P511237	WRO CORP	021703	$87.76	$74.80
P511242	WRO CORP	021704	$119.86	$102.16
P516979	WRO CORP	031311	$6.70	$5.91
P528233	WRO CORP	021746	$100.91	$86.00
P530785	WRO CORP		$85.15	$85.15
WRO CORP			**$81,199.99**	**$59,476.78**
P395218	WRO CORP B11		$475.14	$326.93
P416657	WRO CORP B11	994774	$188.45	$116.81
P421292	WRO CORP B11		$2,203.37	$955.97
P427552	WRO CORP B11		$688.42	$295.39

TAX ACCOUNT#	TAX REPORT CODE	WARRANT#	AMT.DUE	TAX.DUE
P427555	WRO CORP B11		$1,094.23	$472.34
P441317	WRO CORP B11	032343	$2,535.19	$1,744.40
P448343	WRO CORP B11	960609	$281.81	$115.22
P474722	WRO CORP B11		$120.67	$93.30
U499479	WRO CORP B11		$32.69	$32.69
P485432	WRO CORP B11		$2,571.11	$1,726.86
P493933	WRO CORP B11	000039	$5,789.70	$4,342.27
U343704	WRO CORP B11		$122,428.44	$108,025.09
U344823	WRO CORP B11		$530,638.99	$452,249.14
P395679	WRO CORP B7	993610	$626.44	$350.47
P349014	WRO B7DC	020439	$2,649.82	$2,218.32
P410635	WRO B7DC	980565	$1,780.12	$912.78
P519503	WRO B7DC	031328	$1,862.99	$1,574.03
M353766	WRO B13	011731	$448.17	$336.45
BANKO ACCOUNTS			**$676,415.75**	**$575,888.46**
M352592	WRO ABND	011035	$6,296.54	$2,876.17
M358580	WRO ABND	020261	$2,451.31	$1,669.45
M486643	WRO ABND	020693	$769.31	$752.58
MH ABANDONED			**$9,517.16**	**$5,298.20**
GRAND TOTAL			**$808,133.84**	**$657,030.93**

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4-1-2004

SUBJECT: MCC 13,505 Animal Control

AGENDA NUMBER OR TOPIC: Public Comment

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: Thomas Buchholz

ADDRESS: 109 10th St.

CITY/STATE/ZIP: Oregon City OR 97045

PHONE: DAYS: 503-650-1884 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

Diane M. Linn - Multnomah County Chair
Before the Multnomah County Commission

April 1 2004

Dear Diane Linn

This is in regards to the Multnomah County Attorney's letter (the Letter) July 8, 2002

"I'm Asked to believe that the "Animal that requires protective Custody And Care because of mistreatment or neglect by its owner or Keeper" (see 13.505(B)) is "based upon NUISANCE LAW (The Letter).

There Are basically two chapters in the Oregon Revised Statutes that deal with Animals. One is chapter 167 of the ors. The other is ORS chapter 609, Each has it own terms And procedures.

Some -, Not All, of the statutes under ORS 167 Are found in the Oregon state Criminal Code, (ORS 161.005) these Are Ors 167.310 to 167.340 And 167.350. Terms used in ORS 161.005 Are offenses, neglect And Mistreatment, to name A few. ORS 161.505 (Also in 161.005) offense is described.

ORS 609 deals with public NUISANCE (ORS 609.095)

My Question is do the Animals that require protective Custody And Care because of Mistreatment or neglect fall under the ORS 167 Chapter or the ORS 609 Chapter? (ORS 167.345, ors 167.347, ORS 167.350

Sincerely
Thomas Buckley

109 10th St. Oregon City 97045

OFFICE OF
MULTNOMAH COUNTY ATTORNEY

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County Attorney

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GERALD H. ITKIN
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PORTLAND, OREGON 97214

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KATIE GAETJENS
PATRICK HENRY
JENNY M. MORF
MATTHEW O. RYAN
KATHRYN A. SHORT
AGNES SOWLE
JOHN S. THOMAS
JACQUELINE A. WEBER
Assistants

July 8, 2002

Thomas Buchholz
109 10th Street
Oregon City, Oregon 97045

RE: *Multnomah County Animal Control*

Dear Mr. Buchholz:

At the request of Andy Smith in County Chair Linn's office, I have reviewed your May 30, 2002, letter inquiring into Multnomah County Code ("MCC") 13.505, Impoundment. Your letter cites criminal forfeiture statutes and asks why MCC 13.505 does not provide for a hearing as required under the forfeiture provisions of ORS Chapter 167. Mr. Lenzser, Chief Deputy District Attorney previously answered this question on April 29, 1998. Mr. Lenzser wrote:

> Multnomah County Code Provision 8.10.140 is not a forfeiture statute. It is an impoundment procedure in which the owner or authorized representative of the owner may redeem the animal. It is only if the animal has not been redeemed that it may be released for adoption or euthanized.

The analysis given by Mr. Lenzser is still valid. However, further clarification may be helpful to your understanding of the relationship between MCC and ORS sections.

Your reliance on the criminal forfeiture statutes to support a forfeiture hearing under the MCC is misplaced. MCC 13.505 is derived from authority established under ORS Chapter 609 and specifically ORS 609.090 to 609.097, not the criminal forfeiture statutes. Unlike the criminal forfeiture statutes, ORS 609 and MCC 13.505 are based upon nuisance law. Upon receiving an animal for impound, Animal Control is obligated to make reasonable efforts to notify the owner of the impoundment and hold the animal for a specified period of time.

An animal impounded under MCC 13.505 will not be released until the owner pays the fines or fees associated with the impound; or complies with any lawfully imposed conditions relating to the animal. If the animal is not collected within the prescribed time period, then the animal becomes property of Multnomah County and the Director of Animal Control can make the animal available for adoption or otherwise dispose of the animal by humane means. MCC 13.505 (D) sets the minimum time an animal must be held prior to disposition, in a given case it could be longer period of time.

I hope this answers your question. Thank you for your interest in the operations of Multnomah County Animal Control

Sincerely,

THOMAS SPONSLER, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY

Jenny M. Morf
Assistant County Attorney

CC: Andrew Smith
Matt Ryan

§ 13.505 Impoundment.

(A) The director shall operate, maintain or provide for an adequate facility to receive, care for and safely confine any animal delivered to the director's custody under provisions of this chapter, which facility shall be accessible to the public during reasonable hours for the conduct of necessary business concerning impounded animals.

(B) Any animal may be impounded and held at the facility when it is the subject of a violation of this chapter, when an animal requires protective custody and care because of mistreatment or neglect by its owner or keeper or when otherwise ordered impounded by a court, a hearings officer, or the director.

(C) An animal shall be considered impounded from the time the director or the director's designee takes physical custody of the animal.

(D) Impoundment is subject to the following holding period and notice requirements:

(1) An animal bearing identification of ownership shall be held for 144 hours from time of impoundment. The director shall make reasonable effort by phone to give notice of the impoundment to owner or keeper and, if unsuccessful, shall mail written notice to the last known address of the owner or keeper advising of the impoundment, the date by which redemption must be made and the fees payable prior to redemption release.

(2) An animal for which no identification of ownership is known or reasonably determinable shall be held for 72 hours from time of impoundment before any disposition may be made of the animal.

(3) Animals held for periods prescribed under this section, or as otherwise required by ORS 433.340 or 433.390, and not redeemed by the owner or keeper, shall be subject to such means of disposal as the director considers most humane.

(4) Animals delivered for impoundment by a peace officer who removed the animal from possession of a person in custody of the peace officer shall be held for the period prescribed in division (D)(1) of this section. A receipt shall be given the peace officer, who shall deliver the receipt to the person in custody from whom the animal was taken. The receipt shall recite redemption requirements and shall serve as the notice required by this section.

(E) (1) Any impounded animal shall be released to the owner or keeper or the owner's or keeper's authorized representative upon payment of impoundment, care, rabies, vaccination deposits, license fees, past due fines, and all fees and deposits related to potentially dangerous dog regulations with the addition of the following conditions:

(a) Any animal impounded by court, hearings officer's or director's order shall be released to the owner or keeper or the owner's or keeper's authorized representative upon payment of all fees required in division (E)(1) of this section, and upon receipt of a written order of release from the court of competent jurisdiction or the hearings officer or the director issuing the order.

(b) Any classified potentially dangerous dog shall be released to the owner or keeper or the owner's or keeper's authorized representative upon payment of all fees required in division (E)(1) of this section, and upon verification of satisfactory compliance with the regulations required in §§ 13.401 through 13.406. Failure to be in satisfactory compliance with the potentially dangerous dog regulations within twenty days after the date of impoundment shall result in the owner or keeper forfeiting all rights of ownership of the dog to the county.

(2) An animal held for the prescribed period and not redeemed by its owner or keeper, and which is neither a dangerous or exotic animal or in an unhealthy condition, may be released for adoption subject to the provisions of § 13.506.

(3) The director shall dispose of animals held for the prescribed period without redemption or adoption only by humane means.

(4) At any time the director may euthanize any unlicensed and feral animal, or any unhealthy or injured animal by humane means without regard to the holding period specified in (D)(1)(2) above, provided the animal's injuries must be determined to be life threatening or if the animal is unhealthy the animal's condition must be found to present a health threat to the other animals in the shelter.

(5) Any device attached to any animal upon impoundment shall be retained 30 days by the director should the animal be disposed of as provided in division (E)(3) of this section. Otherwise, the device shall accompany the animal when redeemed or adopted.

2003

OREGON REVISED STATUTES

Volume 4
Penal Code

Title 14 Procedure in Criminal Matters Generally
Title 15 Procedure in Criminal Actions in Justice Courts
Title 16 Crimes and Punishments

ORS § 161.005

OREGON REVISED STATUTES

*** THIS DOCUMENT IS CURRENT THROUGH THE 2001 REGULAR SESSION OF THE 71ST LEGISLATIVE ASSEMBLY ***
*** ANNOTATIONS CURRENT THROUGH VOLUME 19 (2002 CUMULATIVE SUPPLEMENT) ***

TITLE 16. CRIMES AND PUNISHMENTS
CHAPTER 161. GENERAL PROVISIONS
PRINCIPLES

◆ **GO TO CODE ARCHIVE DIRECTORY FOR THIS JURISDICTION**

ORS § **161.005** (2001)

STATUS: CONSULT SLIP LAWS CITED BELOW FOR RECENT CHANGES TO THIS DOCUMENT
◆ LEXSEE 2003 Ore. HB 3317 -- See section 3.

161.005. Short title.

ORS **161.005** to 161.055, 161.085 to 161.125, 161.150 to 161.175, 161.190 to 161.275, 161.290 to 161.370, 161.405 to 161.485, 161.505 to 161.585, 161.605, 161.615 to 161.685, 161.705 to 161.737, 162.005, 162.015 to 162.035, 162.055 to 162.115, 162.135 to 162.205, 162.225 to 162.375, 162.405 to 162.425, 162.465, 163.005, 163.115, 163.125 to 163.145, 163.160 to 163.208, 163.215 to 163.257, 163.275, 163.285, 163.305 to 163.467, 163.505 to 163.575, 163.665 to 163.696, 164.005, 164.015 to 164.135, 164.140, 164.205 to 164.270, 164.305 to 164.377, 164.395 to 164.415, 164.805, 164.877, 165.002 to 165.027, 165.032 to 165.070, 165.075 to 165.109, 165.805, 166.005 to 166.095, 166.350, 166.382, 166.384, 166.660, 167.002 to 167.027, 167.060 to 167.100, 167.117, 167.122 to 167.162, 167.203 to 167.252, 167.310 to 167.340 and 167.350, 167.810 and 167.820, shall be known and may be cited as Oregon Criminal Code of 1971.

HISTORY: 1971 c.743 § 1; 1979 c.476 § 1; 1983 c.740 § 25; 1983 c.792 § 1; 1985 c.366 § 2; 1985 c.557 § 9; 1985 c.662 § 10; 1985 c.755 § 1; 1989 c.982 § 3; 1989 c.1003 § 5

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Chapter 167

2003 EDITION

Offenses Against Public Health, Decency and Animals

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167.012 Promoting prostitution
167.017 Compelling prostitution
167.027 Evidence required to show place of prostitution

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167.075 Exhibiting an obscene performance to a minor
167.080 Displaying obscene materials to minors
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167.090 Publicly displaying nudity or sex for advertising purposes
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167.348 Placement of forfeited animal; preference
167.350 Forfeiture of rights in mistreated animal; costs; disposition of animal
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167.355 Involvement in animal fighting
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167.365 Dogfighting
167.370 Participation in dogfighting
167.375 Seizure of fighting dogs; procedure

Source: Legal > States Legal - U.S. > Oregon > Statutes & Regulations > **OR - Oregon Revised Statutes Annotated**
Terms: **167.340** (Edit Search)

Select for FOCUS™ or Delivery

1. TITLE 14. PROCEDURE IN CRIMINAL MATTERS GENERALLY, CHAPTER 133. ARREST AND RELATED PROCEDURES; SEARCH AND SEIZURE; EXTRADITION, ARREST, 133.377. Arrest of persons for cruelty to animals; immunity of peace officer providing care for animal., OREGON REVISED STATUTES
... ORS 167.315 to 167.333 or **167.340** may be arrested and held ...

2. TITLE 14. PROCEDURE IN CRIMINAL MATTERS GENERALLY, CHAPTER 133. ARREST AND RELATED PROCEDURES; SEARCH AND SEIZURE; EXTRADITION, ARREST, 133.379. Duty of peace officer to arrest and prosecute violators of cruelty to animals laws; disposition of fines., OREGON REVISED STATUTES
... ORS 167.315 to 167.333 or **167.340** for any violation which comes to the ...
... ORS 167.315 to 167.333 or **167.340,** except for forfeitures of the ...

3. TITLE 15. PROCEDURE IN CRIMINAL ACTIONS IN. JUSTICE COURTS, CHAPTER 156. PROCEEDINGS AND JUDGMENT IN CRIMINAL ACTIONS, CONCURRENT JURISDICTION, 156.705. Jurisdiction over offenses against animals., OREGON REVISED STATUTES
... ORS 167.315 to 167.333 and **167.340.**

4. TITLE 16. CRIMES AND PUNISHMENTS, CHAPTER 161. GENERAL PROVISIONS, PRINCIPLES, LEXSEE 2003 Ore. HB 3317 -- See section 3., 161.005. Short title., OREGON REVISED STATUTES
... 167.203 to 167.252, 167.310 to **167.340** and 167.350, 167.810 and 167.820, ...

5. TITLE 16. CRIMES AND PUNISHMENTS, CHAPTER 167. OFFENSES AGAINST PUBLIC HEALTH, DECENCY AND ANIMALS, OFFENSES AGAINST ANIMALS, 167.332. Prohibition against possession of domestic animal., OREGON REVISED STATUTES
... 167.315, 167.325, 167.330 or **167.340** or of a misdemeanor under ...

6. TITLE 16. CRIMES AND PUNISHMENTS, CHAPTER 167. OFFENSES AGAINST PUBLIC HEALTH, DECENCY AND ANIMALS, OFFENSES AGAINST ANIMALS, 167.340. Animal abandonment., OREGON REVISED STATUTES
ORS § **167.340**

7. TITLE 16. CRIMES AND PUNISHMENTS, CHAPTER 167. OFFENSES AGAINST PUBLIC HEALTH, DECENCY AND ANIMALS, OFFENSES AGAINST ANIMALS, 167.345. Authority to enter premises; search warrant; notice of impoundment of animal; damage resulting from entry., OREGON REVISED STATUTES
... ORS 167.315 to 167.333 or **167.340,** a peace officer, ...

8. TITLE 16. CRIMES AND PUNISHMENTS, CHAPTER 167. OFFENSES AGAINST PUBLIC HEALTH, DECENCY AND ANIMALS, OFFENSES AGAINST ANIMALS, 167.347. Forfeiture of animal to animal care agency prior to disposition of criminal charge., OREGON REVISED STATUTES
... ORS 167.315 to 167.333 or **167.340,** prior to final disposition of the ...
... ORS 167.315 to 167.333 or **167.340.** If the court finds that probable ...

9. TITLE 16. CRIMES AND PUNISHMENTS, CHAPTER 167. OFFENSES AGAINST PUBLIC HEALTH, DECENCY AND ANIMALS, OFFENSES AGAINST ANIMALS, 167.350. Forfeiture of rights in mistreated animal; costs; disposition of animal., OREGON REVISED STATUTES
... ORS 167.315 to 167.333 or **167.340** to forfeit any rights of the defendant ...
... ORS 167.315 to 167.333 or **167.340** to participate in available ...

... ORS 167.315 to 167.333 or **167.340.** Any such animal is subject to forfeiture as ...
... ORS 167.315 to 167.333 or **167.340** to forfeit any rights of the defendant ...
... ORS 167.315 to 167.333 or **167.340** to participate in available ...

Source: Legal > States Legal - U.S. > Oregon > Statutes & Regulations > **OR - Oregon Revised Statutes Annotated**
Terms: **167.340** (Edit Search)
View: Cite
Date/Time: Monday, March 29, 2004 - 2:30 PM EST

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TOC: Oregon Revised Statutes Annotated > /. . . / > CLASSES OF OFFENSES > 161.505. "Offense" described.
Terms: 161.505 (Edit Search)

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ORS § 161.505

OREGON REVISED STATUTES

*** THIS DOCUMENT IS CURRENT THROUGH THE 2001 REGULAR SESSION OF THE 71ST LEGISLATIVE ASSEMBLY ***
*** ANNOTATIONS CURRENT THROUGH VOLUME 19 (2002 CUMULATIVE SUPPLEMENT) ***

TITLE 16. CRIMES AND PUNISHMENTS
CHAPTER 161. GENERAL PROVISIONS
CLASSES OF OFFENSES

◆ **GO TO CODE ARCHIVE DIRECTORY FOR THIS JURISDICTION**

ORS § **161.505** (2001)

161.505. "Offense" described.

An offense is conduct for which a sentence to a term of imprisonment or to a fine is provided by any law of this state or by any law or ordinance of a political subdivision of this state. An offense is either a crime, as described in ORS 161.515, or a violation, as described in ORS 153.008.

HISTORY: 1971 c.743 § 65; 1975 c.451 § 173; 1981 c.626 § 2; 1981 c.692 § 7; 1999 c.1051 § 43

Source: Legal > States Legal - U.S. > Oregon > Statutes & Regulations > OR - Oregon Revised Statutes Annotated
TOC: Oregon Revised Statutes Annotated > /. . . / > CLASSES OF OFFENSES > 161.505. "Offense" described.
Terms: 161.505 (Edit Search)
View: Full
Date/Time: Monday, March 29, 2004 - 2:35 PM EST

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ORS § 161.515

OREGON REVISED STATUTES

*** THIS DOCUMENT IS CURRENT THROUGH THE 2001 REGULAR SESSION OF THE 71ST LEGISLATIVE ASSEMBLY ***
*** ANNOTATIONS CURRENT THROUGH VOLUME 19 (2002 CUMULATIVE SUPPLEMENT) ***

TITLE 16. CRIMES AND PUNISHMENTS
CHAPTER 161. GENERAL PROVISIONS
CLASSES OF OFFENSES

• **GO TO CODE ARCHIVE DIRECTORY FOR THIS JURISDICTION**

ORS § **161.515** (2001)

161.515. "Crime" described.

(1) A crime is an offense for which a sentence of imprisonment is authorized.

(2) A crime is either a felony or a misdemeanor.

HISTORY: 1971 c.743 § 66

PERMANENT EDITION ANNOTATIONS:

CASENOTES:

1. UNDER FORMER SIMILAR STATUTE
Common law offenses were not recognized in Oregon but reference could be made for definitions of statutory offenses. State v. Ayers, (1907) 49 Or 61, 88 P 653, 124 Am St Rep 1036, 10 LRA(NS) 992.
Conviction under a city ordinance was not conviction of a crime. State v. Crawford, (1911) 58 Or 116, 113 P 440, Ann Cas 1913A, 325; Redsecker v. Wade, (1914) 69 Or 153, 134 P 5, 138 P 485, Ann Cas 1916A, 269.
Punishment provisions were an integral part of a criminal statute. State v. Pirkey, (1955) 203 Or 697, 281 P2d 698.
Late filing of financial reports under the Corrupt Practices Act was not a crime. State v. Johnson, (1969) 1 Or App 363, 462 P2d 687.

FURTHR-CITATIONS:

Baxter v. State, (1907) 49 Or 353, 88 P 677, 89 P 369; Kalich v. Knapp, (1914) 73 Or 558, 600, 142 P 594, 145 P 22, Ann Cas 1916E, 1051; Reynolds v. Shobe, (1967) 245 Or 578, 423 P2d 182.

ATTY-GEN-OPIN:

Misdemeanor as crime, 1922-24, p 285; petit larceny as crime, 1922-24, p 435; disqualification of notary after conviction of crime, 1944-46, p 64; describing crime of unlawful assembly, 1960-62, p 419; violation of city ordinance, 1964-66, p 284; simultaneous charges under ORS 482.300 and 482.650, 1966-68, p 459.

LAWREV-CITATIONS:

ORS § 153.008

OREGON REVISED STATUTES

*** THIS DOCUMENT IS CURRENT THROUGH THE 2001 REGULAR SESSION OF THE 71ST LEGISLATIVE ASSEMBLY ***
*** ANNOTATIONS CURRENT THROUGH VOLUME 19 (2002 CUMULATIVE SUPPLEMENT) ***

TITLE 14. PROCEDURE IN CRIMINAL MATTERS GENERALLY
CHAPTER 153. VIOLATIONS AND TRAFFIC OFFENSES
VIOLATIONS
GENERALLY

◆ **GO TO CODE ARCHIVE DIRECTORY FOR THIS JURISDICTION**

ORS § **153.008** (2001)

153.008. Violations described.

(1) Except as provided in subsection (2) of this section, an offense is a violation if any of the following apply:

(a) The offense is designated as a violation in the statute defining the offense.

(b) The statute prescribing the penalty for the offense provides that the offense is punishable by a fine but does not provide that the offense is punishable by a term of imprisonment. The statute may provide for punishment in addition to a fine as long as the punishment does not include a term of imprisonment.

(c) The offense is created by an ordinance of a county, city, district or other political subdivision of this state with authority to create offenses, and the ordinance provides that violation of the ordinance is punishable by a fine but does not provide that the offense is punishable by a term of imprisonment. The ordinance may provide for punishment in addition to a fine as long as the punishment does not include a term of imprisonment.

(d) The prosecuting attorney has elected to treat the offense as a violation for purposes of a particular case in the manner provided by ORS 161.566.

(e) The court has elected to treat the offense as a violation for purposes of a particular case in the manner provided by ORS 161.568.

(2) Conviction of a violation does not give rise to any disability or legal disadvantage based on conviction of a crime.

HISTORY: 1999 c.1051 § 3

2003

OREGON REVISED STATUTES

Volume 12
Agriculture and Food; Trade Practices; Labor and Employment

Title 46 Agriculture
Title 47 Agricultural Marketing and Warehousing
Title 48 Animals
Title 49 Food and Other Commodities
Title 50 Trade Regulations and Practices
Title 51 Labor and Employment

Chapter 609

2003 EDITION

Animal Control; Exotic Animals; Dealers

DOGS

609.010 Definitions for ORS 609.010, 609.040 to 609.110 and 609.990

609.015 Application of ORS 609.030 and 609.040 to 609.110

609.020 Dogs as personal property

609.030 Establishing dog control district; appointment of supervisors; enforcement; county governing body as supervisors; dog control officer

609.040 Election to determine whether dogs may run at large

609.060 Notice of election result; dogs running at large prohibited; deposit of fees and fines

609.090 Impounding certain dogs; procedure for county disposition of chasing, menacing or biting dogs and other dogs; fees for impoundment; release of dog; presumption by county of noncompliance

609.093 Considerations prior to disposing of chasing, menacing or biting dog

609.095 Dog as public nuisance; public nuisance prohibited; presumption by court of noncompliance; complaint

609.097 Exception to dog as public nuisance

609.100 Dog licenses, tags and fees

609.105 Exemption for assistance animals

609.110 Dog License Fund

609.125 Definition of "livestock"

609.135 Applicability of ORS 609.156, 609.162 and 609.168

609.140 Right of action by owner of damaged livestock

609.150 Right to kill dog that harms or chases livestock

609.153 Dog owner education program

609.155 Impoundment for harming or chasing livestock; determination of fact; costs

609.156 Opportunity to request hearing

609.158 Hearing process; notice of determination; reexamination of determination

609.161 Disputable presumption that dog harms or chases livestock

609.162 Guidelines for imposing remedial measures, civil penalties or other sanctions

609.163 Enhanced civil penalties for habitual violators

609.165 Judicial review of county determination

609.166 Record of penalized owners

609.167 Conversion of civil penalty into lien; disposition of proceeds

609.168 Microchip identification of dog; rules

609.169 Keeping dog with knowledge that it has harmed livestock

609.170 Claim by owner of livestock

609.180 Hearing and payment of claims

609.190 Subrogation of county paying claim; collection by district attorney

EXOTIC ANIMALS

(Local Government Regulation)

609.205 Prohibitions against keeping of wild or exotic animals

(Generally)

609.305 Definitions for ORS 609.305 to 609.335 and 609.992

609.309 Policy on exotic animals

609.312 Seller to provide buyer with informational material

609.315 Exceptions to permit requirement

609.319 Permit required to keep exotic animal

609.325 Conditions for keeping exotic animal

609.329 Liability for escape or injury

609.335 Permits; rules; fee; revocation; warning

DESTRUCTION OF ANIMALS

609.405 Requirement for destroying dogs and cats

ANIMAL DEALERS

609.500 Definitions for ORS 609.500 to 609.520 and 609.994

609.505 Crime of unlawfully obtaining dog or cat

609.510 Animal dealers required to keep records; report to State Department of Agriculture; fee; public inspection of records

609.515 Required period of possession of animal by dealer

609.520 Inspection of dealer records; procedure for obtaining animal held by dealer; penalty for failure to turn over animal; inspection of dealer facilities

MISCELLANEOUS

609.805 Misrepresentation of pedigree; mutilation of certificate or proof of pedigree; violation

PENALTIES

609.990 Penalties for ORS 609.060, 609.095, 609.100, 609.169 and 609.405; disposition of dog by court

609.992 Penalties for ORS 609.319

609.994 Penalties for ORS 609.510 to 609.520; cause of action for damages; injunctions

(9) Notwithstanding the provisions of subsections (2), (3), (6), (7) and (8) of this section, any dog impounded for biting a person shall be held for not less than 10 days before redemption or destruction to determine if the dog is rabid.

(10) A dog control board or county governing body may impose lesser fees or penalties under subsections (3) and (6) of this section for certain senior citizens under certain circumstances. [Amended by 1953 c.571 §2; 1957 c.79 §2; 1963 c.237 §1; 1963 c.585 §1; 1967 c.495 §2; 1969 c.677 §4; 1973 c.655 §3; 1975 c.499 §1; 1977 c.802 §6; 1999 c.658 §§6,6a; 2001 c.636 §7]

609.092 [1977 c.802 §14; repealed by 1999 c.1051 §299]

609.093 Considerations prior to disposing of chasing, menacing or biting dog. In determining whether a dog should be killed as provided under ORS 609.090 (7) or 609.990, a dog control board, county governing body or court shall consider the following factors:

(1) The circumstances of the bite, including whether the dog was provoked by the person bitten;

(2) Whether the keeper has a history of maintaining dogs that are a public nuisance;

(3) The impact of keeper actions on the behavior of the dog;

(4) The severity of the bite;

(5) The ability and inclination of the keeper to prevent the dog from chasing or menacing another person on premises other than the premises occupied exclusively by the keeper or from biting another person;

(6) Whether the dog can be relocated to a secure facility;

(7) The effect that a transfer of ownership would have on ensuring the health and safety of the public;

(8) Whether the dog has unjustifiably chased or menaced a person on a prior or subsequent occasion; and

(9) Any other factors that the board, governing body or court may deem relevant. [1999 c.658 §2; 2001 c.636 §8]

609.095 Dog as public nuisance; public nuisance prohibited; presumption by court of noncompliance; complaint. (1) A dog is a public nuisance if it:

(a) Bites a person;

(b) Chases or menaces persons or chases vehicles on premises other than premises occupied exclusively by the keeper of the dog;

(c) Damages or destroys property of persons other than the keeper of the dog;

(d) Scatters garbage on premises other than premises occupied exclusively by the keeper of the dog;

(e) Trespasses on private property of persons other than the keeper of the dog;

(f) Disturbs any person by frequent or prolonged noises;

(g) Is a female in heat and running at large; or

(h) Injures or kills a domestic animal as defined in ORS 167.310.

(2) The keeper of a dog in a county, precinct or city that is subject to ORS 609.030 and 609.040 to 609.110 maintains a public nuisance if the dog commits an act described under subsection (1) of this section or the keeper does not comply with reasonable restrictions as described in subsection (3) of this section. Except as provided under ORS 609.990 (3), maintaining a dog that is a public nuisance is a violation.

(3) A keeper of a dog maintains a public nuisance if the keeper fails to comply with reasonable restrictions imposed under ORS 609.990. If a keeper fails to provide acceptable proof of compliance to the court on or before the 10th day after issuance of the order imposing the restrictions, there is a rebuttable presumption that the keeper has failed to comply. If the court finds the proof submitted by the keeper unacceptable, the court shall send notice of that finding to the keeper no later than five days after the proof is received.

(4) Any person who has cause to believe a keeper is maintaining a dog that is a public nuisance may complain, either orally or in writing, to the county, precinct or city. The receipt of any complaint is sufficient cause for the county, precinct or city to investigate the matter and determine whether the keeper of the dog is in violation of subsection (2) or (3) of this section. [1973 c.655 §2; 1977 c.802 §7; 1999 c.658 §8; 1999 c.756 §18; 2001 c.636 §9; 2001 c.926 §15]

609.097 Exception to dog as public nuisance. A dog is not a public nuisance under ORS 609.090 (5) or 609.095 and may not be destroyed under ORS 609.090 or 609.990 if the dog menaces, chases or bites a person wrongfully assaulting the dog or the dog's keeper or if the dog menaces, chases or bites a person trespassing upon premises occupied exclusively by the dog's keeper after being provoked by that person. [1975 c.499 §4; 1999 c.658 §9; 2001 c.636 §10]

609.100 Dog licenses, tags and fees. (1) In a county, precinct or city having a dog control program under ORS 609.030, 609.040 to 609.110 and 609.405, every person keeping a dog that has a set of permanent canine teeth or is six months old, whichever comes first, shall procure a license for the dog. The license must be procured by paying a license fee to the county in which the person resides not later than March 1 of each year or

§ 13.003 Policy.

The Board recognizes that ORS Chapter 609 constitutes state law for the regulation of dogs but may be superseded in home rule counties which provide for regulation by ordinance. The Board finds that it is necessary to establish and implement a program for the licensing and regulation of dogs and other animals and facilities which house them; that animals require legal protection; that the property rights of owners or keepers and nonowners of animals should be protected and that the health, safety and welfare of the people residing in the county would best be served by adoption of such an ordinance.
(Ord. 918, passed, 08/06/1998; ' 90 Code, § 8.10.020, 07/01/1998; Ord. 909, passed, 06/25/1998; Ord. 850, passed, 04/11/1996; Ord. 732, passed, 09/03/1992; Ord. 156, passed, 12/22/1977)

§ 13.004 Spaying And Neutering Encouraged.

An amount as set by Board resolution from revenue generated by pet licensing shall be used for public education and low cost spay/neuter programs for the purpose of reducing the number of unwanted animals in the county.
(' 90 Code, § 8.10.260, 07/01/1998; Ord. 850, passed, 04/11/1996; Ord. 384, passed, 06/23/1983; Ord. 156, passed, 12/22/1977)

§ 13.005 Other Laws Apply.

Except as expressly provided in this chapter, this chapter shall in no way be a substitute for or eliminate the necessity of conforming with any and all state and federal laws, rules and regulations, and other ordinances which are now or may be in the future in effect which relate to the requirements provided in this chapter.
(' 90 Code, § 8.10.240, 07/01/1998; Ord. 156, passed, 12/22/1977)

§ 13.507 State Law; Enforcement.

(A) Pursuant to ORS 609.015(1), this chapter supersedes enforcement in the county of the following state statutes: ORS 609.010(2), 609.030, 609.040, 609.060, 609.090, 609.092, 609.095, 609.097, 609.100, 609.110, 609.150, 609.155, 609.160, 609.170, 609.180, 609.190.

(B) Enforcement of ORS 433.340 through 433.390 shall be the responsibility of the director and the county Health Officer. Such enforcement procedures shall comply with the state law and are not subject to the enforcement provisions of this chapter.

(' 90 Code, § 8.10.050, 07/01/1998; Ord. 850, passed, 04/11/1996; Ord. 732, passed, 09/03/1992)

CHRONIC NOISE NUISANCE. Demonstrated by the issuance of two or more notices of infractions or citations for violation of § 13.305(B)(5), and the receipt of multiple complaints from one or more households within a one-year period in close proximity to the animal's location.

CHRONIC SAFETY NUISANCE. Demonstrated by the issuance of two or more notices of infractions or citations for any of the following:

(1) Violation of § 13.401, relating to the same dog; or

(2) Any dangerous animal that is not confined as required by law; or

(3) Any other violation of this chapter based on animal behavior that causes a substantial risk to public safety.

§ 13.305 Duties Of Owners.

(A) For the purposes of this section, unless otherwise limited, the owner is ultimately responsible for the behavior of the animal regardless of whether the owner or another member of the owner's household or a household visitor permitted the animal to engage in the behavior that is the subject of the violation.

(B) It is unlawful for any person to commit any of the following:

(1) Permit an animal to be an animal at large;

(2) Permit an animal to trespass upon property of another;

(3) Fail to comply with requirements of this chapter that apply to the keeping of an animal or dangerous animal or any facility where such animals are kept;

(4) Permit a dog in season (estrus) to be accessible to a male dog not in the person's ownership except for intentional breeding purposes;

(5) Permit any animal unreasonably to cause annoyance, alarm or noise disturbance to any person or neighborhood by barking, whining, screeching, howling, braying or other like sounds which may be heard beyond the boundary of the owner's or keeper's property under conditions wherein the animal sounds are shown to have occurred either as an episode of continuous noise lasting for a minimum period of ten minutes or repeated episodes of intermittent noise lasting for a minimum period of thirty minutes. It shall be an affirmative defense under this subsection that the animal was intentionally provoked by a party other than the owner to make such noise. Provided, 13.305(B)(5) shall not be applicable to any lawful livestock owner or keeper; kennel or similar facility, wherein the presence of livestock or the operation of a kennel or similar facility is authorized under the applicable land use and zoning laws and regulations;

(6) Leave an animal unattended for more than 24 consecutive hours without minimum care;

(7) Deprive an animal of proper facilities or care, including but not limited to the items prescribed in § 13.153. Proper shelter must provide protection from the weather and is maintained in a condition to protect the animals from injury;

(8) Physically mistreat any animal either by abuse or neglect or failure to furnish minimum care;

(9) Permit any animal to leave the confines of any officially prescribed quarantine area;

(10) Permit any dog to engage in any of the behaviors described in § 13.401(A) or (B);

(11) Permit any dog to engage in any of the behaviors described in § 13.401(C) through (D); or

Permit any dog to engage in the behavior described in § 13.402.

(13) Harbor a dangerous or exotic animal that is not otherwise exempted under § 13.154. Provided, any person who owns or is keeping a dangerous or exotic animal on the effective date of this chapter in that person's jurisdiction shall have 180 days from the effective date to provide for the animal's removal from the county or other lawful disposition.

(14) Except as provided under MCC 13.300(B) (2), permit any dog to be tethered for more than 10 hours in a 24-hour period.

(15) Notwithstanding MCC 13.305 (B) (14), permit any dog to be tethered in a manner or method that allows the animal to become entangled for a period of time detrimental to the animal's well being.

(C) For the purpose of this section, OWNER shall mean either owner or keeper as defined in this chapter.

(D) Notwithstanding § 13.305(B)(10), (11) and (12), any dog that has been found to have engaged in behaviors as described at §§ 13.401 and 13.402 shall be classified, regardless of whether it is established by preponderance of the evidence that the dog owner, keeper or other person permitted the dog to engage in the behavior. If in any such case it is not established by a preponderance of the evidence that the person cited permitted the dog to engage in the behavior, no fine shall be imposed against that person, but the dog owner or keeper shall be subject to all other restrictions and conditions lawfully imposed by the director or

§ 13.401 Levels Of Dangerousness.

Classification of a dog as potentially dangerous shall be based upon specific behaviors exhibited by the dog. For purposes of this subchapter, behaviors establishing various levels of potentially dangerous dogs are the following:

(A) Level 1 behavior is established if a dog at large is found to menace, chase, display threatening or aggressive behavior or otherwise threaten or endanger the safety of any person.

(B) Level 2 behavior is established if a dog, while at large, causes physical injury to any domestic animal.

(C) Level 3 behavior is established if a dog, while confined so as not to be at large, as defined in § 13.002, aggressively bites any person.

(D) Level 4 behavior is established if:

(1) A dog, while at large:

(a) Aggressively bites any person; or

(b) Kills or causes the death of any domestic animal or livestock; or

(2) A dog classified as a Level 3 potentially dangerous dog that repeats the behavior in division (C) of this section after the owner or keeper receives notice of the Level 3 classification.

(E) Notwithstanding divisions (A) through (D) of this section, the director shall have discretionary authority to refrain from classifying a dog as potentially dangerous, even if the dog has engaged in the behaviors specified in divisions (A) through (E) of this section, if the director determines that the behavior was the result of the victim abusing or tormenting the dog or was directed towards a trespasser or other similar mitigating or extenuating circumstances.

(Ord. 918, passed, 08/06/1998; ' 90 Code, § 8.10.270, 07/01/1998; Ord. 909, passed, 06/25/1998; Ord. 850, passed, 04/11/1996; Ord. 732, passed, 09/03/1992; Ord. 591, passed, 09/22/1988; Ord. 517, passed, 06/12/1986)

Diane M. Linn, Multnomah County Chair

May 24, 2002

Thomas Buchholz
109 10th Street
Oregon City, OR 97045

Dear Mr. Buchholz,

Our office has received your letter of May 2, 2002.

I have reviewed your letter and consulted with Assistant County Attorney Matt Ryan and Michael Oswald, who oversees management of Multnomah County's animal control program.

It is my understanding that the legal concerns raised in your letter have been addressed in a series of written correspondence between you number of county officials over that last couple of years. I am not aware of new developments which would change the information provided to you previously.

I may be reached at (503) 988-5772 if you have would like me to provide you with additional copies of prior letters.

Sincerely,

Andrew J. Smith
Constituent Services Director
Office of Diane Linn
Multnomah County Chair

OREGON AFSCME LOCAL 189

John S. Foote, District Attorney for Clackamas County

Clackamas County Courthouse, 807 Main Street, Room 7, Oregon City, Oregon 97045
503 655-8431, FAX 503 650-8943, www.co.clackamas.or.us/da/

October 14, 2002

Mr. Thomas Buchholz
109 10th Street
Oregon City, OR 97045

Dear Mr. Buchholz:

I am responding to your letter to John Foote, dated October 3, 2002.

The Clackamas County Dog Control office is a county agency staffed with county-appointed officials authorized to enforce a series of Clackamas County ordinances pertaining to dogs only. Such officials are authorized under the Clackamas County Code to issue citations for violations of these ordinances. Hearings upon those alleged violations are heard by Hearings Officer, Nick Knapp. These ordinance violations are not criminal, and these hearings are conducted under county administrative rules.

Dog control officers are not "peace officers" under the law. They do not issue citations for violations of the state criminal code. Any criminal investigation resulting in the issuance of citations for crimes under state law are conducted by police officers. These criminal cases are reviewed by our office, and if charges are appropriate, a criminal complaint is filed in Clackamas County Circuit Court.

It is important to note that, although many of the county ordinance violations have the same names as state crimes (e.g., animal abuse, animal neglect, animal abandonment, etc.), the offenses are separate and distinct and the legal authority for each derives from either county ordinance or state statute.

I hope I have answered your questions. I can be reached at (503) 722-2704.

Sincerely,

Michael P. Regan
Senior Deputy District Attorney

cc. John Foote

JOHN A. KITZHABER, M.D.
GOVERNOR

May 31, 2002

Thomas Buckholz
109 10th Street
Oregon City, Oregon 97045

Dear Mr. Buckholz:

I am responding to your certified letter to the Office of the Governor regarding Multnomah County animal control.

Because your concerns involve county ordinances and local enforcement, it is outside the Governor's jurisdiction. The Governor does not have authority over local or legal matters and is unable to assist you with this matter. We recommend you continue to work with your local elected officials.

I regret we are unable to be of assistance and hope you are able to reach some resolution in the near future. For your convenience I am returning the documents you provided to our office.

Sincerely,

Liz Kiren

Elizabeth A. Kiren
Citizens' Representative

c: Sheila Reed, Governor's Public Safety Advocate

STATE CAPITOL, SALEM 97301-4047 (503) 378-3111 FAX (503) 378-4863 TTY (503) 378-4859
WWW.GOVERNOR.STATE.OR.US

MICHAEL D. SCHRUNK, District Attorney for Multnomah County
600 County Courthouse • Portland, Oregon 97204-1193 • (503) 248-3162

October 21, 1998

Mr. Thomas Buchholz
109 10th Street
Oregon City, OR 97045

Dear Mr. Buchholz:

I am writing in response to your letter of October 15, 1998. I know that you disagree, but I am confident that the opinions expressed in my previous letters to you accurately set out the law in Oregon. Also, the only incident that you have ever referred is one that happened years ago. Under these circumstances, if you want to pursue this matter further, you will have to request an opinion from the Attorney General's Office.

Sincerely,

MICHAEL D. SCHRUNK
District Attorney
Multnomah County, Oregon

By _____
Frederick Lenzser
Chief Deputy

FL:je

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 1, 2004
Agenda Item #: R-1
Est. Start Time: 9:30 AM
Date Submitted: 01/27/04

Requested Date: April 1, 2004 **Time Requested:** 5 mins

Department: Non-Departmental **Division:** Citizen Involvement Committee

Contact/s: Kathleen Todd

Phone: 503.988.3450 **Ext.:** 83450 **I/O Address:** 503/600

Presenters: Ken Ray, Citizen Involvement Committee Chair

Agenda Title: PROCLAMATION Proclaiming April 18 through April 24, 2004 as Multnomah County Volunteer Week

NOTE: If Ordinance, Resolution, Order or Proclamation, provide exact title.
For all other submissions, provide clearly written title.

---

1. **What action are you requesting from the Board? What is the department/agency recommendation?**
   Approval of a PROCLAMATION Proclaiming April 18 through April 24, 2004 as Multnomah County Volunteer Week.

2. **Please provide sufficient background information for the Board and the public to understand this issue.**
   Each year thousands upon thousands of volunteers across the nation tirelessly contribute to the betterment of their communities. National Volunteer Week is April 18 through 24, 2004 this year and the Citizen Involvement Committee is asking the Multnomah County Board of Commissioners to acknowledge and honor our community volunteers as well.

3. **Explain the fiscal impact (current year and ongoing).**
   None

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

If a budget modification, explain:

- **What revenue is being changed and why?**
- **What budgets are increased/decreased?**
- **What do the changes accomplish?**
- **Do any personnel actions result from this budget modification? Explain.**
- **Is the revenue one-time-only in nature?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

- **Why was the expenditure not included in the annual budget process?**
- **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- **Why are no other department/agency fund sources available?**
- **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**
- **Has this request been made before? When? What was the outcome?**

If grant application/notice of intent, explain:

- **Who is the granting agency?**
- **Specify grant requirements and goals.**
- **Explain grant funding detail – is this a one time only or long term commitment?**
- **What are the estimated filing timelines?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**
- **How will the county indirect and departmental overhead costs be covered?**

4. **Explain any legal and/or policy issues involved.**
   None

5. **Explain any citizen and/or other government participation that has or will take place.**
   The annual Citizen Involvement Committee Volunteer Awards Ceremony is scheduled for Wednesday, April 21, 2004.

Required Signatures:

Department/Agency Director: *Kathleen M. Todd* **Date: 1/28/04**

Budget Analyst
By:_____ **Date:**

Dept/Countywide HR
By:_____ **Date:**

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. _____

Proclaiming April 18 through April 24, 2004 as Multnomah County Volunteer Week

The Multnomah County Board of Commissioners Finds:

a. One of America's greatest national resources is its volunteers, and the invaluable resources they devote toward a healthy and productive society.

b. Each year thousands upon thousands of volunteers across the nation tirelessly contribute to the betterment of their communities.

c. It has long been a tradition in our community for volunteers - men, women and children alike - to perform work of the highest quality and to bring sunshine and hope to the lives of others.

d. Our community volunteers, who give so freely of their time, energy, and ability, do so only for a smile and a thank you for their countless hours of service, and for the knowledge of providing an invaluable service to others.

The Multnomah County Board of Commissioners Proclaims:

The week of April 18 through April 24, 2004 as **Multnomah County Volunteer Week** and takes great pleasure in honoring all volunteers with our sincere gratitude and appreciation for their dedicated, selfless, and compassionate efforts.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

_____
Diane M. Linn, County Chair

_____
Maria Rojo de Steffey,
Commissioner District 1

_____
Serena Cruz,
Commissioner District 2

_____
Lisa Naito,
Commissioner District 3

_____
Lonnie Roberts,
Commissioner District 4

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. 04-032

Proclaiming April 18 through April 24, 2004 as Multnomah County Volunteer Week

The Multnomah County Board of Commissioners Finds:

a. One of America's greatest national resources is its volunteers, and the invaluable resources they devote toward a healthy and productive society.

b. Each year thousands upon thousands of volunteers across the nation tirelessly contribute to the betterment of their communities.

c. It has long been a tradition in our community for volunteers - men, women and children alike - to perform work of the highest quality and to bring sunshine and hope to the lives of others.

d. Our community volunteers, who give so freely of their time, energy, and ability, do so only for a smile and a thank you for their countless hours of service, and for the knowledge of providing an invaluable service to others.

The Multnomah County Board of Commissioners Proclaims:

The week of April 18 through April 24, 2004 as **Multnomah County Volunteer Week** and takes great pleasure in honoring all volunteers with our sincere gratitude and appreciation for their dedicated, selfless, and compassionate efforts.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, County Chair

Maria Rojo de Steffey,
Commissioner District 1

Serena Cruz,
Commissioner District 2

Lisa Naito,
Commissioner District 3

Lonnie Roberts,
Commissioner District 4

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: **April 1, 2004**
Agenda Item #: **R-2**
Est. Start Time: **9:35 AM**
Date Submitted: **03/23/04**

Requested Date: April 1, 2004

Time Requested: 5 minutes

Department: Non-Departmental

Division: Commission on Children, Families & Community (CCFC)

Contact/s: Joshua Todd/Wendy Lebow

Phone: 503-988-5859 - Joshua
503-988-6981 - Wendy

I/O Address: 166/600

Presenters: Wendy Lebow, Joshua Todd, Rachel Noble (Oregon Hunger Relief Task Force)

Agenda Title: NOTICE OF INTENT to Submit a Proposal for a Summer Food Program Expansion Grant to the United Way of the Columbia-Willamette

NOTE: If Ordinance, Resolution, Order or Proclamation, provide exact title.
For all other submissions, provide clearly written title.

---

1. **What action are you requesting from the Board? What is the department/agency recommendation?**
The Commission on Children, Families & Community is requesting approval to submit a proposal for a Summer Food Program Expansion Grant to the United Way of the Columbia-Willamette.

The Commission on Children, Families & Community is requesting an exception to the agenda placement procedure for a Notice of Intent to apply for the United Way "Tools For Living" Vision Council to fund an expanded and enhanced Summer Food Program. The reason for this request is because of the tight timeline for submission on the grant, due April 2nd. The CCFC recommends that this request be approved.

2. Please provide sufficient background information for the Board and the public to understand this issue.

Need:

The Free/Reduced Lunch Program in Multnomah County public schools serves approximately 40,468 children per day. When public schools are closed during the summer, many low-income families rely on the Summer Food Program and Food Stamp Program to feed their children. The Summer Food Program serves children age 0-18 years of age and currently serves only 3,760 meals on a daily basis. Because many of those served by the Summer Food Program are under 5 years old, this means that the available summer meals at best serve less than 1 out of 10 eligible school-age children.

The project will be county-wide in the first year, with a particular focus on mid and east Multnomah County, both with high rates of child poverty and less access to the Summer Food Program and other community resources. During the past decade, low-income families have moved to Gresham, Troutdale, Wood Village, Maywood Park and Fairview to find affordable housing and job opportunities. Over one-fifth (22.7%) of Gresham's and one-fourth (25.9) of Fairview's children under 5 years are living at or below the Federal Poverty Income guidelines[1].

Expanding the Summer Food Program would address this urgent need. This expansion and enhancement also addresses the underutilization of this federal resource, while at the same time, making it more accessible to programs.

Program Description and Outcomes

Key project components are in three areas:

1. To expand participation in the program as well as increase nutritional quality of meals – the project will fund meals for parents as well as meal enhancements (such as fresh fruits and vegetable and hot meals). The use of mobile vans is one method that will be used.
2. The program will incorporate youth involvement and leadership in a variety of ways, including a service-learning component, that would involve recruiting and training local youth to work with professionals in providing literacy services, mentoring, health education and other program services to children and youth participating in the meal site. In addition, the Library will be a partner in providing a literacy component to the mobile van. Young people will also be part of group responsible for oversight of the project.
3. The project would bring the new Internet "web tools" technology to each site to enable parents or caregivers to find information on needed human services as well as conduct on-line job search activities. Skilled volunteers trained in use of web technology would give the necessary personal and technical support.

In Year One the focus will be in Multnomah County. In Years Two and Three the program will be expanded into Clackamas and Washington counties.

Expected outcomes include:

1. Increase the number of eligible children who get to eat through the Summer Feeding Program.

2. Increase the quality of the food options available.
3. Increase knowledge and skills through high quality programs brought to participating children and families.
4. Increase parent and family members' knowledge about available services and resources, including employment opportunities.
5. Increase leadership and involvement through grant oversight and service-learning components.
6. Increase informal connections within communities through greater participation in meal sites.

Research shows us that achieving these objectives will ultimately lead to increased school success.

[1] A Statistical Profile of Poverty in Gresham. December 2003, City of Gresham.

3. Explain the fiscal impact (current year and ongoing).

Funding of up to $1,125,000 is available. No matching funds are required.

If grant application/notice of intent, explain:

- **Who is the granting agency?** United Way of the Columbia-Willamette, "Tools for Living" Vision Council
- **Specify grant requirements and goals.** Projects that demonstrate an ability to "affect longer-term, systemic change, increase the availability of services, and leverage new resources to help respond to community problems."
- **Explain grant funding detail – is this a one time only or long term commitment?** This is a three-year funding resource.
- **What are the estimated filing timelines?** Grant is due April 2, 2004.
- **If a grant, what period does the grant cover?** If awarded, the grant will provide up to $375,000 per year for three years, beginning in June 2004.
- **When the grant expires, what are funding plans?** When the grant is completed, the intent is to have community partners solidly operating their portions of the program. This effort is focused on enhancing and linking existing resources.
- **How will the county indirect and departmental overhead costs be covered?** They will be built into the grant request for funding.

4. Explain any legal and/or policy issues.

None.

5. Explain any citizen and/or other government participation that has or will take place.

Key partners include the Oregon Hunger Relief Task Force, Multnomah County Library, Portland Public Schools, Gresham-Barlow School District and the other Multnomah County school districts, SUN Community Schools, Mt. Hood Head Start, and community-based organizations. In year two and three, we will work closely with Clackamas and Washington Counties. Partners will provide outreach and coordination assistance, as well as programs, vans and meals.

Required Signatures:

Department/Agency Director: Wendy Lebow **Date: 03/23/04**

Budget Analyst

By: Deborah **Date: 03/23/04**

Dept/Countywide HR

By: **Date:**

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 1, 2004
Agenda Item #: R-3
Est. Start Time: 9:40 AM
Date Submitted: 03/24/04

Requested Date: April 1, 2004

Time Requested: 5 minutes

Department: DBCS

Division: Facilities and Property Mgmt

Contact/s: Greg Herlean

Phone: 503-988-4216 **Ext.:** 84216 **I/O Address:** 274 / FPM

Presenters: Greg Herlean

Agenda Title: RESOLUTION: Declaring Property within the Mead Building, 421 SW 5th Avenue, Portland, Oregon, To Be Surplus and Approving a Real Property Lease to Elders in Action.

NOTE: If Ordinance, Resolution, Order or Proclamation, provide exact title.
For all other submissions, provide clearly written title.

---

1. **What action are you requesting from the Board? What is the department/agency recommendation?** The Department of Business and Community Services requests this Resolution be considered under an "expedited process" and allow an exception to the normal Agenda Placement Request timeline. An exception is requested because the process for Elders in Action to obtain grant(s) to fund this lease has been extensive and the execution of this lease will facilitate payment to Multnomah County for services that will be rendered for occupying this space. This Agenda Placement Request, the Resolutions, and the prepared Leases are being submitted to the Agenda Review Team via e-mail requesting an exception to the normal Agenda Placement Request timeline, an expedited review process such that it can be placed on the April 1, 2004 Board agenda.

   The Department of Business and Community Services, Facilities and Property Management Division, recommends adoption of the Resolution.

2. **Please provide sufficient background information for the Board and the public to understand this issue.**
a. Multnomah County's Aging and Disability Services previously funded Elders in Action for their lease. Due to budget constraints, ADS can no longer subsidize this lease.

b. Elders in Action (EIA) has been working for several months to raises funds to pay for this lease. They have recently accomplished this effort and are prepared to pay the County for the full costs of occupying this space.

c. The proposed leased space is not currently needed for any County purposes and is surplus.

3. **Explain the fiscal impact (current year and ongoing).** Since June 1, 2003, Aging and Disability Services (ADS) did not pay Facilities and Property Management (FPM) any funds for this space. FPM shall collect all rent and apply to this to actual operating expenses.

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

If a budget modification, explain: NONE REQUIRED
- **What revenue is being changed and why?**
- **What budgets are increased/decreased?**
- **What do the changes accomplish?**
- **Do any personnel actions result from this budget modification? Explain.**

- **Is the revenue one-time-only in nature?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain: NONE REQUIRED
- **Why was the expenditure not included in the annual budget process?**

- **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- **Why are no other department/agency fund sources available?**
- **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**

- **Has this request been made before? When? What was the outcome?**

If grant application/notice of intent, explain: NONE REQUIRED
- **Who is the granting agency?**
- **Specify grant requirements and goals.**
- **Explain grant funding detail – is this a one time only or long term commitment?**
- **What are the estimated filing timelines?**

- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**
- **How will the county indirect and departmental overhead costs be covered?**

4. **Explain any legal and/or policy issues involved.** None.

5. **Explain any citizen and/or other government participation that has or will take place.** None has been required.

Required Signatures:

Department/Agency Director: _____ **Date: 03/23/04**

Budget Analyst

By: _____ **Date: 03/22/04**

Dept/Countywide HR

By: Not Required for this Resolution **Date:**

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Declaring Property Within the Mead Building, 421 SW 5th Avenue, Portland, Oregon, To Be Surplus And Approving A Real Property Lease To Elders in Action.

The Multnomah County Board of Commissioners Finds:

a. The property specified in the attached lease and located within the Mead Building, 421 SW 5th, Portland, Oregon (Property) is, at this time, surplus to any County use.

b. The attached lease has been negotiated with Elders in Action.

c. It is in the best interests of the County to lease the Property on the terms and conditions set forth in the attached lease.

The Multnomah County Board of Commissioners Resolves:

1. The Board approves the attached lease. The County Chair is authorized to execute the lease substantially in the form attached to this Resolution.

2. The County Chair is authorized to execute renewals of the lease and to execute amendments to the lease without further Board action.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

_____
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

LEASE

Between: Multnomah County, Oregon ("Landlord")
Facilities and Property Management
401 N. Dixon Street
Portland, Oregon 97227

And: Elders in Action ("Tenant")
501 SW Washington Street
Portland OR 97204-2238

Landlord leases to Tenant and Tenant leases from Landlord in the facility known as the "Mead Building", located at 421 SW 5th Avenue, Portland, Oregon, the following described property (the "Premises") on the terms and conditions stated below:

2,255 square feet of exclusive space as shown on the attached Exhibit "A.

Section 1. Occupancy

1.1 Original Term. The term of this lease shall commence April 1, 2004 and continue through June 30, 2005, subject to the parties agreement to renew as provided herein.

1.2 Possession. Tenant's right to possession and obligations under the lease shall commence on April 1, 2004.

1.3 Renewal Option. If the lease is not in default at the time each option is exercised or at the time the renewal term is to commence, Tenant shall have the option to renew this lease for successive terms of one (1) years each, as follows:

(1) Each of the renewal terms shall commence on the day following expiration of the preceding term.

(2) The option may be exercised by written notice to Landlord given not less than four (4) months prior to the last day of the expiring term. The giving of such notice shall be sufficient to make the lease binding for the renewal term, subject to any rent adjustment being mutually agreed to by the

parties as provided Sub-section 1.3(3). If such notice is not provided by Tenant, Landlord may lease Premises to another tenant at the expiration of the remaining term.

(3) The terms and conditions of the lease for each renewal term shall be identical with the original term except for rent. Rent for a renewal term shall be as mutually agreed upon between Landlord and Tenant. If Landlord and Tenant are unable to agree upon rent for the renewal term, the renewal term shall not commence and this Lease shall terminate at the end of the expiring term.

1.4 Termination. Either party may terminate this Lease effective at any time during the term upon not less than four (4) months' written notice to the other party.

Section 2. Rent

2.1 Base Rent. The base rent shall be $3,668.17 during the initial term of this Lease, commencing July 1, 2004. Rent shall be payable on the first day of each month in advance at the address for Landlord first above stated or at such place as may be designated by Landlord.

2.2 Back Rent. In addition to the amount identified under Section 2.1, Tenant shall pay Landlord on April 15, 2004 for $44,018 Base Rent past due from June 1, 2003 through June 30, 2004. This Back Rent is in addition to the current Base Rent payments set forth in Section 2.1 above.

2.3 Additional Rent. Any other sum that Tenant is required to pay to Landlord in addition to that paid pursuant to Sections 2.1 and 2.2, shall be considered additional rent.

Section 3. Use of the Premises

3.1 **Permitted Use.** The Premises shall be used for office and public service use, and for no other purpose without the consent of Landlord, which consent shall not be unreasonably withheld or delayed.

3.2 Restrictions on Use. In connection with the use of the Premises, Tenant shall:

(1) Conform to all applicable laws, ordinances and regulations of any public authority affecting the premises and the use, and correct at Tenant's own expense any failure of compliance created through Tenant's fault or by reason of Tenant's use, but Tenant shall not be required to make any structural changes to effect such compliance.

(2) Refrain from any activity that would make it impossible to insure the Premises against casualty, would increase the insurance rate, or would prevent Landlord from taking advantage of any ruling of the Oregon Insurance Rating Bureau, or its successor, allowing Landlord to obtain reduced premium rates for long-term fire insurance policies, unless Tenant pays the additional cost of the insurance.

(3) Refrain from any use that would be reasonably offensive to other tenants or owners or users of neighboring premises or that would tend to create a nuisance or damage the reputation of the premises.

(4) Refrain from loading the electrical system or floors beyond the point considered safe by a competent engineer or architect selected by Landlord.

(5) Refrain from making any marks on or attaching any sign, insignia, antenna, aerial, or other device to the exterior or interior walls, windows, or roof of the premises without the written consent of Landlord, which shall not be unreasonably withheld.

3.3 Hazardous Substances. Tenant shall not cause or permit any Hazardous Substance to be spilled, leaked, disposed of, or otherwise released on or under the Premises. Tenant may use or otherwise handle on the Premises only those Hazardous Substances typically used or sold in the prudent and safe operation of the Permitted Use specified in Section 3.1. Tenant may store such Hazardous Substances on the Premises only in quantities necessary to satisfy Tenant's reasonably anticipated needs. Tenant shall comply with all Environmental Laws and exercise the highest degree of care in the use, handling, and storage of Hazardous Substances and shall take all practicable measures to minimize the quantity and toxicity of Hazardous Substances used, handled, or stored on the Premises. Upon the expiration or

termination of this Lease, Tenant shall remove all Hazardous Substances from the Premises. The term Environmental Law shall mean any federal, state, or local statute, regulation, or ordinance or any judicial or other governmental order pertaining to the protection of health, safety or the environment. The term Hazardous Substance shall mean any hazardous, toxic, infectious or radioactive substance, waste, and material as defined or listed by any Environmental Law and shall include, without limitation, petroleum oil and its fractions.

Section 4. Repairs and Maintenance

4.1 Maintenance and Repair of Premises. Responsibilities for repair and maintenance of the Premises shall be as follows:

(1) Landlord shall perform all necessary maintenance and repairs to the structure, foundation, exterior walls, roof, doors and windows, elevators, emergency lighting, and Lessor-provided fire extinguishers, sidewalks and parking area, which are located on the Premises or the structure in which the Premises are located. Landlord shall maintain the Premises in a hazard free condition and shall repair or replace, if necessary and at Landlord's sole expense, the heating, venting, air conditioning, plumbing, electrical, and lighting systems in the Premises, obtaining required permits and inspections from Codes enforcement authorities. Landlord shall keep the Premises, improvements, grounds, and landscaping in good repair and appearance. Carpets shall be repaired and replaced as necessary by Landlord. Landlord shall furnish, install and replace all exterior and interior lighting bulbs, ballasts and fluorescent tubes.

(2) Tenant shall perform all necessary maintenance and repairs to trade fixtures (regardless if attached to Premises) and at the expiration of the term surrender the Premises in as good condition as at the commencement of this Lease, excepting only reasonable wear, permitted alterations, and damage by fire or other casualty.

4.2 Tenant's Obligations. The following shall be the responsibility of Tenant:

(1) Any repairs necessitated by the negligence of Tenant, its agents, employees, and invitees, except as provided in

Section 6.3 dealing with waiver of subrogation, but including repairs that would otherwise be the responsibility of Landlord under Section 4.1.

(2) Any repairs or alterations required under Tenant's obligation to comply with laws and regulations as set forth in Section 3.2(1).

(3) All other repairs to the Premises which Landlord is not required to make under Section 4.1.

(4) Snow, ice, and debris removal from the Premises.

4.3 Landlord's Interference with Tenant. In performing any repairs, replacements, alterations, or other work performed on or around the Premises, Landlord shall not cause unreasonable interference with use of the Premises by Tenant. Tenant shall have neither right to an abatement of rent nor any claim against Landlord for any inconvenience or disturbance resulting from Landlord's activities performed in conformance with the requirement of this provision.

4.4 Inspection of Premises. Landlord shall have the right to inspect the Premises at any reasonable time or times to determine the necessity of repair. Whether or not such inspection is made, the duty of Landlord to make repairs shall not mature until a reasonable time after Landlord has received from Tenant written notice of the repairs that are required.

Section 5. Alterations

5.1 Alterations Restricted. Tenant shall make no improvements or alterations on the Premises of any kind. Tenant may request that alterations to the Premises be made and such alterations shall be made, subject to Landlord's reasonable approval and at Tenant's sole expense. All alterations shall be made in a good and workmanlike manner, and in compliance with applicable laws and building codes. Alterations requested by Tenant will be performed by Landlord at the expense of Tenant.

5.2 Ownership and Removal of Alterations. All improvements and alterations performed on the Premises shall be the property of Landlord when installed unless the applicable Landlord's consent or work sheet specifically provides otherwise. Such

of Landlord when installed unless the applicable Landlord's consent or work sheet specifically provides otherwise. Such improvements and alterations shall, at Landlord's option, be removed by Tenant and the premises restored, unless the applicable Landlord's consent or work sheet specifically provides otherwise.

Section 6. Insurance

6.1 Insurance Required Landlord. . Landlord is self-insured for its property and liability exposures, as subject to the Oregon Tort Claims Act, ORS 30.260 through 30.300.

6.2 Insurance Required Tenant. Tenant shall provide at its expense on or before the Commencement Date and keep in force during the Term, naming Landlord insured, a commercial general liability insurance policy or such successor comparable form of coverage(hereinafter referred to as a "Liability Policy") written on a "per occurrence basis," including, without limitation, blanket contractual liability coverage, broad form property damage, independent contractor's coverage, and personal injury coverage, protecting Landlord and Tenant against liability occasioned by any covered occurrence on or about the Premises. Such policy shall be written by a good and solvent insurance company licensed to do business in the State of Oregon and shall provide coverage limits of not less than One Million Dollars ($1,000,000) combined single limit per occurrence for bodily or personal injury (including death) and property damage combined, subject to a commercially reasonable deductible. Prior to the time such insurance is first required to be carried by Tenant and thereafter, Tenant agrees to deliver to Landlord a certificate evidencing such insurance coverage. Said certificate shall contain an endorsement that such insurance may not be canceled except upon ten (10) days' prior written notice to Landlord.

6.3 Waiver of Subrogation. Neither party shall be liable to the other (or to the other's successors or assigns) for any loss or damage caused by fire or any of the risks enumerated in a standard fire insurance policy with an extended coverage endorsement, and in the event of insured loss, neither party's insurance company shall have a subrogated claim against the other. This waiver of subrogation shall be valid only if the insurance policies of both parties in question expressly permit

writing that such waivers will not affect coverage under the policies.

Section 7. Taxes

7.1 Property Taxes. Tenant shall pay as due all taxes on its personal property located on the Premises. Tenant shall, upon invoice from landlord, reimburse Landlord for all real property taxes levied against the Premises. As used herein, real property taxes include any fee or charge relating to the ownership, use or rental of the Premises, other than taxes on net income of Landlord. If Tenant intends to seek exemption from real property taxes Tenant shall apply for exemption through Multnomah County Assessment and Taxation pursuant to ORS 307.112.

7.2 Special Assessments. If an assessment for a public improvement is made against the Premises, Landlord may elect to cause such assessment to be paid in the maximum number of installments allowed by law, in which case all of the installments payable with respect to the lease term shall be treated the same as general real property taxes for purposes of Section 7.1.

7.3 Contest of Taxes. Tenant shall be permitted to contest the amount of any tax or assessment as long as such contest is conducted in a manner that does not cause any risk that Landlord's interest in the Premises will be foreclosed for nonpayment. Landlord shall cooperate in any reasonable manner with such contest by Tenant.

7.4 Proration of Taxes. Tenant's share of real property taxes and assessments for the years in which this lease commences or terminates shall be prorated based on the portion of the tax year that this lease is in effect.

Section 8. Services and Utilities.

8.1 Landlord and Tenant Responsibilities. Landlord will cause the utilities and services listed below to be furnished to the Premises. Costs shall be paid as indicated:

Utility or Service	Cost Paid By: Landlord	Tenant
Water	X	___
Sewer	X	___
Electricity	X	___
Gas	X	___
Trash Removal	X	___
Janitorial Service	X	___
Janitorial Supplies	X	___

8.2 Recycling Materials. Landlord shall support the policy for recycling materials as provided in ORS 279.560 by providing adequate collection areas and storage facilities for office recycling programs when recycling services are available to Tenant.

Section 9. Damage and Destruction

9.1 Partial Damage. If the Premises are partly damaged and Section 9.2 does not apply, the Premises shall be repaired by Landlord at Landlord's expense. Repairs shall be accomplished with all reasonable dispatch subject to interruptions and delays from labor disputes and matters beyond the control of Landlord and shall be performed in accordance with the provisions of Section 4.3.

9.2 Destruction. If the Premises or the structure are destroyed or damaged such that the cost of repair exceeds fifty five percent (55%) of the value of the structure before the damage, either party may elect to terminate the lease as of the date of the damage or destruction by notice given to the other in writing not more than forty five (45) days following the date of damage. In such event all rights and obligations of the parties shall cease as of the date of termination, and Tenant shall be entitled to the reimbursement of any prepaid amounts

paid by Tenant and attributable to the anticipated term. If neither party elects to terminate, Landlord shall proceed to restore the Premises to substantially the same form as prior to the damage or destruction. Work shall be commenced as soon as reasonably possible and thereafter shall proceed without interruption except for work stoppages on account of labor disputes and matters beyond Landlord's reasonable control.

9.3 Rent Abatement. Rent shall be abated during the repair of any damage to the extent the premises are untenantable, except that there shall be no rent abatement where the damage occurred as the result of the fault of Tenant.

9.4 Damage Late in Term. If damage or destruction to which Section 9.2 would apply occurs within six months before the end of the then-current lease term, Tenant may elect to terminate the lease by written notice to Landlord given within thirty (30) days after the date of the damage. Such termination shall have the same effect as termination by Landlord under Section 9.2.

Section 10. Liability and Indemnity

10.1 Liens

(1) Except with respect to activities for which Landlord is responsible, Tenant shall pay as due all claims for work done on and for services rendered or material furnished to the Premises, and shall keep the Premises free from any liens. If Tenant fails to pay any such claims or to discharge any lien, Landlord may do so and collect the cost as additional rent. Any amount so added shall bear interest at the rate of nine percent (9%) per annum from the date expended by Landlord and shall be payable on demand. Such action by Landlord shall not constitute a waiver of any right or remedy which Landlord may have on account of Tenant's default.

(2) Tenant may withhold payment of any claim in connection with a good-faith dispute over the obligation to pay, as long as Landlord's property interests are not jeopardized. If a lien is filed as a result of nonpayment, Tenant shall, within ten (10) days after knowledge of the filing, secure the discharge of the lien or deposit with Landlord cash or sufficient corporate surety bond or other surety satisfactory to Landlord in an amount sufficient to discharge the lien plus any costs, attorney

fees, and other charges that could accrue as a result of a foreclosure or sale under the lien.

10.2 Indemnification. Tenant shall indemnify and defend Landlord from any claim, loss, or liability arising out of or related to any negligent activity of Tenant on the Premises or any condition of the Premises in the possession or under the control of Tenant. Landlord shall have no liability to Tenant for any injury, loss, or damage caused by third parties, or by any condition of the Premises except to the extent caused by Landlord's negligence or breach of duty under this lease.

Section 11. Quiet Enjoyment; Mortgage Priority

11.1 Landlord's Warranties.

(1) Landlord warrants that it is the owner of the Premises and has the right to lease them. Landlord will defend Tenant's right to quiet enjoyment of the Premises from the lawful claims of all persons during the lease term.

(2) Landlord warrants that the Premises, including any common areas within the real property in which the Premises are situated, comply with all applicable regulatory and building codes requirements in force on February 1, 2002 for occupancy by Tenant for the permitted uses under this Lease, and meet the requirements of the Americans With Disabilities Act (ADA) in effect on February 1, 2002 for accessibility in accordance with the standards provided in the ADA Accessibility Guidelines for Buildings and Facilities, including accessible parking for the disabled in compliance with ORS 447.233.

Section 12. Assignment and Subletting. No part of the Premises may be assigned, mortgaged, or subleased, nor may a right of use of any portion of the property be conferred on any third person by any other means, without the prior written consent of Landlord which consent shall not be unreasonably withheld or delayed. This provision shall apply to all transfers by operation of law. No consent in one instance shall prevent the provision from applying to a subsequent instance. In determining whether to consent to assignment Landlord may consider the following factors: financial ability of assignee; use of Premises to be similar to the Use permitted under Section 3.1 of this Lease.

Section 13. Default

The following shall be events of default:

13.1 Default in Rent. Failure of Tenant to pay any rent or other charge within 15 days after written notice that it is due.

13.2 Default in Other Covenants. Failure of Tenant to comply with any term or condition or fulfill any obligation of the lease (other than the payment of rent or other charges) within twenty (20) days after written notice by Landlord specifying the nature of the default with reasonable particularity. If the default is of such a nature that it cannot be completely remedied within the 20-day period, this provision shall be complied with if Tenant begins correction of the default within the twenty (20) day period and thereafter proceeds with reasonable diligence and in good faith to effect the remedy as soon as practicable.

13.3 Insolvency. Insolvency of Tenant; an assignment by Tenant for the benefit of creditors; the filing by Tenant of a voluntary petition in bankruptcy; an adjudication that Tenant is bankrupt or the appointment of a receiver of the properties of Tenant; the filing of any involuntary petition of bankruptcy and failure of Tenant to secure a dismissal of the petition within thirty (30) days after filing; attachment of or the levying of execution on the leasehold interest and failure of Tenant to secure discharge of the attachment or release of the levy of execution within ten (10) days shall constitute a default. If the lease has been assigned, the events of default so specified shall apply only with respect to the one then exercising the rights of Tenant under the lease.

Section 14. Remedies on Default. In the event of default by tenant, the Lease may be terminated at the option of Landlord by written notice to Tenant. Whether or not the Lease is terminated by the election of Landlord, Landlord shall be entitled to pursue any remedies available to Landlord under applicable law.

Section 15. Surrender at Expiration

15.1 Condition of Premises. Upon expiration of the lease term or earlier termination, Tenant shall deliver all keys to Landlord and surrender the Premises in first-class condition and broom clean. Alterations constructed with permission from Landlord shall not be removed or restored to the original condition unless the terms of permission for the alteration so require. Depreciation and wear from ordinary use for the purpose for which the Premises are leased shall be excepted but repairs for which Tenant is responsible shall be completed to the latest practical date prior to such surrender. Tenant's obligations under this section shall be subordinate to the provisions of Section 9 relating to destruction.

15.2 Fixtures

(1) All fixtures placed upon the Premises during the term, other than Tenant's trade fixtures, shall, at Landlord's option, become the property of Landlord. If Landlord so elects, Tenant shall remove any or all fixtures that would otherwise remain the property of Landlord, and shall repair any physical damage resulting from the removal. If Tenant fails to remove such fixtures, Landlord may do so and charge the cost to Tenant with interest at the legal rate from the date of expenditure.

(2) Prior to expiration or other termination of the lease term Tenant shall remove all furnishings, furniture, and trade fixtures that remain its property. If Tenant fails to do so, this shall be an abandonment of the property, and Landlord may retain the property and all rights of Tenant with respect to it shall cease or, by notice in writing given to Tenant within twenty (20) days after removal was required, Landlord may elect to hold Tenant to its obligation of removal. If Landlord elects to require Tenant to remove, Landlord may effect a removal and place the property in public storage for Tenant's account. Tenant shall be liable to Landlord for the cost of removal, transportation to storage, and storage, with interest at the legal rate on all such expenses from the date of expenditure by Landlord.

15.3 Holdover

(1) If Tenant does not vacate the Premises at the time required, Landlord shall have the option to treat Tenant as a tenant from month to month, subject to all of the provisions of this lease except the provisions for term and renewal and at a rental rate equal to the rent last paid by Tenant during the original term. Failure of Tenant to remove fixtures, furniture, furnishings, or trade fixtures that Tenant is required to remove under this lease shall constitute a failure to vacate to which this section shall apply if the property not removed will substantially interfere with occupancy of the Premises by another tenant or with occupancy by Landlord for any purpose including preparation for a new tenant.

(2) If a month-to-month tenancy results from a holdover by Tenant under this Section 15.3, the tenancy shall be terminable at the end of any monthly rental period on written notice from Landlord given not less than thirty (30) days prior to the termination date which shall be specified in the notice. Tenant waives any notice that would otherwise be provided by law with respect to a month-to-month tenancy.

Section 16. Miscellaneous

16.1 Nonwaiver. Waiver by either party of strict performance of any provision of this lease shall not be a waiver of or prejudice the party's right to require strict performance of the same provision in the future or of any other provision.

16.2 Attorney Fees. If suit or action is instituted in connection with any controversy arising out of this lease, the prevailing party shall be entitled to recover in addition to costs such sum as the court may adjudge reasonable as attorney fees at trial, on petition for review, and on appeal.

16.3 Notices. Any notice required or permitted under this lease shall be given when actually delivered or forty eight (48) hours after deposited in United States mail as certified mail addressed to the address first given in this lease or to such other address as may be specified from time to time by either of the parties in writing.

16.4 **Succession.** Subject to the above-stated limitations on transfer of Tenant's interest, this lease shall be binding on and inure to the benefit of the parties and their respective successors and assigns.

16.5 **Entry for Inspection.** Landlord shall have the right to enter upon the Premises with twenty four (24) hours prior notice to determine Tenant's compliance with this lease, to make necessary repairs to the building or to the Premises, or to show the Premises to any prospective tenant or purchaser, except in cases of emergency when Landlord shall have the right to enter upon the Premises without notice. In addition, Landlord shall have the right, at any time during the last two months of the term of this lease, to place and maintain upon the Premises notices for leasing or selling of the Premises.

16.6 **Interest on Rent and Other Charges.** Any rent or other payment required of Tenant by this lease shall, if not paid within ten (10) days after it is due, bear interest at the rate of nine percent (9%) per annum (but not in any event at a rate greater than the maximum rate of interest permitted by law) from the due date until paid. In addition, if Tenant fails to make any rent or other payment required by this lease to be paid to Landlord within five days after it is due, Landlord may elect to impose a late charge of five cents ($0.05) per dollar of the overdue payment to reimburse Landlord for the costs of collecting the overdue payment. Tenant shall pay the late charge upon demand by Landlord. Landlord may levy and collect a late charge in addition to all other remedies available for Tenant's default, and collection of a late charge shall not waive the breach caused by the late payment.

16.7 **Proration of Rent.** In the event of commencement or termination of this lease at a time other than the beginning or end of one of the specified rental periods, then the rent shall be prorated as of the date of commencement or termination and in the event of termination for reasons other than default, all prepaid rent shall be refunded to Tenant or paid on its account.

16.8 **Oregon Tort Claims Act.** Any covenant herein by Landlord to defend, indemnify or hold harmless the Tenant, or to assume liability for damages of any kind whatsoever, shall be subject to the provisions of the Oregon Tort Claims Act, ORS

30.260-30.300, and within the limits in ORS 30.270.

16.9 Time of Essence. Time is of the essence of the performance of each of Tenant's obligations under this lease.

16.10 Tenant Purpose and Responsibility. Tenant shall provide outreach to persons with disabilities, educational presentations to the community to increase awareness, and training to Multnomah County Aging and Disabled Services staff and partners.

Landlord:	Tenant:
Multnomah County, Oregon	Elders in Action
_____	_____
By: Diane M. Linn, County Chair	By:

Reviewed:

Matthew O. Ryan,
Assistant County Attorney

Occupant Information

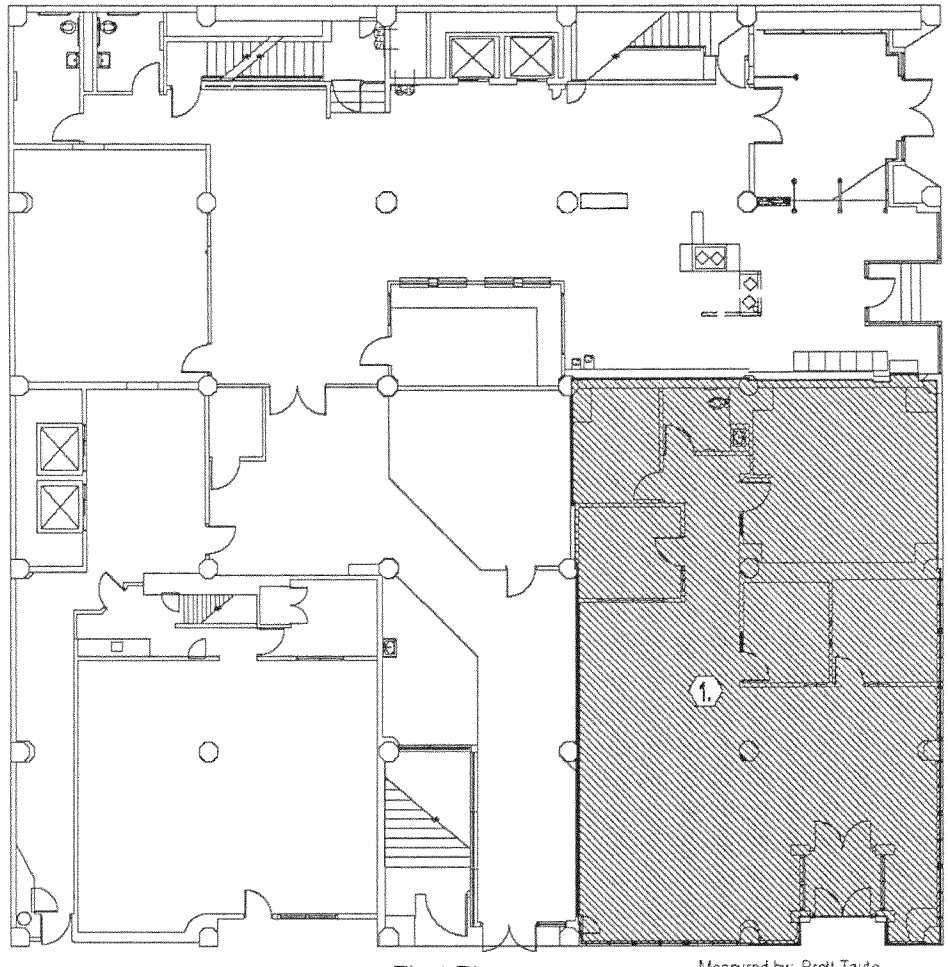
① Space 1
2255 Sqft.

Mead Building - 161

421 SW 5th Ave
Portland, OR 97204

Floor Information

EXHIBIT A



First Floor

Measured by: Brett Taute
Date: 18 February 2004

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-033

Declaring Property within the Mead Building, 421 SW 5th Avenue, Portland, Oregon, to be Surplus and Approving a Real Property Lease to Elders in Action

The Multnomah County Board of Commissioners Finds:

a. The property specified in the attached lease and located within the Mead Building, 421 SW 5th, Portland, Oregon (Property) is, at this time, surplus to any County use.

b. The attached lease has been negotiated with Elders in Action.

c. It is in the best interests of the County to lease the Property on the terms and conditions set forth in the attached lease.

The Multnomah County Board of Commissioners Resolves:

1. The Board approves the attached lease. The County Chair is authorized to execute the lease substantially in the form attached to this Resolution.

2. The County Chair is authorized to execute renewals of the lease and to execute amendments to the lease without further Board action.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

LEASE

Between: Multnomah County, Oregon ("Landlord")
Facilities and Property Management
401 N. Dixon Street
Portland, Oregon 97227

And: Elders in Action ("Tenant")
501 SW Washington Street
Portland OR 97204-2238

Landlord leases to Tenant and Tenant leases from Landlord in the facility known as the "Mead Building", located at 421 SW 5th Avenue, Portland, Oregon, the following described property (the "Premises") on the terms and conditions stated below:

2,255 square feet of exclusive space as shown on the attached Exhibit "A.

Section 1. Occupancy

1.1 Original Term. The term of this lease shall commence April 1, 2004 and continue through June 30, 2005, subject to the parties agreement to renew as provided herein.

1.2 Possession. Tenant's right to possession and obligations under the lease shall commence on April 1, 2004.

1.3 Renewal Option. If the lease is not in default at the time each option is exercised or at the time the renewal term is to commence, Tenant shall have the option to renew this lease for successive terms of one (1) years each, as follows:

(1) Each of the renewal terms shall commence on the day following expiration of the preceding term.

(2) The option may be exercised by written notice to Landlord given not less than four (4) months prior to the last day of the expiring term. The giving of such notice shall be sufficient to make the lease binding for the renewal term, subject to any rent adjustment being mutually agreed to by the

parties as provided Sub-section 1.3(3). If such notice is not provided by Tenant, Landlord may lease Premises to another tenant at the expiration of the remaining term.

(3) The terms and conditions of the lease for each renewal term shall be identical with the original term except for rent. Rent for a renewal term shall be as mutually agreed upon between Landlord and Tenant. If Landlord and Tenant are unable to agree upon rent for the renewal term, the renewal term shall not commence and this Lease shall terminate at the end of the expiring term.

1.4 Termination. Either party may terminate this Lease effective at any time during the term upon not less than four (4) months' written notice to the other party.

Section 2. Rent

2.1 Base Rent. The base rent shall be $3,668.17 during the initial term of this Lease, commencing July 1, 2004. Rent shall be payable on the first day of each month in advance at the address for Landlord first above stated or at such place as may be designated by Landlord.

2.2 Back Rent. In addition to the amount identified under Section 2.1, Tenant shall pay Landlord on April 15, 2004 for $44,018 Base Rent past due from June 1, 2003 through June 30, 2004. This Back Rent is in addition to the current Base Rent payments set forth in Section 2.1 above.

2.3 Additional Rent. Any other sum that Tenant is required to pay to Landlord in addition to that paid pursuant to Sections 2.1 and 2.2, shall be considered additional rent.

Section 3. Use of the Premises

3.1 Permitted Use. The Premises shall be used for office and public service use, and for no other purpose without the consent of Landlord, which consent shall not be unreasonably withheld or delayed.

3.2 Restrictions on Use. In connection with the use of the Premises, Tenant shall:

(1) Conform to all applicable laws, ordinances and regulations of any public authority affecting the premises and the use, and correct at Tenant's own expense any failure of compliance created through Tenant's fault or by reason of Tenant's use, but Tenant shall not be required to make any structural changes to effect such compliance.

(2) Refrain from any activity that would make it impossible to insure the Premises against casualty, would increase the insurance rate, or would prevent Landlord from taking advantage of any ruling of the Oregon Insurance Rating Bureau, or its successor, allowing Landlord to obtain reduced premium rates for long-term fire insurance policies, unless Tenant pays the additional cost of the insurance.

(3) Refrain from any use that would be reasonably offensive to other tenants or owners or users of neighboring premises or that would tend to create a nuisance or damage the reputation of the premises.

(4) Refrain from loading the electrical system or floors beyond the point considered safe by a competent engineer or architect selected by Landlord.

(5) Refrain from making any marks on or attaching any sign, insignia, antenna, aerial, or other device to the exterior or interior walls, windows, or roof of the premises without the written consent of Landlord, which shall not be unreasonably withheld.

3.3 Hazardous Substances. Tenant shall not cause or permit any Hazardous Substance to be spilled, leaked, disposed of, or otherwise released on or under the Premises. Tenant may use or otherwise handle on the Premises only those Hazardous Substances typically used or sold in the prudent and safe operation of the Permitted Use specified in Section 3.1. Tenant may store such Hazardous Substances on the Premises only in quantities necessary to satisfy Tenant's reasonably anticipated needs. Tenant shall comply with all Environmental Laws and exercise the highest degree of care in the use, handling, and storage of Hazardous Substances and shall take all practicable measures to minimize the quantity and toxicity of Hazardous Substances used, handled, or stored on the Premises. Upon the expiration or

termination of this Lease, Tenant shall remove all Hazardous Substances from the Premises. The term Environmental Law shall mean any federal, state, or local statute, regulation, or ordinance or any judicial or other governmental order pertaining to the protection of health, safety or the environment. The term Hazardous Substance shall mean any hazardous, toxic, infectious or radioactive substance, waste, and material as defined or listed by any Environmental Law and shall include, without limitation, petroleum oil and its fractions.

Section 4. Repairs and Maintenance

4.1 Maintenance and Repair of Premises. Responsibilities for repair and maintenance of the Premises shall be as follows:

(1) Landlord shall perform all necessary maintenance and repairs to the structure, foundation, exterior walls, roof, doors and windows, elevators, emergency lighting, and Lessor-provided fire extinguishers, sidewalks and parking area, which are located on the Premises or the structure in which the Premises are located. Landlord shall maintain the Premises in a hazard free condition and shall repair or replace, if necessary and at Landlord's sole expense, the heating, venting, air conditioning, plumbing, electrical, and lighting systems in the Premises, obtaining required permits and inspections from Codes enforcement authorities. Landlord shall keep the Premises, improvements, grounds, and landscaping in good repair and appearance. Carpets shall be repaired and replaced as necessary by Landlord. Landlord shall furnish, install and replace all exterior and interior lighting bulbs, ballasts and fluorescent tubes. Custodial cleaning shall be to current standards. Urgent matters may be called into Landlord's Dispatch office at (503) 988-3779.

(2) Tenant shall perform all necessary maintenance and repairs to trade fixtures (regardless if attached to Premises) and at the expiration of the term surrender the Premises in as good condition as at the commencement of this Lease, excepting only reasonable wear, permitted alterations, and damage by fire or other casualty.

4.2 Tenant's Obligations. The following shall be the responsibility of Tenant:

(1) Any repairs necessitated by the negligence of Tenant, its agents, employees, and invitees, except as provided in Section 6.3 dealing with waiver of subrogation, but including repairs that would otherwise be the responsibility of Landlord under Section 4.1.

(2) Any repairs or alterations required under Tenant's obligation to comply with laws and regulations as set forth in Section 3.2(1).

(3) All other repairs to the Premises which Landlord is not required to make under Section 4.1.

(4) Snow, ice, and debris removal from the Premises.

4.3 Landlord's Interference with Tenant. In performing any repairs, replacements, alterations, or other work performed on or around the Premises, Landlord shall not cause unreasonable interference with use of the Premises by Tenant. Tenant shall have neither right to an abatement of rent nor any claim against Landlord for any inconvenience or disturbance resulting from Landlord's activities performed in conformance with the requirement of this provision.

4.4 Inspection of Premises. Landlord shall have the right to inspect the Premises at any reasonable time or times to determine the necessity of repair. Whether or not such inspection is made, the duty of Landlord to make repairs shall not mature until a reasonable time after Landlord has received from Tenant written notice of the repairs that are required.

Section 5. Alterations

5.1 Alterations Restricted. Tenant shall make no improvements or alterations on the Premises of any kind. Tenant may request that alterations to the Premises be made and such alterations shall be made, subject to Landlord's reasonable approval and at Tenant's sole expense. All alterations shall be made in a good and workmanlike manner, and in compliance with applicable laws and building codes. Alterations requested by Tenant will be performed by Landlord at the expense of Tenant.

5.2 Ownership and Removal of Alterations. All improvements and alterations performed on the Premises shall be the property

of Landlord when installed unless the applicable Landlord's consent or work sheet specifically provides otherwise. Such improvements and alterations shall, at Landlord's option, be removed by Tenant and the premises restored, unless the applicable Landlord's consent or work sheet specifically provides otherwise.

Section 6. Insurance

6.1 Insurance Required Landlord. . Landlord is self-insured for its property and liability exposures, as subject to the Oregon Tort Claims Act, ORS 30.260 through 30.300.

6.2 Insurance Required Tenant. Tenant shall provide at its expense on or before the Commencement Date and keep in force during the Term, naming Landlord insured, a commercial general liability insurance policy or such successor comparable form of coverage(hereinafter referred to as a "Liability Policy") written on a "per occurrence basis," including, without limitation, blanket contractual liability coverage, broad form property damage, independent contractor's coverage, and personal injury coverage, protecting Landlord and Tenant against liability occasioned by any covered occurrence on or about the Premises. Such policy shall be written by a good and solvent insurance company licensed to do business in the State of Oregon and shall provide coverage limits of not less than One Million Dollars ($1,000,000) combined single limit per occurrence for bodily or personal injury (including death) and property damage combined, subject to a commercially reasonable deductible. Prior to the time such insurance is first required to be carried by Tenant and thereafter, Tenant agrees to deliver to Landlord a certificate evidencing such insurance coverage. Said certificate shall contain an endorsement that such insurance may not be canceled except upon ten (10) days' prior written notice to Landlord.

6.3 Waiver of Subrogation. Neither party shall be liable to the other (or to the other's successors or assigns) for any loss or damage caused by fire or any of the risks enumerated in a standard fire insurance policy with an extended coverage endorsement, and in the event of insured loss, neither party's insurance company shall have a subrogated claim against the other. This waiver of subrogation shall be valid only if the insurance policies of both parties in question expressly permit

waiver of subrogation or if the insurance companies agree in writing that such waivers will not affect coverage under the policies.

Section 7. Taxes

7.1 Property Taxes. Tenant shall pay as due all taxes on its personal property located on the Premises. Tenant shall, upon invoice from landlord, reimburse Landlord for all real property taxes levied against the Premises. As used herein, real property taxes include any fee or charge relating to the ownership, use or rental of the Premises, other than taxes on net income of Landlord. If Tenant intends to seek exemption from real property taxes Tenant shall apply for exemption through Multnomah County Assessment and Taxation pursuant to ORS 307.112.

7.2 Special Assessments. If an assessment for a public improvement is made against the Premises, Landlord may elect to cause such assessment to be paid in the maximum number of installments allowed by law, in which case all of the installments payable with respect to the lease term shall be treated the same as general real property taxes for purposes of Section 7.1.

7.3 Contest of Taxes. Tenant shall be permitted to contest the amount of any tax or assessment as long as such contest is conducted in a manner that does not cause any risk that Landlord's interest in the Premises will be foreclosed for nonpayment. Landlord shall cooperate in any reasonable manner with such contest by Tenant.

7.4 Proration of Taxes. Tenant's share of real property taxes and assessments for the years in which this lease commences or terminates shall be prorated based on the portion of the tax year that this lease is in effect.

Section 8. Services and Utilities.

8.1 Landlord and Tenant Responsibilities. Landlord will cause the utilities and services listed below to be furnished to the Premises. Costs shall be paid as indicated:

Utility or Service	Cost Paid By: Landlord	Tenant
Water	X	___
Sewer	X	___
Electricity	X	___
Gas	X	___
Trash Removal	X	___
Janitorial Service	X	___
Janitorial Supplies	X	___

8.2 Recycling Materials. Landlord shall support the policy for recycling materials as provided in ORS 279.560 by providing adequate collection areas and storage facilities for office recycling programs when recycling services are available to Tenant.

Section 9. Damage and Destruction

9.1 Partial Damage. If the Premises are partly damaged and Section 9.2 does not apply, the Premises shall be repaired by Landlord at Landlord's expense. Repairs shall be accomplished with all reasonable dispatch subject to interruptions and delays from labor disputes and matters beyond the control of Landlord and shall be performed in accordance with the provisions of Section 4.3.

9.2 Destruction. If the Premises or the structure are destroyed or damaged such that the cost of repair exceeds fifty five percent (55%) of the value of the structure before the damage, either party may elect to terminate the lease as of the date of the damage or destruction by notice given to the other in writing not more than forty five (45) days following the date of damage. In such event all rights and obligations of the parties shall cease as of the date of termination, and Tenant shall be entitled to the reimbursement of any prepaid amounts

paid by Tenant and attributable to the anticipated term. If neither party elects to terminate, Landlord shall proceed to restore the Premises to substantially the same form as prior to the damage or destruction. Work shall be commenced as soon as reasonably possible and thereafter shall proceed without interruption except for work stoppages on account of labor disputes and matters beyond Landlord's reasonable control.

9.3 Rent Abatement. Rent shall be abated during the repair of any damage to the extent the premises are untenantable, except that there shall be no rent abatement where the damage occurred as the result of the fault of Tenant.

9.4 Damage Late in Term. If damage or destruction to which Section 9.2 would apply occurs within six months before the end of the then-current lease term, Tenant may elect to terminate the lease by written notice to Landlord given within thirty (30) days after the date of the damage. Such termination shall have the same effect as termination by Landlord under Section 9.2.

Section 10. Liability and Indemnity

10.1 Liens

(1) Except with respect to activities for which Landlord is responsible, Tenant shall pay as due all claims for work done on and for services rendered or material furnished to the Premises, and shall keep the Premises free from any liens. If Tenant fails to pay any such claims or to discharge any lien, Landlord may do so and collect the cost as additional rent. Any amount so added shall bear interest at the rate of nine percent (9%) per annum from the date expended by Landlord and shall be payable on demand. Such action by Landlord shall not constitute a waiver of any right or remedy which Landlord may have on account of Tenant's default.

(2) Tenant may withhold payment of any claim in connection with a good-faith dispute over the obligation to pay, as long as Landlord's property interests are not jeopardized. If a lien is filed as a result of nonpayment, Tenant shall, within ten (10) days after knowledge of the filing, secure the discharge of the lien or deposit with Landlord cash or sufficient corporate surety bond or other surety satisfactory to Landlord in an amount sufficient to discharge the lien plus any costs, attorney

fees, and other charges that could accrue as a result of a foreclosure or sale under the lien.

10.2 Indemnification. Tenant shall indemnify and defend Landlord from any claim, loss, or liability arising out of or related to any negligent activity of Tenant on the Premises or any condition of the Premises in the possession or under the control of Tenant. Landlord shall have no liability to Tenant for any injury, loss, or damage caused by third parties, or by any condition of the Premises except to the extent caused by Landlord's negligence or breach of duty under this lease.

Section 11. Quiet Enjoyment; Mortgage Priority

11.1 Landlord's Warranties.

(1) Landlord warrants that it is the owner of the Premises and has the right to lease them. Landlord will defend Tenant's right to quiet enjoyment of the Premises from the lawful claims of all persons during the lease term.

(2) Landlord warrants that the Premises, including any common areas within the real property in which the Premises are situated, comply with all applicable regulatory and building codes requirements in force on February 1, 2002 for occupancy by Tenant for the permitted uses under this Lease, and meet the requirements of the Americans With Disabilities Act (ADA) in effect on February 1, 2002 for accessibility in accordance with the standards provided in the ADA Accessibility Guidelines for Buildings and Facilities, including accessible parking for the disabled in compliance with ORS 447.233.

Section 12. Assignment and Subletting. No part of the Premises may be assigned, mortgaged, or subleased, nor may a right of use of any portion of the property be conferred on any third person by any other means, without the prior written consent of Landlord which consent shall not be unreasonably withheld or delayed. This provision shall apply to all transfers by operation of law. No consent in one instance shall prevent the provision from applying to a subsequent instance. In determining whether to consent to assignment Landlord may consider the following factors: financial ability of assignee; use of Premises to be similar to the Use permitted under Section 3.1 of this Lease.

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13.3 Insolvency. Insolvency of Tenant; an assignment by Tenant for the benefit of creditors; the filing by Tenant of a voluntary petition in bankruptcy; an adjudication that Tenant is bankrupt or the appointment of a receiver of the properties of Tenant; the filing of any involuntary petition of bankruptcy and failure of Tenant to secure a dismissal of the petition within thirty (30) days after filing; attachment of or the levying of execution on the leasehold interest and failure of Tenant to secure discharge of the attachment or release of the levy of execution within ten (10) days shall constitute a default. If the lease has been assigned, the events of default so specified shall apply only with respect to the one then exercising the rights of Tenant under the lease.

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(2) Prior to expiration or other termination of the lease term Tenant shall remove all furnishings, furniture, and trade fixtures that remain its property. If Tenant fails to do so, this shall be an abandonment of the property, and Landlord may retain the property and all rights of Tenant with respect to it shall cease or, by notice in writing given to Tenant within twenty (20) days after removal was required, Landlord may elect to hold Tenant to its obligation of removal. If Landlord elects to require Tenant to remove, Landlord may effect a removal and place the property in public storage for Tenant's account. Tenant shall be liable to Landlord for the cost of removal, transportation to storage, and storage, with interest at the legal rate on all such expenses from the date of expenditure by Landlord.

15.3 Holdover

(1) If Tenant does not vacate the Premises at the time required, Landlord shall have the option to treat Tenant as a tenant from month to month, subject to all of the provisions of this lease except the provisions for term and renewal and at a rental rate equal to the rent last paid by Tenant during the original term. Failure of Tenant to remove fixtures, furniture, furnishings, or trade fixtures that Tenant is required to remove under this lease shall constitute a failure to vacate to which this section shall apply if the property not removed will substantially interfere with occupancy of the Premises by another tenant or with occupancy by Landlord for any purpose including preparation for a new tenant.

(2) If a month-to-month tenancy results from a holdover by Tenant under this Section 15.3, the tenancy shall be terminable at the end of any monthly rental period on written notice from Landlord given not less than thirty (30) days prior to the termination date which shall be specified in the notice. Tenant waives any notice that would otherwise be provided by law with respect to a month-to-month tenancy.

Section 16. Miscellaneous

16.1 Nonwaiver. Waiver by either party of strict performance of any provision of this lease shall not be a waiver of or prejudice the party's right to require strict performance of the same provision in the future or of any other provision.

16.2 Notices. Any notice required or permitted under this lease shall be given when actually delivered or forty eight (48) hours after deposited in United States mail as certified mail addressed to the address first given in this lease or to such other address as may be specified from time to time by either of the parties in writing.

16.3 Succession. Subject to the above-stated limitations on transfer of Tenant's interest, this lease shall be binding on and inure to the benefit of the parties and their respective successors and assigns.

16.4 Entry for Inspection. Landlord shall have the right to enter upon the Premises with twenty four (24) hours prior notice to determine Tenant's compliance with this lease, to make necessary repairs to the building or to the Premises, or to show the Premises to any prospective tenant or purchaser, except in cases of emergency when Landlord shall have the right to enter upon the Premises without notice. In addition, Landlord shall have the right, at any time during the last two months of the term of this lease, to place and maintain upon the Premises notices for leasing or selling of the Premises.

16.5 Interest on Rent and Other Charges. Any rent or other payment required of Tenant by this lease shall, if not paid within ten (10) days after it is due, bear interest at the rate of nine percent (9%) per annum (but not in any event at a rate greater than the maximum rate of interest permitted by law) from the due date until paid. In addition, if Tenant fails to make any rent or other payment required by this lease to be paid to Landlord within five days after it is due, Landlord may elect to impose a late charge of five cents ($0.05) per dollar of the overdue payment to reimburse Landlord for the costs of collecting the overdue payment. Tenant shall pay the late charge upon demand by Landlord. Landlord may levy and collect a late charge in addition to all other remedies available for Tenant's default, and collection of a late charge shall not waive the breach caused by the late payment.

16.6 Proration of Rent. In the event of commencement or termination of this lease at a time other than the beginning or end of one of the specified rental periods, then the rent shall be prorated as of the date of commencement or termination and in the event of termination for reasons other than default, all prepaid rent shall be refunded to Tenant or paid on its account.

16.7 Oregon Tort Claims Act. Any covenant herein by Landlord to defend, indemnify or hold harmless the Tenant, or to assume liability for damages of any kind whatsoever, shall be subject to the provisions of the Oregon Tort Claims Act, ORS 30.260-30.300, and within the limits in ORS 30.270.

16.8 Time of Essence. Time is of the essence of the performance of each of Tenant's obligations under this lease.

16.9 Tenant Purpose and Responsibility.
Tenant shall improve the quality of life for older adults in Multnomah County.

Landlord:
Multnomah County, Oregon

By: Diane M. Linn, County Chair

Tenant:
Elders in Action

By:

Reviewed:

Matthew O. Ryan,
Assistant County Attorney

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-3 DATE 04.01.01
DEBORAH L. BOGSTAD, BOARD CLERK

EXHIBIT A

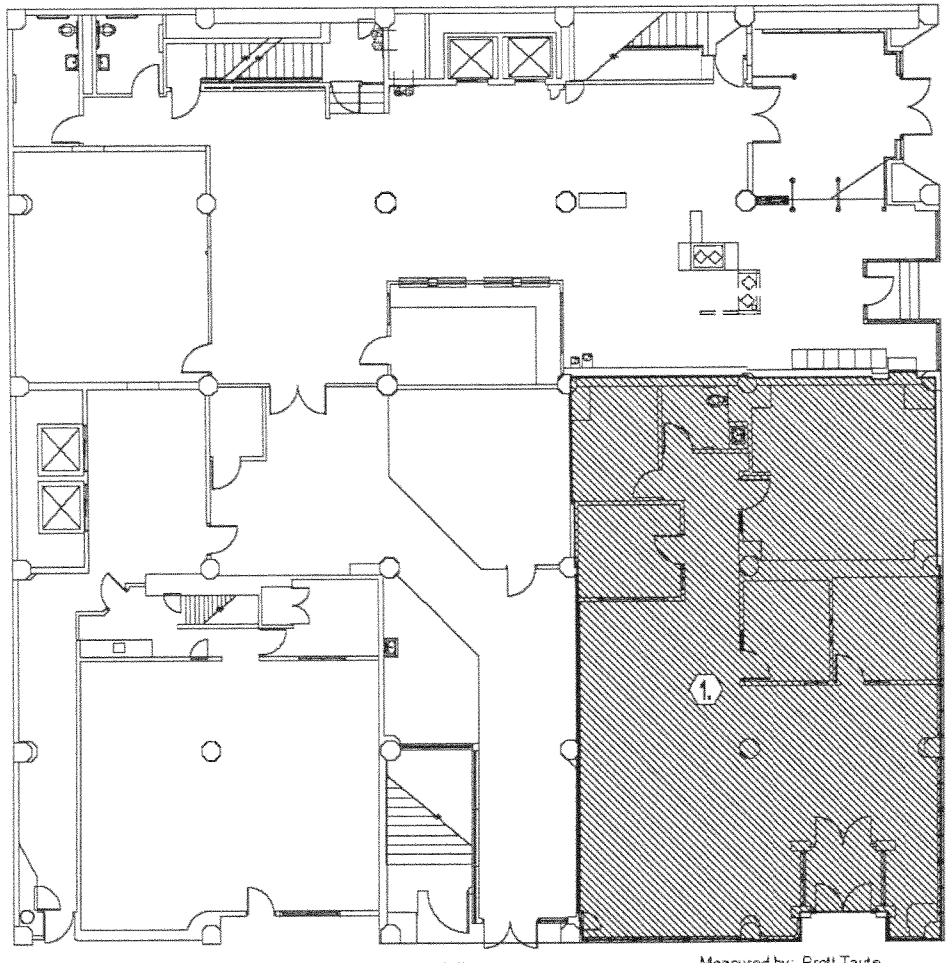
Occupant Information

① Space 1
2255 Sqft.

Mead Building - 161

421 SW 5th Ave
Portland, OR 97204

Floor Information



First Floor

Measured by: Brett Taute
Date: 18 February 2004

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:	
Meeting Date:	**April 1, 2004**
Agenda Item #:	**R-4**
Est. Start Time:	**9:40 AM**
Date Submitted:	**03/24/04**

Requested Date: April 1, 2004 **Time Requested:** 5 minutes

Department: DBCS **Division:** Facilities and Property Mgmt

Contact/s: Greg Herlean

Phone: 503-988-4216 **Ext.:** 84216 **I/O Address:** 274 / FPM

Presenters: Greg Herlean

Agenda Title: RESOLUTION: Declaring Property within in the facility known as "Multnomah County East Building" or "MCEB" at 600 N.E. 8th, Gresham, Oregon to be Surplus and approving A Real Property Lease between Multnomah County, the Landlord, and the 5 tenants listed below:

1. **Loaves & Fishes Centers, Inc.** ✓
2. **Independent Living Resources, Inc.**
3. **Gresham Seniors United**
4. **YWCA of Portland**
5. **Ride Connection**

NOTE: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide clearly written title.

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1. **What action are you requesting from the Board? What is the department/agency recommendation?** The Department of Business and Community Services requests this Resolution be considered under an "expedited process" and allow an exception to the normal Agenda Placement Request timeline. An exception is requested because the process for preparing and negotiating these leases have been extensive and the execution of these leases will facilitate payment to Multnomah County for services that will be rendered. This Agenda Placement Request, the Resolutions, and the prepared Leases are being submitted to the Agenda Review Team via e-mail requesting an

exception to the normal Agenda Placement Request timeline, an expedited review process such that it can be placed on the April 1, 2004 Board agenda.

The Department of Business and Community Services, Facilities and Property Management Division, recommends adoption of the Resolution.

2. **Please provide sufficient background information for the Board and the public to understand this issue.**
a. The leases for the last three tenants mentioned above are for space they presently occupy in the Multnomah County East Building (MCEB) and would supercede the leases previously approved by the Board on January 9, 2003.

b. The leases for the first two mentioned above are for space they presently occupy in MCEB and are similar with the proposed leases for the other tenants at that location.

c. The proposed leased space is not currently needed for any County purposes and is surplus.

d. Aging and Disability Services subsidizes all of these leases to some degree due the services they render for the citizens of Multnomah County.

3. **Explain the fiscal impact (current year and ongoing).** Aging and Disability Services (ADS) previously attempted to collect rent from these tenants. ADS has requested Facilities and Property Management (FPM) to collect this rent in the future. ADS shall continue to pay FPM for the actual operating expenses of this space which exceeds tenants' payments.

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

If a budget modification, explain: NONE REQUIRED
- **What revenue is being changed and why?**
- **What budgets are increased/decreased?**
- **What do the changes accomplish?**
- **Do any personnel actions result from this budget modification? Explain.**

- **Is the revenue one-time-only in nature?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain: NONE REQUIRED
- **Why was the expenditure not included in the annual budget process?**

- **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- **Why are no other department/agency fund sources available?**

- **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**

- **Has this request been made before? When? What was the outcome?**

If grant application/notice of intent, explain: NONE REQUIRED

- **Who is the granting agency?**
- **Specify grant requirements and goals.**
- **Explain grant funding detail – is this a one time only or long term commitment?**
- **What are the estimated filing timelines?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**
- **How will the county indirect and departmental overhead costs be covered?**

4. **Explain any legal and/or policy issues involved.** None.

5. **Explain any citizen and/or other government participation that has or will take place.** None has been required.

Required Signatures:

Department/Agency Director: _____ **Date: 03/23/04**

Budget Analyst

By: _____ **Date: 03/22/04**

Dept/Countywide HR

By: Not Required for this Resolution **Date:**

MCE Tenant Square Footage and Payments

Bldg#	Lease#	Tenant	Exclusive SF	Non-Exclusive SF	Total SF	Rent collected from Tenants	Fully Loaded FY04 Client Rent ($28.54/SF)	Difference: ADS is Responsible for Payment
437	R-28B	Loaves & Fishes Centers	1,330	3,248	4,578	$11,490	$130,656.12	$119,166.12
437	R-28C	Independent Living Resources	407	1,120	1,527	$1,000	$43,580.58	$42,580.58
437	R-28D	Gresham Srs. United	794	3,248	4,042	$20,014	$115,358.68	$95,344.88
437	R-28E	YWCA of Portland	1,197	2,984	4,181	$14,864	$119,325.74	$104,461.74
437	R-28F	Ride Connection	160	0	160	$1,785	$4,566.40	$2,781.40
Total					14,488	**$49,153**	$413,487.52	$364,334.72

March 20, 2003

The square footage above is not loaded.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Declaring Property Within 600 NE 8th Street, Gresham, Oregon, To Be Surplus And Approving A Real Property Lease To Loaves and Fishes Centers, Inc.

The Multnomah County Board of Commissioners Finds:

a. The property specified in the attached lease and located within the Multnomah County East Building at 600 NE 8th Street, Gresham, Oregon (Property) is, at this time, surplus to any County use.

b. The attached lease has been negotiated with Loaves and Fishes Centers, Inc.

c. It is in the best interests of the County to lease the Property on the terms and conditions set forth in the attached lease.

The Multnomah County Board of Commissioners Resolves:

1. The Board approves the attached lease. The County Chair is authorized to execute the lease substantially in the form attached to this Resolution.

2. The County Chair is authorized to execute renewals of the lease and to execute amendments to the lease without further Board action.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

_____
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-034

Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to Loaves and Fishes Centers, Inc.

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2. The County Chair is authorized to execute renewals of the lease and to execute amendments to the lease without further Board action.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By
Matthew O. Ryan, Assistant County Attorney

LEASE

Between: Multnomah County, Oregon ("Landlord")
Facilities and Property Management
401 N. Dixon Street
Portland, Oregon 97227

And: Loaves and Fishes Centers, Inc. ("Tenant")
P.O. Box 19477
Portland OR 97208-0477

Landlord leases to Tenant and Tenant leases from Landlord in the facility known as "Multnomah County East Building" or "MCEB", located at 600 N.E. 8th Street, Gresham, Oregon the following described property (the "Premises") on the terms and conditions stated below:

1,330 square feet of exclusive use space together with the non-exclusive use (as provided in Section 3.1 herein), of approximately 3,248 square feet of space in the Common Area, as shown on the attached Exhibit "A".

Section 1. Occupancy

1.1 Original Term. The term of this lease shall commence April 1, 2004 and continue through March 31, 2005, subject to the parties agreement to renew as provided herein.

1.2 Possession. Tenant's right to possession and obligations under the lease shall commence on April 1, 2004.

1.3 Renewal Option. If the lease is not in default at the time each option is exercised or at the time the renewal term is to commence, Tenant shall have the option to renew this lease for successive terms of one (1) years each, as follows:

(1) Each of the renewal terms shall commence on the day following expiration of the preceding term.

(2) The option may be exercised by written notice to Landlord given not less than six (6) months prior to the last day of the expiring term. The giving of such notice shall be sufficient to make the lease binding for the renewal term,

subject to any rent adjustment being mutually agreed to by the parties as provided Sub-section 1.3(3). If such notice is not provided by Tenant, Landlord may lease Premises to another tenant at the expiration of the remaining term.

(3) The terms and conditions of the lease for each renewal term shall be identical with the original term except for rent. Rent for a renewal term shall be as mutually agreed upon between Landlord and Tenant. If Landlord and Tenant are unable to agree upon rent for the renewal term, the renewal term shall not commence and this Lease shall terminate at the end of the expiring term.

1.4 Termination. Either party may terminate this Lease effective at any time during the term upon not less than six (6) months' written notice to the other party.

Section 2. Rent

2.1 Base Rent., The base rent shall be ($957.50) during the initial term of this Lease. Rent shall be payable on the first day of each month in advance at the address for Landlord first above stated or at such place as may be designated by Landlord.

2.2 Back Rent. In addition to the amount identified under Sub-Section 2.1 Tenant shall pay Landlord for Base Rent past due from February 1, 2002 through September 30, 2003. At $957.50 per month over 20 months, this equals $19,150. Tenant shall pay off this $19,150 in 9 equal monthly payments commencing October 1, 2003 ($2,127.78 per month). This Back Rent is payable on the first of each month and is in addition to the current Base Rent payments set forth in Sub-Section 2.1 above.

2.3 Additional Rent. Any other sum that Tenant is required to pay to Landlord in addition to that paid pursuant to Sub-Sections 2.1 and 2.2, shall be considered additional rent.

Section 3. Use of the Premises

3.1 Permitted Use.

(1) The Exclusive Use space shall be used for office and public service use including food preparation, and for no other purpose without the consent of Landlord, which consent shall not be unreasonably withheld or delayed.

(2) The Non-Exclusive Use space shall be used for public service use including food preparation, and for no other purpose without the consent of Landlord, which consent shall not be unreasonably withheld or delayed, **Provided** the hours and days of Tenant's use of the Non-Exclusive space shall be subject the provisions of the Tenant Partnership Agreement For the Ambelside Center.

3.2 Restrictions on Use. In connection with the use of the Premises, Tenant shall:

(1) Conform to all applicable laws, ordinances and regulations of any public authority affecting the premises and the use, and correct at Tenant's own expense any failure of compliance created through Tenant's fault or by reason of Tenant's use, but Tenant shall not be required to make any structural changes to effect such compliance.

(2) Refrain from any activity that would make it impossible to insure the Premises against casualty, would increase the insurance rate, or would prevent Landlord from taking advantage of any ruling of the Oregon Insurance Rating Bureau, or its successor, allowing Landlord to obtain reduced premium rates for long-term fire insurance policies, unless Tenant pays the additional cost of the insurance.

(3) Refrain from any use that would be reasonably offensive to other tenants or owners or users of neighboring premises or that would tend to create a nuisance or damage the reputation of the premises.

(4) Refrain from loading the electrical system or floors beyond the point considered safe by a competent engineer or architect selected by Landlord.

(5) Refrain from making any marks on or attaching any sign, insignia, antenna, aerial, or other device to the exterior or

interior walls, windows, or roof of the premises without the written consent of Landlord, which shall not be unreasonably withheld.

3.3 Hazardous Substances. Tenant shall not cause or permit any Hazardous Substance to be spilled, leaked, disposed of, or otherwise released on or under the Premises. Tenant may use or otherwise handle on the Premises only those Hazardous Substances typically used or sold in the prudent and safe operation of the Permitted Use specified in Section 3.1. Tenant may store such Hazardous Substances on the Premises only in quantities necessary to satisfy Tenant's reasonably anticipated needs. Tenant shall comply with all Environmental Laws and exercise the highest degree of care in the use, handling, and storage of Hazardous Substances and shall take all practicable measures to minimize the quantity and toxicity of Hazardous Substances used, handled, or stored on the Premises. Upon the expiration or termination of this Lease, Tenant shall remove all Hazardous Substances from the Premises. The term Environmental Law shall mean any federal, state, or local statute, regulation, or ordinance or any judicial or other governmental order pertaining to the protection of health, safety or the environment. The term Hazardous Substance shall mean any hazardous, toxic, infectious or radioactive substance, waste, and material as defined or listed by any Environmental Law and shall include, without limitation, petroleum oil and its fractions.

3.4 Parking. Parking for all tenants of, and visitors to, the building in which the Premises are located shall be in accordance with the Multnomah County East Building: Parking Distribution Plan (the "Parking Plan"). The Parking Plan may be changed by Landlord in its discretion at any time and Tenant shall not have any right to use of the parking at the building except in accordance with the Parking Plan then in effect. The November 2001 Parking Plan, attached to this Lease as Exhibit "B", is in effect at the commencement date and shall remain in effect unless and until changed by Landlord. Landlord shall notify Tenant of any future changes to the Parking Plan.

Section 4. Repairs and Maintenance

4.1 Maintenance and Repair of Premises. Responsibilities for repair and maintenance of the Premises shall be as follows:

(1) Landlord shall perform all necessary maintenance and repairs to the structure, foundation, exterior walls, roof, doors and windows, elevators, emergency lighting, and Lessor-provided fire extinguishers, sidewalks and parking area, which are located on the Premises or the structure in which the Premises are located. Landlord shall maintain the Premises in a hazard free condition and shall repair or replace, if necessary and at Landlord's sole expense, the heating, venting, air conditioning, plumbing, electrical, and lighting systems in the Premises, obtaining required permits and inspections from Codes enforcement authorities. Landlord shall keep the Premises, improvements, grounds, and landscaping in good repair and appearance. Carpets shall be repaired and replaced as necessary by Landlord. Landlord shall furnish, install and replace all exterior and interior lighting bulbs, ballasts and fluorescent tubes.

(2) Tenant shall perform all necessary maintenance and repairs to kitchen appliances and trade fixtures (regardless if attached to Premises) and at the expiration of the term surrender the Premises in as good condition as at the commencement of this Lease, excepting only reasonable wear, permitted alterations, and damage by fire or other casualty.

4.2 Tenant's Obligations. The following shall be the responsibility of Tenant:

(1) Any repairs necessitated by the negligence of Tenant, its agents, employees, and invitees, except as provided in Section 6.3 dealing with waiver of subrogation, but including repairs that would otherwise be the responsibility of Landlord under Section 4.1.

(2) Any repairs or alterations required under Tenant's obligation to comply with laws and regulations as set forth in Section 3.2(1).

(3) All other repairs to the Premises which Landlord is not required to make under Section 4.1., including repair of kitchen equipment.

4.3 Landlord's Interference with Tenant. In performing any repairs, replacements, alterations, or other work performed on or around the Premises, Landlord shall not cause unreasonable

interference with use of the Premises by Tenant. Tenant shall have neither right to an abatement of rent nor any claim against Landlord for any inconvenience or disturbance resulting from Landlord's activities performed in conformance with the requirement of this provision.

4.4 Inspection of Premises. Landlord shall have the right to inspect the Premises at any reasonable time or times to determine the necessity of repair. Whether or not such inspection is made, the duty of Landlord to make repairs shall not mature until a reasonable time after Landlord has received from Tenant written notice of the repairs that are required.

Section 5. Alterations

5.1 Alterations Restricted. Tenant shall make no improvements or alterations on the Premises of any kind. Tenant may request that alterations to the Premises be made and such alterations shall be made, subject to Landlord's reasonable approval and at Tenant's sole expense. All alterations shall be made in a good and workmanlike manner, and in compliance with applicable laws and building codes. Alterations requested by Tenant will be performed by Landlord at the expense of Tenant.

5.2 Ownership and Removal of Alterations. All improvements and alterations performed on the Premises shall be the property of Landlord when installed unless the applicable Landlord's consent or work sheet specifically provides otherwise. Such improvements and alterations shall, at Landlord's option, be removed by Tenant and the premises restored, unless the applicable Landlord's consent or work sheet specifically provides otherwise.

Section 6. Insurance

6.1 Insurance Required Landlord. . Landlord is self-insured for its property and liability exposures, as subject to the Oregon Tort Claims Act, ORS 30.260 through 30.300.

6.2 Insurance Required Tenant. Tenant shall provide at its expense on or before the Commencement Date and keep in force during the Term, naming Landlord insured, a commercial general liability insurance policy or such successor comparable form of coverage(hereinafter referred to as a "Liability Policy")

written on a "per occurrence basis," including, without limitation, blanket contractual liability coverage, broad form property damage, independent contractor's coverage, and personal injury coverage, protecting Landlord and Tenant against liability occasioned by any covered occurrence on or about the Premises. Such policy shall be written by a good and solvent insurance company licensed to do business in the State of Oregon and shall provide coverage limits of not less than One Million Dollars ($1,000,000) combined single limit per occurrence for bodily or personal injury (including death) and property damage combined, subject to a commercially reasonable deductible. Prior to the time such insurance is first required to be carried by Tenant and thereafter, Tenant agrees to deliver to Landlord a certificate evidencing such insurance coverage. Said certificate shall contain an endorsement that such insurance may not be canceled except upon ten (10) days' prior written notice to Landlord.

6.3 Waiver of Subrogation. Neither party shall be liable to the other (or to the other's successors or assigns) for any loss or damage caused by fire or any of the risks enumerated in a standard fire insurance policy with an extended coverage endorsement, and in the event of insured loss, neither party's insurance company shall have a subrogated claim against the other. This waiver of subrogation shall be valid only if the insurance policies of both parties in question expressly permit waiver of subrogation or if the insurance companies agree in writing that such waivers will not affect coverage under the policies.

Section 7. Taxes

7.1 Property Taxes. Tenant shall pay as due all taxes on its personal property located on the Premises. Tenant shall, upon invoice from landlord, reimburse Landlord for all real property taxes levied against the Premises. As used herein, real property taxes include any fee or charge relating to the ownership, use or rental of the Premises, other than taxes on net income of Landlord. If Tenant intends to seek exemption from real property taxes Tenant shall apply for exemption through Multnomah County Assessment and Taxation pursuant to ORS 307.112.

7.2 Special Assessments. If an assessment for a public improvement is made against the Premises, Landlord may elect to cause such assessment to be paid in the maximum number of installments allowed by law, in which case all of the installments payable with respect to the lease term shall be treated the same as general real property taxes for purposes of Section 7.1.

7.3 Contest of Taxes. Tenant shall be permitted to contest the amount of any tax or assessment as long as such contest is conducted in a manner that does not cause any risk that Landlord's interest in the Premises will be foreclosed for nonpayment. Landlord shall cooperate in any reasonable manner with such contest by Tenant.

7.4 Proration of Taxes. Tenant's share of real property taxes and assessments for the years in which this lease commences or terminates shall be prorated based on the portion of the tax year that this lease is in effect.

Section 8. Services and Utilities.

8.1 Landlord and Tenant Responsibilities. Landlord will cause the utilities and services listed below to be furnished to the Premises. Costs shall be paid as indicated:

Utility or Service	Cost Paid By: Landlord	Tenant
Water	X	___
Sewer	X	___
Electricity	X	___
Gas	X	___
Trash Removal	X	___
Janitorial Service	X	___
Janitorial Supplies	X	___
Snow and Ice Removal	X	___

8.2 Recycling Materials. Landlord shall support the policy for recycling materials as provided in ORS 279.560 by providing adequate collection areas and storage facilities for office recycling programs when recycling services are available to Tenant.

Section 9. Damage and Destruction

9.1 Partial Damage. If the Premises are partly damaged and Section 9.2 does not apply, the Premises shall be repaired by Landlord at Landlord's expense. Repairs shall be accomplished with all reasonable dispatch subject to interruptions and delays from labor disputes and matters beyond the control of Landlord and shall be performed in accordance with the provisions of Section 4.3.

9.2 Destruction. If the Premises or the structure are destroyed or damaged such that the cost of repair exceeds fifty five percent (55%) of the value of the structure before the damage, either party may elect to terminate the lease as of the date of the damage or destruction by notice given to the other in writing not more than forty five (45) days following the date of damage. In such event all rights and obligations of the parties shall cease as of the date of termination, and Tenant shall be entitled to the reimbursement of any prepaid amounts paid by Tenant and attributable to the anticipated term. If neither party elects to terminate, Landlord shall proceed to restore the Premises to substantially the same form as prior to the damage or destruction. Work shall be commenced as soon as reasonably possible and thereafter shall proceed without interruption except for work stoppages on account of labor disputes and matters beyond Landlord's reasonable control.

9.3 Rent Abatement. Rent shall be abated during the repair of any damage to the extent the premises are untenantable, except that there shall be no rent abatement where the damage occurred as the result of the fault of Tenant.

9.4 Damage Late in Term. If damage or destruction to which Section 9.2 would apply occurs within six months before the end of the then-current lease term, Tenant may elect to terminate the lease by written notice to Landlord given within thirty (30) days after the date of the damage. Such termination shall have the same effect as termination by Landlord under Section 9.2.

Section 10. Liability and Indemnity

10.1 Liens

(1) Except with respect to activities for which Landlord is responsible, Tenant shall pay as due all claims for work done on and for services rendered or material furnished to the Premises, and shall keep the Premises free from any liens. If Tenant fails to pay any such claims or to discharge any lien, Landlord may do so and collect the cost as additional rent. Any amount so added shall bear interest at the rate of nine percent (9%) per annum from the date expended by Landlord and shall be payable on demand. Such action by Landlord shall not constitute a waiver of any right or remedy which Landlord may have on account of Tenant's default.

(2) Tenant may withhold payment of any claim in connection with a good-faith dispute over the obligation to pay, as long as Landlord's property interests are not jeopardized. If a lien is filed as a result of nonpayment, Tenant shall, within ten (10) days after knowledge of the filing, secure the discharge of the lien or deposit with Landlord cash or sufficient corporate surety bond or other surety satisfactory to Landlord in an amount sufficient to discharge the lien plus any costs, attorney fees, and other charges that could accrue as a result of a foreclosure or sale under the lien.

10.2 Indemnification. Tenant shall indemnify and defend Landlord from any claim, loss, or liability arising out of or related to any negligent activity of Tenant on the Premises or any condition of the Premises in the possession or under the control of Tenant. Landlord shall have no liability to Tenant for any injury, loss, or damage caused by third parties, or by any condition of the Premises except to the extent caused by Landlord's negligence or breach of duty under this lease.

Section 11. Quiet Enjoyment; Mortgage Priority

11.1 Landlord's Warranties.

(1) Landlord warrants that it is the owner of the Premises and has the right to lease them. Landlord will defend Tenant's right to quiet enjoyment of the Premises from the lawful claims of all persons during the lease term.

(2) Landlord warrants that the Premises, including any common areas within the real property in which the Premises are situated, comply with all applicable regulatory and building

codes requirements in force on February 1, 2002 for occupancy by Tenant for the permitted uses under this Lease, and meet the requirements of the Americans With Disabilities Act (ADA) in effect on February 1, 2002 for accessibility in accordance with the standards provided in the ADA Accessibility Guidelines for Buildings and Facilities, including accessible parking for the disabled in compliance with ORS 447.233.

(3) Landlord warrants that there are no asbestos containing materials (ACM) within the Premises, including common areas within the real property in which the Premises are situated.

Section 12. Assignment and Subletting. No part of the Premises may be assigned, mortgaged, or subleased, nor may a right of use of any portion of the property be conferred on any third person by any other means, without the prior written consent of Landlord which consent shall not be unreasonably withheld or delayed. This provision shall apply to all transfers by operation of law. No consent in one instance shall prevent the provision from applying to a subsequent instance. In determining whether to consent to assignment Landlord may consider the following factors: financial ability of assignee; use of Premises to be similar to the Use permitted under Section 3.1 of this Lease.

Section 13. Default

The following shall be events of default:

13.1 Default in Rent. Failure of Tenant to pay any rent or other charge within 15 days after written notice that it is due.

13.2 Default in Other Covenants. Failure of Tenant to comply with any term or condition or fulfill any obligation of the lease (other than the payment of rent or other charges) within twenty (20) days after written notice by Landlord specifying the nature of the default with reasonable particularity. If the default is of such a nature that it cannot be completely remedied within the 20-day period, this provision shall be complied with if Tenant begins correction of the default within the twenty (20) day period and thereafter proceeds with reasonable diligence and in good faith to effect the remedy as soon as practicable.

13.3 Insolvency. Insolvency of Tenant; an assignment by Tenant for the benefit of creditors; the filing by Tenant of a voluntary petition in bankruptcy; an adjudication that Tenant is bankrupt or the appointment of a receiver of the properties of Tenant; the filing of any involuntary petition of bankruptcy and failure of Tenant to secure a dismissal of the petition within thirty (30) days after filing; attachment of or the levying of execution on the leasehold interest and failure of Tenant to secure discharge of the attachment or release of the levy of execution within ten (10) days shall constitute a default. If the lease has been assigned, the events of default so specified shall apply only with respect to the one then exercising the rights of Tenant under the lease.

Section 14. Remedies on Default. In the event of default by tenant, the Lease may be terminated at the option of Landlord by written notice to Tenant. Whether or not the Lease is terminated by the election of Landlord, Landlord shall be entitled to pursue any remedies available to Landlord under applicable law.

Section 15. Surrender at Expiration

15.1 Condition of Premises. Upon expiration of the lease term or earlier termination, Tenant shall deliver all keys to Landlord and surrender the Premises in first-class condition and broom clean. Alterations constructed with permission from Landlord shall not be removed or restored to the original condition unless the terms of permission for the alteration so require. Depreciation and wear from ordinary use for the purpose for which the Premises are leased shall be excepted but repairs for which Tenant is responsible shall be completed to the latest practical date prior to such surrender. Tenant's obligations under this section shall be subordinate to the provisions of Section 9 relating to destruction.

15.2 Fixtures

(1) All fixtures placed upon the Premises during the term, other than Tenant's trade fixtures, shall, at Landlord's option, become the property of Landlord. If Landlord so elects, Tenant shall remove any or all fixtures that would otherwise remain the property of Landlord, and shall repair any physical damage

resulting from the removal. If Tenant fails to remove such fixtures, Landlord may do so and charge the cost to Tenant with interest at the legal rate from the date of expenditure.

(2) Prior to expiration or other termination of the lease term Tenant shall remove all furnishings, furniture, and trade fixtures that remain its property. If Tenant fails to do so, this shall be an abandonment of the property, and Landlord may retain the property and all rights of Tenant with respect to it shall cease or, by notice in writing given to Tenant within twenty (20) days after removal was required, Landlord may elect to hold Tenant to its obligation of removal. If Landlord elects to require Tenant to remove, Landlord may effect a removal and place the property in public storage for Tenant's account. Tenant shall be liable to Landlord for the cost of removal, transportation to storage, and storage, with interest at the legal rate on all such expenses from the date of expenditure by Landlord.

15.3 Holdover

(1) If Tenant does not vacate the Premises at the time required, Landlord shall have the option to treat Tenant as a tenant from month to month, subject to all of the provisions of this lease except the provisions for term and renewal and at a rental rate equal to the rent last paid by Tenant during the original term. Failure of Tenant to remove fixtures, furniture, furnishings, or trade fixtures that Tenant is required to remove under this lease shall constitute a failure to vacate to which this section shall apply if the property not removed will substantially interfere with occupancy of the Premises by another tenant or with occupancy by Landlord for any purpose including preparation for a new tenant.

(2) If a month-to-month tenancy results from a holdover by Tenant under this Section 15.3, the tenancy shall be terminable at the end of any monthly rental period on written notice from Landlord given not less than thirty (30) days prior to the termination date which shall be specified in the notice. Tenant waives any notice that would otherwise be provided by law with respect to a month-to-month tenancy.

Section 16. Miscellaneous

16.1 Nonwaiver. Waiver by either party of strict performance of any provision of this lease shall not be a waiver of or prejudice the party's right to require strict performance of the same provision in the future or of any other provision.

16.2 Notices. Any notice required or permitted under this lease shall be given when actually delivered or forty eight (48) hours after deposited in United States mail as certified mail addressed to the address first given in this lease or to such other address as may be specified from time to time by either of the parties in writing.

16.3 Succession. Subject to the above-stated limitations on transfer of Tenant's interest, this lease shall be binding on and inure to the benefit of the parties and their respective successors and assigns.

16.4 Entry for Inspection. Landlord shall have the right to enter upon the Premises with twenty four (24) hours prior notice to determine Tenant's compliance with this lease, to make necessary repairs to the building or to the Premises, or to show the Premises to any prospective tenant or purchaser, except in cases of emergency when Landlord shall have the right to enter upon the Premises without notice. In addition, Landlord shall have the right, at any time during the last two months of the term of this lease, to place and maintain upon the Premises notices for leasing or selling of the Premises.

16.5 Interest on Rent and Other Charges. Any rent or other payment required of Tenant by this lease shall, if not paid within ten (10) days after it is due, bear interest at the rate of nine percent (9%) per annum (but not in any event at a rate greater than the maximum rate of interest permitted by law) from the due date until paid. In addition, if Tenant fails to make any rent or other payment required by this lease to be paid to Landlord within five days after it is due, Landlord may elect to impose a late charge of five cents ($0.05) per dollar of the overdue payment to reimburse Landlord for the costs of collecting the overdue payment. Tenant shall pay the late charge upon demand by Landlord. Landlord may levy and collect a late

charge in addition to all other remedies available for Tenant's default, and collection of a late charge shall not waive the breach caused by the late payment.

16.8 Proration of Rent. In the event of commencement or termination of this lease at a time other than the beginning or end of one of the specified rental periods, then the rent shall be prorated as of the date of commencement or termination and in the event of termination for reasons other than default, all prepaid rent shall be refunded to Tenant or paid on its account.

16.9 Oregon Tort Claims Act. Any covenant herein by Landlord to defend, indemnify or hold harmless the Tenant, or to assume liability for damages of any kind whatsoever, shall be subject to the provisions of the Oregon Tort Claims Act, ORS 30.260-30.300, and within the limits in ORS 30.270.

16.10 Time of Essence. Time is of the essence of the performance of each of Tenant's obligations under this lease.

16.11 Operation and Maintenance of Kitchen Facility. Tenant shall operate and maintain the kitchen facility on the Premises in compliance with all applicable federal, state and local laws and shall prepare and serve per day a sufficient number of complete, healthy meals to Multnomah County Human Services' clients at the times and the location within the MCEB as directed and determined by the County.

Landlord:
Multnomah County, Oregon

By: Diane M. Linn, County Chair

Tenant:
Loaves and Fishes Centers, Inc.

By:

Reviewed:

Matthew O. Ryan,
Assistant County Attorney

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-4 DATE 04.01.04
DEBORAH L. BOGSTAD, BOARD CLERK

Occupant Information

① Ambleside Activity Center Common Area
11201

② Exclusive Use Space
1330

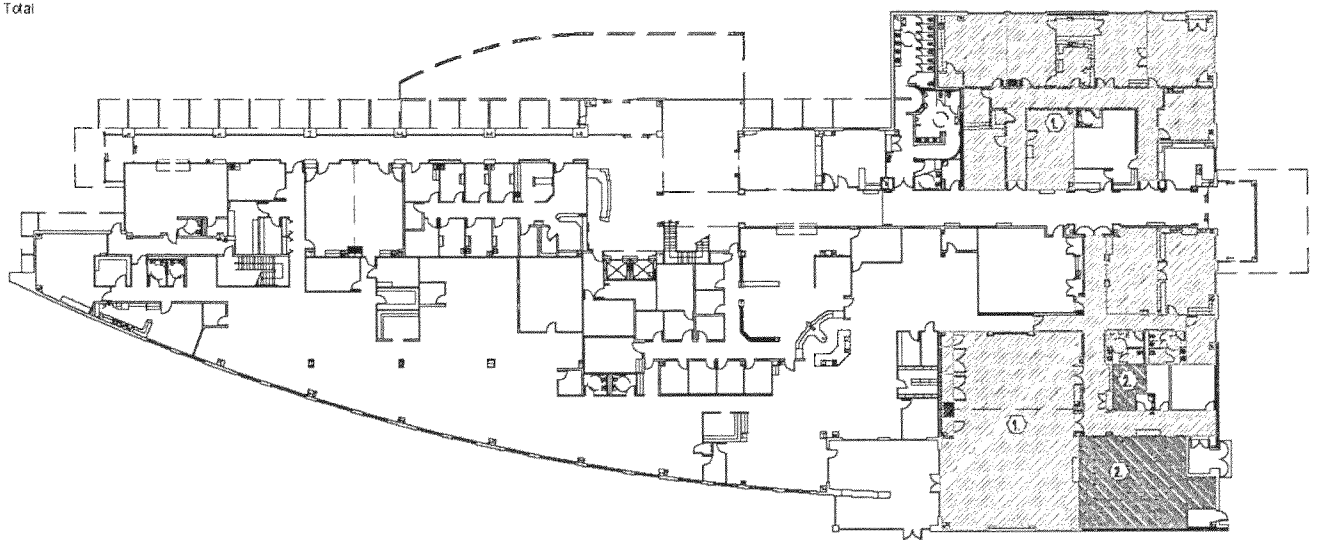
Multnomah County East - 437

600 NE 8th Street
Gresham, Oregon 97030

R-28B Loaves & Fishes Centers

1330 Exlusive Use Space
3248 Ambleside Activity Center Common Area (29%)
4578 Total

EXHIBIT A



First Floor

Measured by: Brett Taute
Date: 23 February 2004

EXHIBIT B

Multnomah County East Building: Parking Distribution Plan
November 2001

1. Guiding Principles:
   - Customer parking is priority;
   - No staff parking in customer areas;
   - Previous distribution and location of parking for Disabled, L&F MOW drivers and Special Assistance are already agreed to;
   - County Parking Policy is in transition but affects parking distribution;
   - The Tri Met Parking Garage Space Allocation is governed by County -Tri Met Parking Agreement. Health and ADS are required to manage parking use in the allotted spaces per the Agreement terms. Tri Met spaces will be only allocated to staff (includes partners) in order to assure compliance with the terms of the Agreement.
   - Parking will be managed on an ongoing basis, by ADS and Health Depts' Building Management Team (BMT) and the Building Tenant Council.
   - Parking is not assigned other than described as special needs or MOW:
   - Staff spaces will be marked in the Building Parking Lot as follows:
     - Reserved ADS-P (ADS and partners)
     - Reserved HED; (Health Department and partners)
     - Staff Carpool; (All tenants)
     - Staff Short-term, 20 minutes (All tenants)

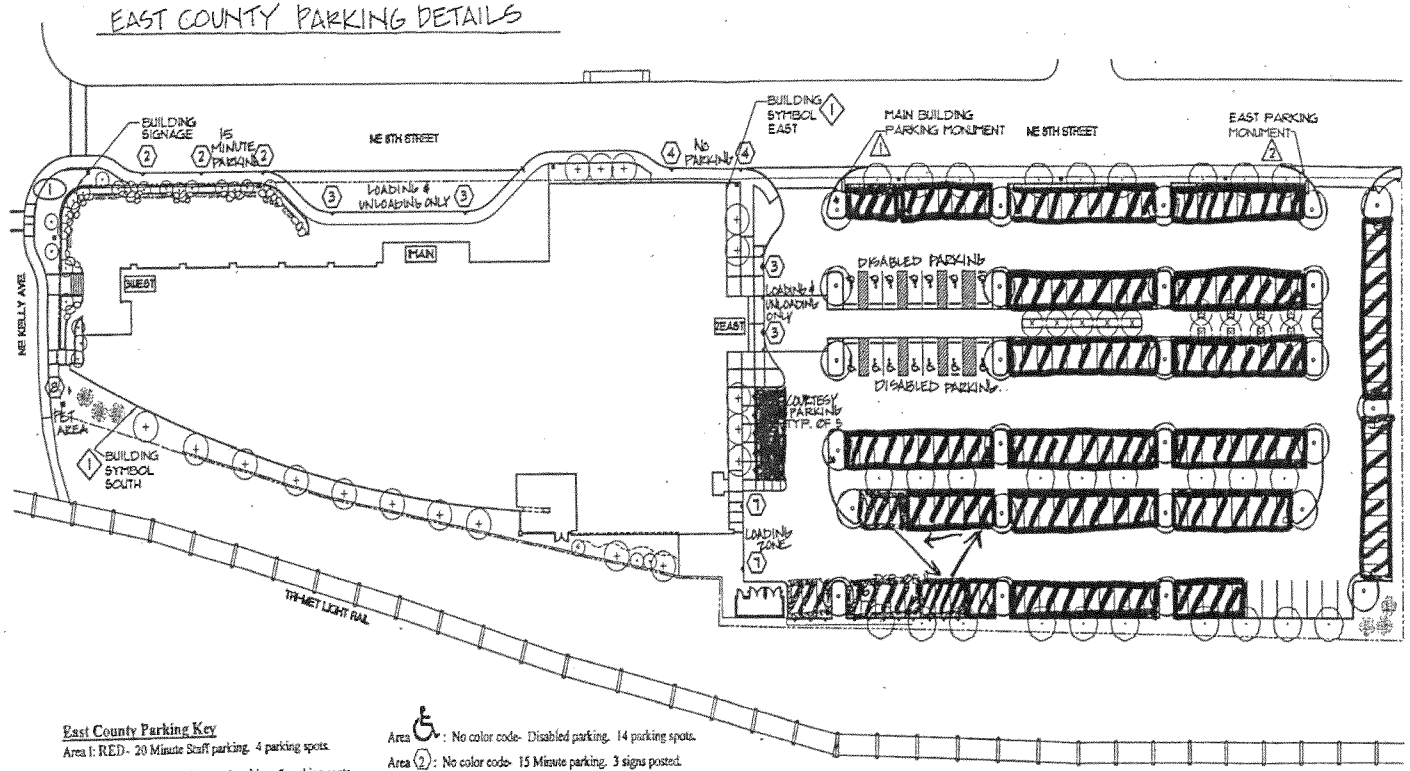
2. Distribution of MCE Lot 201 Spaces
   - Of the 201 spaces in MCE Lot (see diagram)
     - 137 for VISITORS (customers)
     - 5 for Special Needs (courtesy parking)
     - 14 for Disabled (staff and customers)
     - 11 L&F Meals on Wheels Drivers (9:00 - 2:00)
     - 4 Short-term Staff - 20 minute limit
     - 3 Staff Carpool
     - 21 allocated to ADS-P and HED Staff based on ratio of space:
       - 11 to Health
       - 10 to ADS and Partners
     - 7 spaces allocated for County Cars;

3. Distribution of Tri Met Parking Garage 70 Spaces
   - Of the 70 Spaces in Tri Met Garage
     - 2 assigned to Staff Carpool;
     - 34 assigned to HEALTH staff (HED)
     - 34 assigned to ADS and partners staff (ADS-P)

4. Special Notes:

- Recommend this distribution for first year with reassessment of parking needs and parking issues once programs are more fully functioning.
- Tri Met Agreement requires Auto-reduction plan 6 months after opening

EAST COUNTY PARKING DETAILS



East County Parking Key

Area I: RED- 20 Minute Staff parking. 4 parking spots.

Area II: ORANGE- Staff Carpool parking. 3 parking spots.

Area III: - County Car parking. 7 parking spots.

Area IV: GREEN- Mini Bus parking. 2 parking spots.

Area V: BLUE- Visitor parking. 136 parking spots.

Area VI: PURPLE- HED Staff parking. 11 parking spots.

Area VII: PINK- ADS-P Staff parking. 10 parking spots.

Area ♿: No color code- Disabled parking. 14 parking spots.

Area (2): No color code- 15 Minute parking. 3 signs posted.

Area (3): No color code- Loading and Unloading only. 4 signs posted, 2 at each location

Area (4): No color code- No Parking. 2 signs posted

Area (5): MAGENTA- Courtesy parking. 5 parking spots w/ signage.

Area (6): GREY- Reserved Loaves and Fishes. 11 parking spots w/ signage.

Area (7): No color code- Loading Zone/ No parking. 2 signs posted.

Area (8): No color code- Pet Area. 1 sign posted.

* SEE EXTERIOR SIGN ELEVATIONS FOR SIGNAGE DETAILS.

Note: Distribution change To plan per FM Signage alteration; Affects Mow, STAFF CARPOOL, and Visitor SLOT Location.

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 1, 2004
Agenda Item #: R-5
Est. Start Time: 9:40 AM
Date Submitted: 03/24/04

Requested Date: April 1, 2004 **Time Requested:** 5 minutes

Department: DBCS **Division:** Facilities and Property Mgmt

Contact/s: Greg Herlean

Phone: 503-988-4216 **Ext.:** 84216 **I/O Address:** 274 / FPM

Presenters: Greg Herlean

Agenda Title: RESOLUTION: Declaring Property within in the facility known as "Multnomah County East Building" or "MCEB" at 600 N.E. 8th, Gresham, Oregon to be Surplus and approving A Real Property Lease between Multnomah County, the Landlord, and the 5 tenants listed below:

1. **Loaves & Fishes Centers, Inc.**
2. **Independent Living Resources, Inc.** ✓
3. **Gresham Seniors United**
4. **YWCA of Portland**
5. **Ride Connection**

NOTE: If Ordinance, Resolution, Order or Proclamation, provide exact title.
For all other submissions, provide clearly written title.

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1. **What action are you requesting from the Board? What is the department/agency recommendation?** The Department of Business and Community Services requests this Resolution be considered under an "expedited process" and allow an exception to the normal Agenda Placement Request timeline. An exception is requested because the process for preparing and negotiating these leases have been extensive and the execution of these leases will facilitate payment to Multnomah County for services that will be rendered. This Agenda Placement Request, the Resolutions, and the prepared Leases are being submitted to the Agenda Review Team via e-mail requesting an

exception to the normal Agenda Placement Request timeline, an expedited review process such that it can be placed on the April 1, 2004 Board agenda.

The Department of Business and Community Services, Facilities and Property Management Division, recommends adoption of the Resolution.

2. **Please provide sufficient background information for the Board and the public to understand this issue.**
a. The leases for the last three tenants mentioned above are for space they presently occupy in the Multnomah County East Building (MCEB) and would supercede the leases previously approved by the Board on January 9, 2003.

b. The leases for the first two mentioned above are for space they presently occupy in MCEB and are similar with the proposed leases for the other tenants at that location.

c. The proposed leased space is not currently needed for any County purposes and is surplus.

d. Aging and Disability Services subsidizes all of these leases to some degree due the services they render for the citizens of Multnomah County.

3. **Explain the fiscal impact (current year and ongoing).** Aging and Disability Services (ADS) previously attempted to collect rent from these tenants. ADS has requested Facilities and Property Management (FPM) to collect this rent in the future. ADS shall continue to pay FPM for the actual operating expenses of this space which exceeds tenants' payments.

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

If a budget modification, explain: NONE REQUIRED
- **What revenue is being changed and why?**
- **What budgets are increased/decreased?**
- **What do the changes accomplish?**
- **Do any personnel actions result from this budget modification? Explain.**

- **Is the revenue one-time-only in nature?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain: NONE REQUIRED
- **Why was the expenditure not included in the annual budget process?**

- **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- **Why are no other department/agency fund sources available?**

- **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**

- **Has this request been made before? When? What was the outcome?**

If grant application/notice of intent, explain: NONE REQUIRED

- **Who is the granting agency?**
- **Specify grant requirements and goals.**
- **Explain grant funding detail – is this a one time only or long term commitment?**
- **What are the estimated filing timelines?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**
- **How will the county indirect and departmental overhead costs be covered?**

4. **Explain any legal and/or policy issues involved.** None.

5. **Explain any citizen and/or other government participation that has or will take place.** None has been required.

Required Signatures:

Department/Agency Director: _____ **Date: 03/23/04**

Budget Analyst

By: _____ **Date: 03/22/04**

Dept/Countywide HR

By: Not Required for this Resolution **Date:**

MCE Tenant Square Footage and Payments

Bldg#	Lease#	Tenant	Exclusive SF	Non-Exclusive SF	Total SF	Rent collected from Tenants	Fully Loaded FY04 Client Rent ($28.54/SF)	Difference: ADS is Responsible for Payment
437	R-28B	Loaves & Fishes Centers	1,330	3,248	4,578	$11,490	$130,656.12	$119,166.12
437	R-28C	Independent Living Resources	407	1,120	1,527	$1,000	$43,580.58	$42,580.58
437	R-28D	Gresham Srs. United	794	3,248	4,042	$20,014	$115,358.68	$95,344.88
437	R-28E	YWCA of Portland	1,197	2,984	4,181	$14,864	$119,325.74	$104,461.74
437	R-28F	Ride Connection	160	0	160	$1,785	$4,566.40	$2,781.40
Total					14,488	**$49,153**	$413,487.52	$364,334.72

March 20, 2003

The square footage above is not loaded.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Declaring Property Within 600 NE 8th Street, Gresham, Oregon, To Be Surplus And Approving A Real Property Lease To Independent Living Resources, Inc.

The Multnomah County Board of Commissioners Finds:

a. The property specified in the attached lease and located within within the Multnomah County East Building at 600 NE 8th Street, Gresham, Oregon (Property) is, at this time, surplus to any County use.

b. The attached lease has been negotiated with Independent Living Resources, Inc.

c. It is in the best interests of the County to lease the Property on the terms and conditions set forth in the attached lease.

The Multnomah County Board of Commissioners Resolves:

1. The Board approves the attached lease. The County Chair is authorized to execute the lease substantially in the form attached to this Resolution.

2. The County Chair is authorized to execute renewals of the lease and to execute amendments to the lease without further Board action.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

_____
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-035

Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to Independent Living Resources, Inc.

The Multnomah County Board of Commissioners Finds:

a. The property specified in the attached lease and located within the Multnomah County East Building at 600 NE 8th Street, Gresham, Oregon (Property) is, at this time, surplus to any County use.

b. The attached lease has been negotiated with Independent Living Resources, Inc.

c. It is in the best interests of the County to lease the Property on the terms and conditions set forth in the attached lease.

The Multnomah County Board of Commissioners Resolves:

1. The Board approves the attached lease. The County Chair is authorized to execute the lease substantially in the form attached to this Resolution.

2. The County Chair is authorized to execute renewals of the lease and to execute amendments to the lease without further Board action.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

LEASE

Between: Multnomah County, Oregon ("Landlord")
Facilities and Property Management
401 N. Dixon Street
Portland, Oregon 97227

And: Independent Living Resources, Inc. ("Tenant")
2410 SE 11th Avenue
Portland OR 97212

Landlord leases to Tenant and Tenant leases from Landlord in the facility known as "Multnomah County East Building" or "MCEB", located at 600 N.E. 8th Street, Gresham, Oregon the following described property (the "Premises") on the terms and conditions stated below:

407 square feet of exclusive use space together with the non-exclusive use (as provided in Section 3.1 herein), of approximately 11,201 square feet of space in the Common Area, as shown on the attached Exhibit "A".

Section 1. Occupancy

1.1 Original Term. The term of this lease shall commence April 1, 2004 and continue through March 31, 2005, subject to the parties agreement to renew as provided herein.

1.2 Possession. Tenant's right to possession and obligations under the lease shall commence on April 1, 2004.

1.3 Renewal Option. If the lease is not in default at the time each option is exercised or at the time the renewal term is to commence, Tenant shall have the option to renew this lease for successive terms of one (1) years each, as follows:

(1) Each of the renewal terms shall commence on the day following expiration of the preceding term.

(2) The option may be exercised by written notice to Landlord given not less than six (6) months prior to the last day of the expiring term. The giving of such notice shall be

sufficient to make the lease binding for the renewal term, subject to any rent adjustment being mutually agreed to by the parties as provided Sub-section 1.3(3). If such notice is not provided by Tenant, Landlord may lease Premises to another tenant at the expiration of the remaining term.

(3) The terms and conditions of the lease for each renewal term shall be identical with the original term except for rent. Rent for a renewal term shall be as mutually agreed upon between Landlord and Tenant. If Landlord and Tenant are unable to agree upon rent for the renewal term, the renewal term shall not commence and this Lease shall terminate at the end of the expiring term.

1.4 Termination. Either party may terminate this Lease effective at any time during the term upon not less than six (6) months' written notice to the other party.

Section 2. Rent

2.1 Base Rent. The base rent shall be $83.33 during the initial term of this Lease. Rent shall be payable on the first day of each month in advance at the address for Landlord first above stated or at such place as may be designated by Landlord.

2.2 Back Rent. In addition to the amount identified under Section 2.1, Tenant shall pay Landlord for Base Rent past due from February 1, 2002 through April 1, 2004. At $83.33 per month over 26 months, this equals $2,166.67. Tenant shall pay off this $2,166.67 in 3 equal monthly payments commencing April 1, 2004 ($722.22 per month). This Back Rent is payable on the first of each month and is in addition to the current Base Rent payments set forth in Section 2.1 above.

2.3 Additional Rent. Any other sum that Tenant is required to pay to Landlord in addition to that paid pursuant to Sections 2.1 and 2.2, shall be considered additional rent.

Section 3. Use of the Premises

3.1 Permitted Use.
(1) The Exclusive Use space shall be used for office and public service use, and for no other purpose without the consent of Landlord, which consent shall not be unreasonably withheld or delayed.
(2) The Non-Exclusive Use space shall be used for public service use, and for no other purpose without the consent of Landlord, which consent shall not be unreasonably withheld or delayed, **Provided** the hours and days of Tenant's use of the Non-Exclusive space shall be subject the provisions of the Tenant Partnership Agreement For the Ambelside Center.

3.2 Restrictions on Use. In connection with the use of the Premises, Tenant shall:

(1) Conform to all applicable laws, ordinances and regulations of any public authority affecting the premises and the use, and correct at Tenant's own expense any failure of compliance created through Tenant's fault or by reason of Tenant's use, but Tenant shall not be required to make any structural changes to effect such compliance.

(2) Refrain from any activity that would make it impossible to insure the Premises against casualty, would increase the insurance rate, or would prevent Landlord from taking advantage of any ruling of the Oregon Insurance Rating Bureau, or its successor, allowing Landlord to obtain reduced premium rates for long-term fire insurance policies, unless Tenant pays the additional cost of the insurance.

(3) Refrain from any use that would be reasonably offensive to other tenants or owners or users of neighboring premises or that would tend to create a nuisance or damage the reputation of the premises.

(4) Refrain from loading the electrical system or floors beyond the point considered safe by a competent engineer or architect selected by Landlord.

(5) Refrain from making any marks on or attaching any sign, insignia, antenna, aerial, or other device to the exterior or interior walls, windows, or roof of the premises without the written consent of Landlord, which shall not be unreasonably withheld.

3.3 Hazardous Substances. Tenant shall not cause or permit any Hazardous Substance to be spilled, leaked, disposed of, or otherwise released on or under the Premises. Tenant may use or otherwise handle on the Premises only those Hazardous Substances typically used or sold in the prudent and safe operation of the Permitted Use specified in Section 3.1. Tenant may store such Hazardous Substances on the Premises only in quantities necessary to satisfy Tenant's reasonably anticipated needs. Tenant shall comply with all Environmental Laws and exercise the highest degree of care in the use, handling, and storage of Hazardous Substances and shall take all practicable measures to minimize the quantity and toxicity of Hazardous Substances used, handled, or stored on the Premises. Upon the expiration or termination of this Lease, Tenant shall remove all Hazardous Substances from the Premises. The term Environmental Law shall mean any federal, state, or local statute, regulation, or ordinance or any judicial or other governmental order pertaining to the protection of health, safety or the environment. The term Hazardous Substance shall mean any hazardous, toxic, infectious or radioactive substance, waste, and material as defined or listed by any Environmental Law and shall include, without limitation, petroleum oil and its fractions.

3.4 Parking. Parking for all tenants of, and visitors to, the building in which the Premises are located shall be in accordance with the Multnomah County East Building: Parking Distribution Plan (the "Parking Plan"). The Parking Plan may be changed by Landlord in its discretion at any time and Tenant shall not have any right to use of the parking at the building except in accordance with the Parking Plan then in effect. The November 2001 Parking Plan, attached to this Lease as Exhibit "B", is in effect at the commencement date and shall remain in effect unless and until changed by Landlord. Landlord shall notify Tenant of any future changes to the Parking Plan.

Section 4. Repairs and Maintenance

4.1 Maintenance and Repair of Premises. Responsibilities for repair and maintenance of the Premises shall be as follows:

(1) Landlord shall perform all necessary maintenance and repairs to the structure, foundation, exterior walls, roof, doors and windows, elevators, emergency lighting, and Lessor-provided fire extinguishers, sidewalks and parking area, which are located on the Premises or the structure in which the Premises are located. Landlord shall maintain the Premises in a hazard free condition and shall repair or replace, if necessary and at Landlord's sole expense, the heating, venting, air conditioning, plumbing, electrical, and lighting systems in the Premises, obtaining required permits and inspections from Codes enforcement authorities. Landlord shall keep the Premises, improvements, grounds, and landscaping in good repair and appearance. Carpets shall be repaired and replaced as necessary by Landlord. Landlord shall furnish, install and replace all exterior and interior lighting bulbs, ballasts and fluorescent tubes.

(2) Tenant shall perform all necessary maintenance and repairs to trade fixtures (regardless if attached to Premises) and at the expiration of the term surrender the Premises in as good condition as at the commencement of this Lease, excepting only reasonable wear, permitted alterations, and damage by fire or other casualty.

4.2 Tenant's Obligations. The following shall be the responsibility of Tenant:

(1) Any repairs necessitated by the negligence of Tenant, its agents, employees, and invitees, except as provided in Section 6.3 dealing with waiver of subrogation, but including repairs that would otherwise be the responsibility of Landlord under Section 4.1.

(2) Any repairs or alterations required under Tenant's obligation to comply with laws and regulations as set forth in Section 3.2(1).

(3) All other repairs to the Premises which Landlord is not required to make under Section 4.1.

4.3 Landlord's Interference with Tenant. In performing any repairs, replacements, alterations, or other work performed on or around the Premises, Landlord shall not cause unreasonable interference with use of the Premises by Tenant. Tenant shall have neither right to an abatement of rent nor any claim against Landlord for any inconvenience or disturbance resulting from Landlord's activities performed in conformance with the requirement of this provision.

4.4 Inspection of Premises. Landlord shall have the right to inspect the Premises at any reasonable time or times to determine the necessity of repair. Whether or not such inspection is made, the duty of Landlord to make repairs shall not mature until a reasonable time after Landlord has received from Tenant written notice of the repairs that are required.

Section 5. Alterations

5.1 Alterations Restricted. Tenant shall make no improvements or alterations on the Premises of any kind. Tenant may request that alterations to the Premises be made and such alterations shall be made, subject to Landlord's reasonable approval and at Tenant's sole expense. All alterations shall be made in a good and workmanlike manner, and in compliance with applicable laws and building codes. Alterations requested by Tenant will be performed by Landlord at the expense of Tenant.

5.2 Ownership and Removal of Alterations. All improvements and alterations performed on the Premises shall be the property of Landlord when installed unless the applicable Landlord's consent or work sheet specifically provides otherwise. Such improvements and alterations shall, at Landlord's option, be removed by Tenant and the premises restored, unless the applicable Landlord's consent or work sheet specifically provides otherwise.

Section 6. Insurance

6.1 Insurance Required Landlord. . Landlord is self-insured for its property and liability exposures, as subject to the Oregon Tort Claims Act, ORS 30.260 through 30.300.

6.2 Insurance Required Tenant. Tenant shall provide at its expense on or before the Commencement Date and keep in force

during the Term, naming Landlord insured, a commercial general liability insurance policy or such successor comparable form of coverage(hereinafter referred to as a "Liability Policy") written on a "per occurrence basis," including, without limitation, blanket contractual liability coverage, broad form property damage, independent contractor's coverage, and personal injury coverage, protecting Landlord and Tenant against liability occasioned by any covered occurrence on or about the Premises. Such policy shall be written by a good and solvent insurance company licensed to do business in the State of Oregon and shall provide coverage limits of not less than One Million Dollars ($1,000,000) combined single limit per occurrence for bodily or personal injury (including death) and property damage combined, subject to a commercially reasonable deductible. Prior to the time such insurance is first required to be carried by Tenant and thereafter, Tenant agrees to deliver to Landlord a certificate evidencing such insurance coverage. Said certificate shall contain an endorsement that such insurance may not be canceled except upon ten (10) days' prior written notice to Landlord.

6.3 Waiver of Subrogation. Neither party shall be liable to the other (or to the other's successors or assigns) for any loss or damage caused by fire or any of the risks enumerated in a standard fire insurance policy with an extended coverage endorsement, and in the event of insured loss, neither party's insurance company shall have a subrogated claim against the other. This waiver of subrogation shall be valid only if the insurance policies of both parties in question expressly permit waiver of subrogation or if the insurance companies agree in writing that such waivers will not affect coverage under the policies.

Section 7. Taxes

7.1 Property Taxes. Tenant shall pay as due all taxes on its personal property located on the Premises. Tenant shall, upon invoice from landlord, reimburse Landlord for all real property taxes levied against the Premises. As used herein, real property taxes include any fee or charge relating to the ownership, use or rental of the Premises, other than taxes on net income of Landlord. If Tenant intends to seek exemption from real property taxes Tenant shall apply for exemption

through Multnomah County Assessment and Taxation pursuant to ORS 307.112.

7.2 Special Assessments. If an assessment for a public improvement is made against the Premises, Landlord may elect to cause such assessment to be paid in the maximum number of installments allowed by law, in which case all of the installments payable with respect to the lease term shall be treated the same as general real property taxes for purposes of Section 7.1.

7.3 Contest of Taxes. Tenant shall be permitted to contest the amount of any tax or assessment as long as such contest is conducted in a manner that does not cause any risk that Landlord's interest in the Premises will be foreclosed for nonpayment. Landlord shall cooperate in any reasonable manner with such contest by Tenant.

7.4 Proration of Taxes. Tenant's share of real property taxes and assessments for the years in which this lease commences or terminates shall be prorated based on the portion of the tax year that this lease is in effect.

Section 8. Services and Utilities.

8.1 Landlord and Tenant Responsibilities. Landlord will cause the utilities and services listed below to be furnished to the Premises. Costs shall be paid as indicated:

Utility or Service	Cost Paid By: Landlord	Tenant
Water	X	___
Sewer	X	___
Electricity	X	___
Gas	X	___
Trash Removal	X	___
Janitorial Service	X	___
Janitorial Supplies	X	___
Snow and Ice Removal	X	___

8.2 Recycling Materials. Landlord shall support the policy for recycling materials as provided in ORS 279.560 by providing adequate collection areas and storage facilities for

office recycling programs when recycling services are available to Tenant.

Section 9. Damage and Destruction

9.1 Partial Damage. If the Premises are partly damaged and Section 9.2 does not apply, the Premises shall be repaired by Landlord at Landlord's expense. Repairs shall be accomplished with all reasonable dispatch subject to interruptions and delays from labor disputes and matters beyond the control of Landlord and shall be performed in accordance with the provisions of Section 4.3.

9.2 Destruction. If the Premises or the structure are destroyed or damaged such that the cost of repair exceeds fifty five percent (55%) of the value of the structure before the damage, either party may elect to terminate the lease as of the date of the damage or destruction by notice given to the other in writing not more than forty five (45) days following the date of damage. In such event all rights and obligations of the parties shall cease as of the date of termination, and Tenant shall be entitled to the reimbursement of any prepaid amounts paid by Tenant and attributable to the anticipated term. If neither party elects to terminate, Landlord shall proceed to restore the Premises to substantially the same form as prior to the damage or destruction. Work shall be commenced as soon as reasonably possible and thereafter shall proceed without interruption except for work stoppages on account of labor disputes and matters beyond Landlord's reasonable control.

9.3 Rent Abatement. Rent shall be abated during the repair of any damage to the extent the premises are untenantable, except that there shall be no rent abatement where the damage occurred as the result of the fault of Tenant.

9.4 Damage Late in Term. If damage or destruction to which Section 9.2 would apply occurs within six months before the end of the then-current lease term, Tenant may elect to terminate the lease by written notice to Landlord given within thirty (30) days after the date of the damage. Such termination shall have the same effect as termination by Landlord under Section 9.2.

Section 10. Liability and Indemnity

10.1 Liens

(1) Except with respect to activities for which Landlord is responsible, Tenant shall pay as due all claims for work done on and for services rendered or material furnished to the Premises, and shall keep the Premises free from any liens. If Tenant fails to pay any such claims or to discharge any lien, Landlord may do so and collect the cost as additional rent. Any amount so added shall bear interest at the rate of nine percent (9%) per annum from the date expended by Landlord and shall be payable on demand. Such action by Landlord shall not constitute a waiver of any right or remedy which Landlord may have on account of Tenant's default.

(2) Tenant may withhold payment of any claim in connection with a good-faith dispute over the obligation to pay, as long as Landlord's property interests are not jeopardized. If a lien is filed as a result of nonpayment, Tenant shall, within ten (10) days after knowledge of the filing, secure the discharge of the lien or deposit with Landlord cash or sufficient corporate surety bond or other surety satisfactory to Landlord in an amount sufficient to discharge the lien plus any costs, attorney fees, and other charges that could accrue as a result of a foreclosure or sale under the lien.

10.2 Indemnification. Tenant shall indemnify and defend Landlord from any claim, loss, or liability arising out of or related to any negligent activity of Tenant on the Premises or any condition of the Premises in the possession or under the control of Tenant. Landlord shall have no liability to Tenant for any injury, loss, or damage caused by third parties, or by any condition of the Premises except to the extent caused by Landlord's negligence or breach of duty under this lease.

Section 11. Quiet Enjoyment; Mortgage Priority

11.1 Landlord's Warranties.

(1) Landlord warrants that it is the owner of the Premises and has the right to lease them. Landlord will defend Tenant's right to quiet enjoyment of the Premises from the lawful claims of all persons during the lease term.

(2) Landlord warrants that the Premises, including any

common areas within the real property in which the Premises are situated, comply with all applicable regulatory and building codes requirements in force on February 1, 2002 for occupancy by Tenant for the permitted uses under this Lease, and meet the requirements of the Americans With Disabilities Act (ADA) in effect on February 1, 2002 for accessibility in accordance with the standards provided in the ADA Accessibility Guidelines for Buildings and Facilities, including accessible parking for the disabled in compliance with ORS 447.233.

(3) Landlord warrants that there are no asbestos containing materials (ACM) within the Premises, including common areas within the real property in which the Premises are situated.

Section 12. Assignment and Subletting. No part of the Premises may be assigned, mortgaged, or subleased, nor may a right of use of any portion of the property be conferred on any third person by any other means, without the prior written consent of Landlord which consent shall not be unreasonably withheld or delayed. This provision shall apply to all transfers by operation of law. No consent in one instance shall prevent the provision from applying to a subsequent instance. In determining whether to consent to assignment Landlord may consider the following factors: financial ability of assignee; use of Premises to be similar to the Use permitted under Section 3.1 of this Lease.

Section 13. Default

The following shall be events of default:

13.1 Default in Rent. Failure of Tenant to pay any rent or other charge within 15 days after written notice that it is due.

13.2 Default in Other Covenants. Failure of Tenant to comply with any term or condition or fulfill any obligation of the lease (other than the payment of rent or other charges) within twenty (20) days after written notice by Landlord specifying the nature of the default with reasonable particularity. If the default is of such a nature that it cannot be completely remedied within the 20-day period, this provision shall be complied with if Tenant begins correction of the default within the twenty (20) day period and thereafter

proceeds with reasonable diligence and in good faith to effect the remedy as soon as practicable.

13.3 Insolvency. Insolvency of Tenant; an assignment by Tenant for the benefit of creditors; the filing by Tenant of a voluntary petition in bankruptcy; an adjudication that Tenant is bankrupt or the appointment of a receiver of the properties of Tenant; the filing of any involuntary petition of bankruptcy and failure of Tenant to secure a dismissal of the petition within thirty (30) days after filing; attachment of or the levying of execution on the leasehold interest and failure of Tenant to secure discharge of the attachment or release of the levy of execution within ten (10) days shall constitute a default. If the lease has been assigned, the events of default so specified shall apply only with respect to the one then exercising the rights of Tenant under the lease.

Section 14. Remedies on Default. In the event of default by tenant, the Lease may be terminated at the option of Landlord by written notice to Tenant. Whether or not the Lease is terminated by the election of Landlord, Landlord shall be entitled to pursue any remedies available to Landlord under applicable law.

Section 15. Surrender at Expiration

15.1 Condition of Premises. Upon expiration of the lease term or earlier termination, Tenant shall deliver all keys to Landlord and surrender the Premises in first-class condition and broom clean. Alterations constructed with permission from Landlord shall not be removed or restored to the original condition unless the terms of permission for the alteration so require. Depreciation and wear from ordinary use for the purpose for which the Premises are leased shall be excepted but repairs for which Tenant is responsible shall be completed to the latest practical date prior to such surrender. Tenant's obligations under this section shall be subordinate to the provisions of Section 9 relating to destruction.

15.2 Fixtures

(1) All fixtures placed upon the Premises during the term, other than Tenant's trade fixtures, shall, at Landlord's option, become the property of Landlord. If Landlord so elects, Tenant

shall remove any or all fixtures that would otherwise remain the property of Landlord, and shall repair any physical damage resulting from the removal. If Tenant fails to remove such fixtures, Landlord may do so and charge the cost to Tenant with interest at the legal rate from the date of expenditure.

(2) Prior to expiration or other termination of the lease term Tenant shall remove all furnishings, furniture, and trade fixtures that remain its property. If Tenant fails to do so, this shall be an abandonment of the property, and Landlord may retain the property and all rights of Tenant with respect to it shall cease or, by notice in writing given to Tenant within twenty (20) days after removal was required, Landlord may elect to hold Tenant to its obligation of removal. If Landlord elects to require Tenant to remove, Landlord may effect a removal and place the property in public storage for Tenant's account. Tenant shall be liable to Landlord for the cost of removal, transportation to storage, and storage, with interest at the legal rate on all such expenses from the date of expenditure by Landlord.

15.3 Holdover

(1) If Tenant does not vacate the Premises at the time required, Landlord shall have the option to treat Tenant as a tenant from month to month, subject to all of the provisions of this lease except the provisions for term and renewal and at a rental rate equal to the rent last paid by Tenant during the original term. Failure of Tenant to remove fixtures, furniture, furnishings, or trade fixtures that Tenant is required to remove under this lease shall constitute a failure to vacate to which this section shall apply if the property not removed will substantially interfere with occupancy of the Premises by another tenant or with occupancy by Landlord for any purpose including preparation for a new tenant.

(2) If a month-to-month tenancy results from a holdover by Tenant under this Section 15.3, the tenancy shall be terminable at the end of any monthly rental period on written notice from Landlord given not less than thirty (30) days prior to the termination date which shall be specified in the notice. Tenant waives any notice that would otherwise be provided by law with respect to a month-to-month tenancy.

Section 16. Miscellaneous

16.1 Nonwaiver. Waiver by either party of strict performance of any provision of this lease shall not be a waiver of or prejudice the party's right to require strict performance of the same provision in the future or of any other provision.

16.2 Notices. Any notice required or permitted under this lease shall be given when actually delivered or forty eight (48) hours after deposited in United States mail as certified mail addressed to the address first given in this lease or to such other address as may be specified from time to time by either of the parties in writing.

16.3 Succession. Subject to the above-stated limitations on transfer of Tenant's interest, this lease shall be binding on and inure to the benefit of the parties and their respective successors and assigns.

16.4 Entry for Inspection. Landlord shall have the right to enter upon the Premises with twenty four (24) hours prior notice to determine Tenant's compliance with this lease, to make necessary repairs to the building or to the Premises, or to show the Premises to any prospective tenant or purchaser, except in cases of emergency when Landlord shall have the right to enter upon the Premises without notice. In addition, Landlord shall have the right, at any time during the last two months of the term of this lease, to place and maintain upon the Premises notices for leasing or selling of the Premises.

16.5 Interest on Rent and Other Charges. Any rent or other payment required of Tenant by this lease shall, if not paid within ten (10) days after it is due, bear interest at the rate of nine percent (9%) per annum (but not in any event at a rate greater than the maximum rate of interest permitted by law) from the due date until paid. In addition, if Tenant fails to make any rent or other payment required by this lease to be paid to Landlord within five days after it is due, Landlord may elect to impose a late charge of five cents ($0.05) per dollar of the overdue payment to reimburse Landlord for the costs of collecting the overdue payment. Tenant shall pay the late charge upon demand by Landlord. Landlord may levy and collect a late charge in addition to all other remedies available for Tenant's

default, and collection of a late charge shall not waive the breach caused by the late payment.

16.6 Proration of Rent. In the event of commencement or termination of this lease at a time other than the beginning or end of one of the specified rental periods, then the rent shall be prorated as of the date of commencement or termination and in the event of termination for reasons other than default, all prepaid rent shall be refunded to Tenant or paid on its account.

16.7 Oregon Tort Claims Act. Any covenant herein by Landlord to defend, indemnify or hold harmless the Tenant, or to assume liability for damages of any kind whatsoever, shall be subject to the provisions of the Oregon Tort Claims Act, ORS 30.260-30.300, and within the limits in ORS 30.270.

16.8 Time of Essence. Time is of the essence of the performance of each of Tenant's obligations under this lease.

16.9 Tenant Purpose and Responsibility.
Tenant shall provide outreach to persons with disabilities, educational presentations to the community to increase awareness, and training to Multnomah County Aging and Disabled Services staff and partners.

Landlord:
Multnomah County, Oregon

By: Diane M. Linn, County Chair

Tenant:
Independent Living Resources, Inc.

By:

Reviewed:

Matthew O. Ryan
Assistant County Attorney

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-5 DATE 04-01-04
DEBORAH L. BOGSTAD, BOARD CLERK

Occupant Information

① Ambleside Activity Center Common Area
11201

② Exclusive Use Space
407

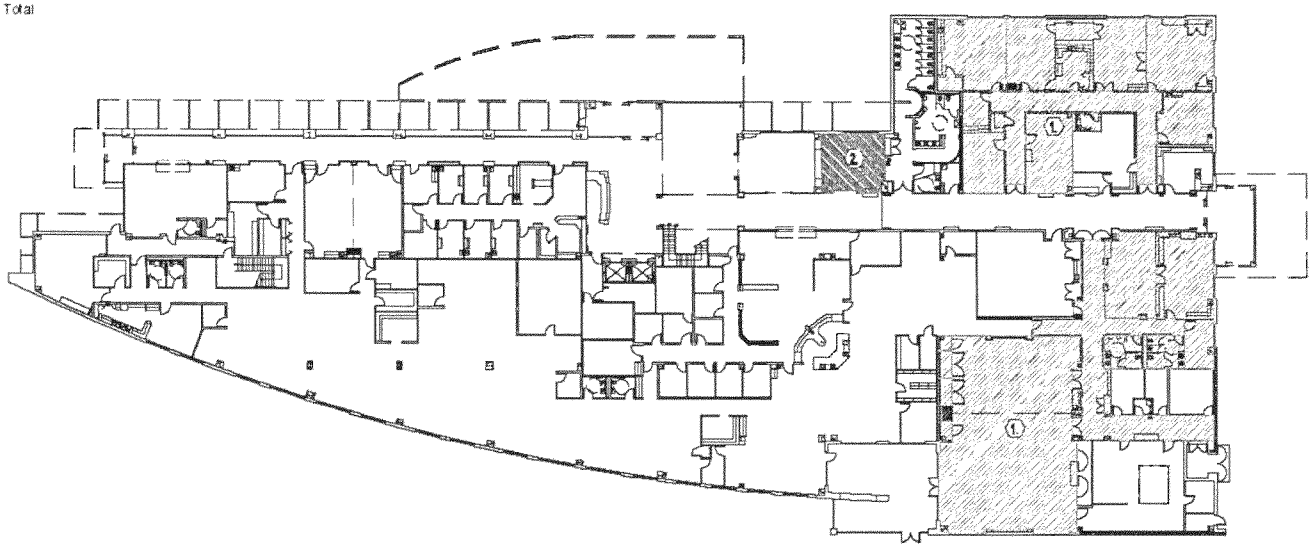
Multnomah County East - 437

600 NE 8th Street
Gresham, Oregon 97030

R-28C - Independent Living Resources

407 Exclusive Use Space
1120 Ambleside Activity Center Common Area (10%)
1527 Total

EXHIBIT A



First Floor

Measured by: Brett Taute
Date: 23 February 2004

EXHIBIT B

Multnomah County East Building: Parking Distribution Plan
November 2001

1. Guiding Principles:
   - Customer parking is priority;
   - No staff parking in customer areas;
   - Previous distribution and location of parking for Disabled, L&F MOW drivers and Special Assistance are already agreed to;
   - County Parking Policy is in transition but affects parking distribution;
   - The Tri Met Parking Garage Space Allocation is governed by County -Tri Met Parking Agreement. Health and ADS are required to manage parking use in the allotted spaces per the Agreement terms. Tri Met spaces will be only allocated to staff (includes partners) in order to assure compliance with the terms of the Agreement.
   - Parking will be managed on an ongoing basis, by ADS and Health Depts' Building Management Team (BMT) and the Building Tenant Council.
   - Parking is not assigned other than described as special needs or MOW:
   - Staff spaces will be marked in the Building Parking Lot as follows:
     - Reserved ADS-P (ADS and partners)
     - Reserved HED; (Health Department and partners)
     - Staff Carpool; (All tenants)
     - Staff Short-term, 20 minutes (All tenants)

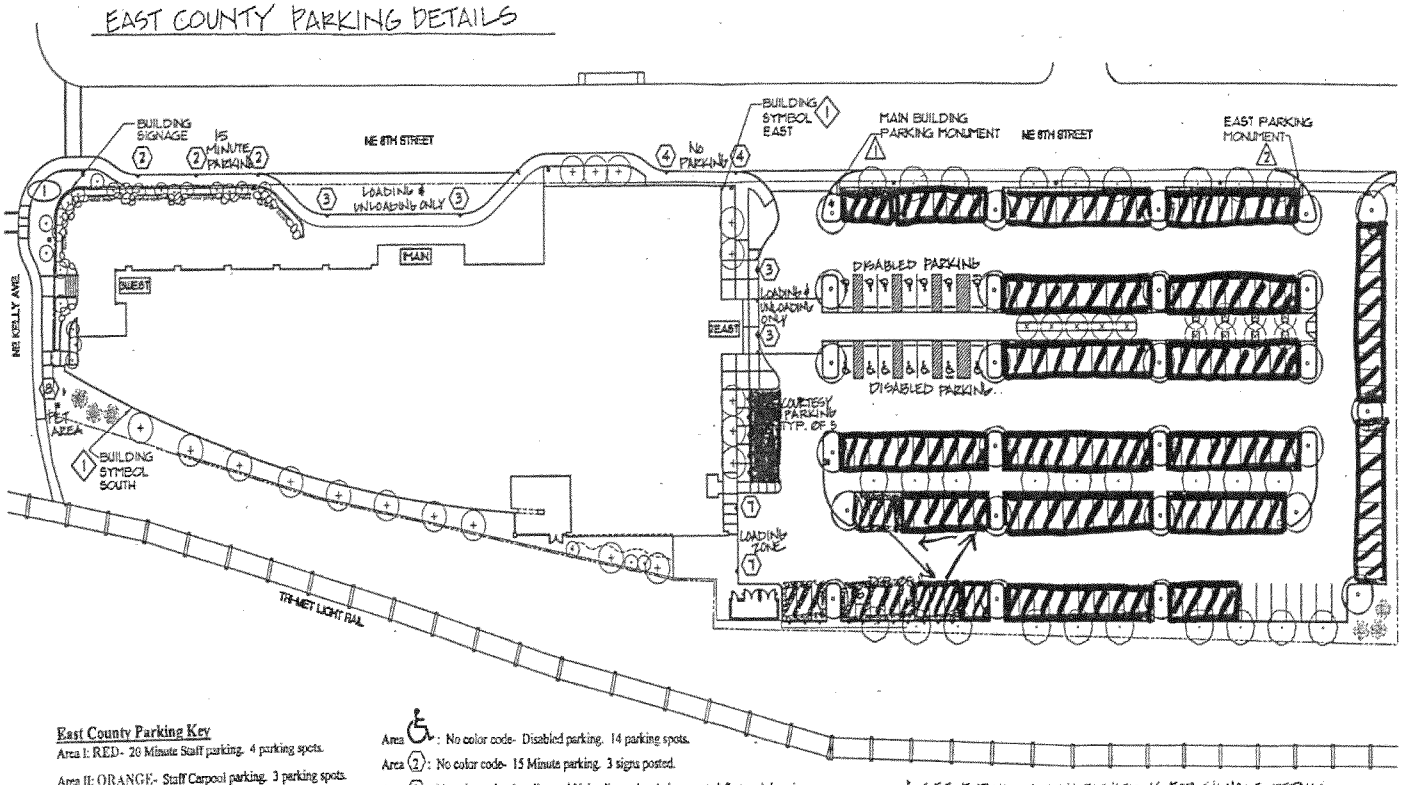
2. Distribution of MCE Lot 201 Spaces
   - Of the 201 spaces in MCE Lot (see diagram)
     - 137 for VISITORS (customers)
     - 5 for Special Needs (courtesy parking)
     - 14 for Disabled (staff and customers)
     - 11 L&F Meals on Wheels Drivers (9:00 - 2:00)
     - 4 Short-term Staff - 20 minute limit
     - 3 Staff Carpool
     - 21 allocated to ADS-P and HED Staff based on ratio of space:
       - 11 to Health
       - 10 to ADS and Partners
     - 7 spaces allocated for County Cars;

3. Distribution of Tri Met Parking Garage 70 Spaces
   - Of the 70 Spaces in Tri Met Garage
     - 2 assigned to Staff Carpool;
     - 34 assigned to HEALTH staff (HED)
     - 34 assigned to ADS and partners staff (ADS-P)

4. Special Notes:

- Recommend this distribution for first year with reassessment of parking needs and parking issues once programs are more fully functioning.
- Tri Met Agreement requires Auto-reduction plan 6 months after opening

EAST COUNTY PARKING DETAILS



East County Parking Key

Area I: RED- 20 Minute Staff parking. 4 parking spots.

Area II: ORANGE- Staff Carpool parking. 3 parking spots.

Area III: - County Car parking. 7 parking spots.

Area IV: GREEN- Mini Bus parking. 2 parking spots.

Area V: BLUE- Visitor parking. 136 parking spots.

Area VI: PURPLE- HED Staff parking. 11 parking spots.

Area VII: PINK- ADS-P Staff parking. 10 parking spots.

Area ♿: No color code- Disabled parking. 14 parking spots.

Area (2): No color code- 15 Minute parking. 3 signs posted.

Area (3): No color code- Loading and Unloading only. 4 signs posted, 2 at each location

Area (4): No color code- No Parking. 2 signs posted

Area (5): MAGENTA- Courtesy parking. 5 parking spots w/ signage.

Area (6): GREY- Reserved Loaves and Fishes. 11 parking spots w/ signage.

Area (7): No color code- Loading Zone/ No parking. 2 signs posted.

Area (8): No color code- Pet Area. 1 sign posted.

* SEE EXTERIOR SIGN ELEVATIONS FOR SIGNAGE DETAILS.

NOTE: ↔↗ Distribution Change To Plan per FM Signage alteration; Affects Mow, STAFF CARPool, and Visitor SLOT Location.

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:	
Meeting Date:	**April 1, 2004**
Agenda Item #:	**R-6**
Est. Start Time:	**9:40 AM**
Date Submitted:	**03/24/04**

Requested Date: April 1, 2004 **Time Requested:** 5 minutes

Department: DBCS **Division:** Facilities and Property Mgmt

Contact/s: Greg Herlean

Phone: 503-988-4216 **Ext.:** 84216 **I/O Address:** 274 / FPM

Presenters: Greg Herlean

Agenda Title: RESOLUTION: Declaring Property within in the facility known as "Multnomah County East Building" or "MCEB" at 600 N.E. 8th, Gresham, Oregon to be Surplus and approving A Real Property Lease between Multnomah County, the Landlord, and the 5 tenants listed below:

1. **Loaves & Fishes Centers, Inc.**
2. **Independent Living Resources, Inc.**
3. **Gresham Seniors United** ✓
4. **YWCA of Portland**
5. **Ride Connection**

NOTE: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide clearly written title.

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1. **What action are you requesting from the Board? What is the department/agency recommendation?** The Department of Business and Community Services requests this Resolution be considered under an "expedited process" and allow an exception to the normal Agenda Placement Request timeline. An exception is requested because the process for preparing and negotiating these leases have been extensive and the execution of these leases will facilitate payment to Multnomah County for services that will be rendered. This Agenda Placement Request, the Resolutions, and the prepared Leases are being submitted to the Agenda Review Team via e-mail requesting an

exception to the normal Agenda Placement Request timeline, an expedited review process such that it can be placed on the April 1, 2004 Board agenda.

The Department of Business and Community Services, Facilities and Property Management Division, recommends adoption of the Resolution.

2. **Please provide sufficient background information for the Board and the public to understand this issue.**
a. The leases for the last three tenants mentioned above are for space they presently occupy in the Multnomah County East Building (MCEB) and would supercede the leases previously approved by the Board on January 9, 2003.

b. The leases for the first two mentioned above are for space they presently occupy in MCEB and are similar with the proposed leases for the other tenants at that location.

c. The proposed leased space is not currently needed for any County purposes and is surplus.

d. Aging and Disability Services subsidizes all of these leases to some degree due the services they render for the citizens of Multnomah County.

3. **Explain the fiscal impact (current year and ongoing).** Aging and Disability Services (ADS) previously attempted to collect rent from these tenants. ADS has requested Facilities and Property Management (FPM) to collect this rent in the future. ADS shall continue to pay FPM for the actual operating expenses of this space which exceeds tenants' payments.

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

If a budget modification, explain: NONE REQUIRED
- **What revenue is being changed and why?**
- **What budgets are increased/decreased?**
- **What do the changes accomplish?**
- **Do any personnel actions result from this budget modification? Explain.**

- **Is the revenue one-time-only in nature?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain: NONE REQUIRED
- **Why was the expenditure not included in the annual budget process?**

- **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- **Why are no other department/agency fund sources available?**

- **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**

- **Has this request been made before? When? What was the outcome?**

If grant application/notice of intent, explain: NONE REQUIRED

- **Who is the granting agency?**
- **Specify grant requirements and goals.**
- **Explain grant funding detail – is this a one time only or long term commitment?**
- **What are the estimated filing timelines?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**
- **How will the county indirect and departmental overhead costs be covered?**

4. **Explain any legal and/or policy issues involved.** None.

5. **Explain any citizen and/or other government participation that has or will take place.** None has been required.

Required Signatures:

Department/Agency Director: _____ **Date: 03/23/04**

Budget Analyst

By: _____ **Date: 03/22/04**

Dept/Countywide HR

By: Not Required for this Resolution **Date:**

MCE Tenant Square Footage and Payments

Bldg#	Lease#	Tenant	Exclusive SF	Non-Exclusive SF	Total SF	Rent collected from Tenants	Fully Loaded FY04 Client Rent ($28.54/SF)	Difference: ADS is Responsible for Payment
437	R-28B	Loaves & Fishes Centers	1,330	3,248	4,578	$11,490	$130,656.12	$119,166.12
437	R-28C	Independent Living Resources	407	1,120	1,527	$1,000	$43,580.58	$42,580.58
437	R-28D	Gresham Srs. United	794	3,248	4,042	$20,014	$115,358.68	$95,344.88
437	R-28E	YWCA of Portland	1,197	2,984	4,181	$14,864	$119,325.74	$104,461.74
437	R-28F	Ride Connection	160	0	160	$1,785	$4,566.40	$2,781.40
Total					14,488	**$49,153**	$413,487.52	$364,334.72

March 20, 2003

The square footage above is not loaded.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Declaring Property Within 600 NE 8th Street, Gresham, Oregon, To Be Surplus And Approving A Real Property Lease To Gresham Seniors United.

The Multnomah County Board of Commissioners Finds:

a. The property specified in the attached lease and located within 600 NE 8th Street, Gresham, Oregon (Property) is, at this time, surplus to any County use.

b. The attached lease has been negotiated with Gresham Seniors United.

c. It is in the best interests of the County to lease the Property on the terms and conditions set forth in the attached lease.

The Multnomah County Board of Commissioners Resolves:

1. The Board approves the attached lease. The County Chair is authorized to execute the lease substantially in the form attached to this Resolution.

2. The County Chair is authorized to execute renewals of the lease and to execute amendments to the lease without further Board action.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

_____
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-036

Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to Gresham Seniors United

The Multnomah County Board of Commissioners Finds:

a. The property specified in the attached lease and located within the Multnomah County East Building at 600 NE 8th Street, Gresham, Oregon (Property) is, at this time, surplus to any County use.

b. The attached lease has been negotiated with Gresham Seniors United.

c. It is in the best interests of the County to lease the Property on the terms and conditions set forth in the attached lease.

The Multnomah County Board of Commissioners Resolves:

1. The Board approves the attached lease. The County Chair is authorized to execute the lease substantially in the form attached to this Resolution.

2. The County Chair is authorized to execute renewals of the lease and to execute amendments to the lease without further Board action.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

LEASE

Between: Multnomah County, Oregon ("Landlord")
Facilities and Property Management
401 N. Dixon Street
Portland, Oregon 97227

And: Gresham Seniors United ("Tenant")
600 NE 8th St.
Gresham OR 97030

Landlord leases to Tenant and Tenant leases from Landlord in the facility known as "Multnomah County East Building" or "MCEB", located at 600 N.E. 8th Street, Gresham, Oregon the following described property (the "Premises") on the terms and conditions stated below:

794 square feet of exclusive use space together with the non-exclusive use (as provided in Section 3.1 herein), of approximately 3,248 square feet of space in the Common Area, as shown on the attached Exhibit "A".

Section 1. Occupancy

1.1 Original Term. The term of this lease shall commence April 1, 2004 and continue through March 31, 2005, subject to the parties agreement to renew as provided herein.

1.2 Possession. Tenant's right to possession and obligations under the lease shall commence on April 1, 2004.

1.3 Renewal Option. If the lease is not in default at the time each option is exercised or at the time the renewal term is to commence, Tenant shall have the option to renew this lease for successive terms of one (1) years each, as follows:

(1) Each of the renewal terms shall commence on the day following expiration of the preceding term.

(2) The option may be exercised by written notice to Landlord given not less than six (6) months prior to the last day of the expiring term. The giving of such notice shall be sufficient to make the lease binding for the renewal term,

subject to any rent adjustment being mutually agreed to by the parties as provided Sub-section 1.3(3). If such notice is not provided by Tenant, Landlord may lease Premises to another tenant at the expiration of the remaining term.

(3) The terms and conditions of the lease for each renewal term shall be identical with the original term except for rent. Rent for a renewal term shall be as mutually agreed upon between Landlord and Tenant. If Landlord and Tenant are unable to agree upon rent for the renewal term, the renewal term shall not commence and this Lease shall terminate at the end of the expiring term.

1.4 Termination. Either party may terminate this Lease effective at any time during the term upon not less than six (6) months' written notice to the other party.

Section 2. Rent

2.1 Base Rent., The base rent shall be $1,667.83 during the initial term of this Lease. Rent shall be payable on the first day of each month in advance at the address for Landlord first above stated or at such place as may be designated by Landlord.

2.2 Additional Rent. Any other sum that Tenant is required to pay to Landlord in addition to that paid pursuant to Sub-Section 2.1, shall be considered additional rent.

2.3 Rent Abatement. Effective September 1, 2003, the Base Rent mentioned above in Sub-Section 2.1 shall be abated $54 per month until such time that the fitness center located in the northeast corner, first floor of Premises is operational, or this room is available for other landlord approved use by the Tenant.

Section 3. Use of the Premises

3.1 Permitted Use.

(1) The Exclusive Use space shall be used for office and public service use, and for no other purpose without the consent of Landlord, which consent shall not be unreasonably withheld or delayed.

(2) The Non-Exclusive Use space shall be used for public service use, and for no other purpose without the consent of Landlord, which consent shall not be unreasonably withheld or delayed, **Provided** the hours and days of Tenant's use of the Non-Exclusive space shall be subject the provisions of the Tenant Partnership Agreement For the Ambelside Center.

3.2 Restrictions on Use. In connection with the use of the Premises, Tenant shall:

(1) Conform to all applicable laws, ordinances and regulations of any public authority affecting the premises and the use, and correct at Tenant's own expense any failure of compliance created through Tenant's fault or by reason of Tenant's use, but Tenant shall not be required to make any structural changes to effect such compliance.

(2) Refrain from any activity that would make it impossible to insure the Premises against casualty, would increase the insurance rate, or would prevent Landlord from taking advantage of any ruling of the Oregon Insurance Rating Bureau, or its successor, allowing Landlord to obtain reduced premium rates for long-term fire insurance policies, unless Tenant pays the additional cost of the insurance.

(3) Refrain from any use that would be reasonably offensive to other tenants or owners or users of neighboring premises or that would tend to create a nuisance or damage the reputation of the premises.

(4) Refrain from loading the electrical system or floors beyond the point considered safe by a competent engineer or architect selected by Landlord.

(5) Refrain from making any marks on or attaching any sign, insignia, antenna, aerial, or other device to the exterior or

interior walls, windows, or roof of the premises without the written consent of Landlord, which shall not be unreasonably withheld.

3.3 Hazardous Substances. Tenant shall not cause or permit any Hazardous Substance to be spilled, leaked, disposed of, or otherwise released on or under the Premises. Tenant may use or otherwise handle on the Premises only those Hazardous Substances typically used or sold in the prudent and safe operation of the Permitted Use specified in Section 3.1. Tenant may store such Hazardous Substances on the Premises only in quantities necessary to satisfy Tenant's reasonably anticipated needs. Tenant shall comply with all Environmental Laws and exercise the highest degree of care in the use, handling, and storage of Hazardous Substances and shall take all practicable measures to minimize the quantity and toxicity of Hazardous Substances used, handled, or stored on the Premises. Upon the expiration or termination of this Lease, Tenant shall remove all Hazardous Substances from the Premises. The term Environmental Law shall mean any federal, state, or local statute, regulation, or ordinance or any judicial or other governmental order pertaining to the protection of health, safety or the environment. The term Hazardous Substance shall mean any hazardous, toxic, infectious or radioactive substance, waste, and material as defined or listed by any Environmental Law and shall include, without limitation, petroleum oil and its fractions.

3.4 Parking. Parking for all tenants of, and visitors to, the building in which the Premises are located shall be in accordance with the Multnomah County East Building: Parking Distribution Plan (the "Parking Plan"). The Parking Plan may be changed by Landlord in its discretion at any time and Tenant shall not have any right to use of the parking at the building except in accordance with the Parking Plan then in effect. The November 2001 Parking Plan, attached to this Lease as Exhibit "B", is in effect at the commencement date and shall remain in effect unless and until changed by Landlord. Landlord shall notify Tenant of any future changes to the Parking Plan.

Section 4. Repairs and Maintenance

4.1 Maintenance and Repair of Premises. Responsibilities for repair and maintenance of the Premises shall be as follows:

(1) Landlord shall perform all necessary maintenance and repairs to the structure, foundation, exterior walls, roof, doors and windows, elevators, emergency lighting, and Lessor-provided fire extinguishers, sidewalks and parking area, which are located on the Premises or the structure in which the Premises are located. Landlord shall maintain the Premises in a hazard free condition and shall repair or replace, if necessary and at Landlord's sole expense, the heating, venting, air conditioning, plumbing, electrical, and lighting systems in the Premises, obtaining required permits and inspections from Codes enforcement authorities. Landlord shall keep the Premises, improvements, grounds, and landscaping in good repair and appearance. Carpets shall be repaired and replaced as necessary by Landlord. Landlord shall furnish, install and replace all exterior and interior lighting bulbs, ballasts and fluorescent tubes.

(2) Tenant shall perform all necessary maintenance and repairs to trade fixtures (regardless if attached to Premises) and at the expiration of the term surrender the Premises in as good condition as at the commencement of this Lease, excepting only reasonable wear, permitted alterations, and damage by fire or other casualty.

4.2 Tenant's Obligations. The following shall be the responsibility of Tenant:

(1) Any repairs necessitated by the negligence of Tenant, its agents, employees, and invitees, except as provided in Section 6.3 dealing with waiver of subrogation, but including repairs that would otherwise be the responsibility of Landlord under Section 4.1.

(2) Any repairs or alterations required under Tenant's obligation to comply with laws and regulations as set forth in Section 3.2(1).

(3) All other repairs to the Premises which Landlord is not required to make under Section 4.1.

4.3 Landlord's Interference with Tenant. In performing any repairs, replacements, alterations, or other work performed on or around the Premises, Landlord shall not cause unreasonable

interference with use of the Premises by Tenant. Tenant shall have neither right to an abatement of rent nor any claim against Landlord for any inconvenience or disturbance resulting from Landlord's activities performed in conformance with the requirement of this provision.

4.4 Inspection of Premises. Landlord shall have the right to inspect the Premises at any reasonable time or times to determine the necessity of repair. Whether or not such inspection is made, the duty of Landlord to make repairs shall not mature until a reasonable time after Landlord has received from Tenant written notice of the repairs that are required.

Section 5. Alterations

5.1 Alterations Restricted. Tenant shall make no improvements or alterations on the Premises of any kind. Tenant may request that alterations to the Premises be made and such alterations shall be made, subject to Landlord's reasonable approval and at Tenant's sole expense. All alterations shall be made in a good and workmanlike manner, and in compliance with applicable laws and building codes. Alterations requested by Tenant will be performed by Landlord at the expense of Tenant.

5.2 Ownership and Removal of Alterations. All improvements and alterations performed on the Premises shall be the property of Landlord when installed unless the applicable Landlord's consent or work sheet specifically provides otherwise. Such improvements and alterations shall, at Landlord's option, be removed by Tenant and the premises restored, unless the applicable Landlord's consent or work sheet specifically provides otherwise.

Section 6. Insurance

6.1 Insurance Required Landlord. . Landlord is self-insured for its property and liability exposures, as subject to the Oregon Tort Claims Act, ORS 30.260 through 30.300.

6.2 Insurance Required Tenant. Tenant shall provide at its expense on or before the Commencement Date and keep in force during the Term, naming Landlord insured, a commercial general liability insurance policy or such successor comparable form of coverage(hereinafter referred to as a "Liability Policy")

written on a "per occurrence basis," including, without limitation, blanket contractual liability coverage, broad form property damage, independent contractor's coverage, and personal injury coverage, protecting Landlord and Tenant against liability occasioned by any covered occurrence on or about the Premises. Such policy shall be written by a good and solvent insurance company licensed to do business in the State of Oregon and shall provide coverage limits of not less than One Million Dollars ($1,000,000) combined single limit per occurrence for bodily or personal injury (including death) and property damage combined, subject to a commercially reasonable deductible. Prior to the time such insurance is first required to be carried by Tenant and thereafter, Tenant agrees to deliver to Landlord a certificate evidencing such insurance coverage. Said certificate shall contain an endorsement that such insurance may not be canceled except upon ten (10) days' prior written notice to Landlord.

6.3 Waiver of Subrogation. Neither party shall be liable to the other (or to the other's successors or assigns) for any loss or damage caused by fire or any of the risks enumerated in a standard fire insurance policy with an extended coverage endorsement, and in the event of insured loss, neither party's insurance company shall have a subrogated claim against the other. This waiver of subrogation shall be valid only if the insurance policies of both parties in question expressly permit waiver of subrogation or if the insurance companies agree in writing that such waivers will not affect coverage under the policies.

Section 7. Taxes

7.1 Property Taxes. Tenant shall pay as due all taxes on its personal property located on the Premises. Tenant shall, upon invoice from landlord, reimburse Landlord for all real property taxes levied against the Premises. As used herein, real property taxes include any fee or charge relating to the ownership, use or rental of the Premises, other than taxes on net income of Landlord. If Tenant intends to seek exemption from real property taxes Tenant shall apply for exemption through Multnomah County Assessment and Taxation pursuant to ORS 307.112.

7.2 Special Assessments. If an assessment for a public improvement is made against the Premises, Landlord may elect to cause such assessment to be paid in the maximum number of installments allowed by law, in which case all of the installments payable with respect to the lease term shall be treated the same as general real property taxes for purposes of Section 7.1.

7.3 Contest of Taxes. Tenant shall be permitted to contest the amount of any tax or assessment as long as such contest is conducted in a manner that does not cause any risk that Landlord's interest in the Premises will be foreclosed for nonpayment. Landlord shall cooperate in any reasonable manner with such contest by Tenant.

7.4 Proration of Taxes. Tenant's share of real property taxes and assessments for the years in which this lease commences or terminates shall be prorated based on the portion of the tax year that this lease is in effect.

Section 8. Services and Utilities.

8.1 Landlord and Tenant Responsibilities. Landlord will cause the utilities and services listed below to be furnished to the Premises. Costs shall be paid as indicated:

	Cost Paid By:	
Utility or Service	Landlord	Tenant
Water	X	___
Sewer	X	___
Electricity	X	___
Gas	X	___
Trash Removal	X	___
Janitorial Service	X	___
Janitorial Supplies	X	___
Snow and Ice Removal	X	___

8.2 Recycling Materials. Landlord shall support the policy for recycling materials as provided in ORS 279.560 by providing adequate collection areas and storage facilities for office recycling programs when recycling services are available to Tenant.

Section 9. Damage and Destruction

9.1 Partial Damage. If the Premises are partly damaged and Section 9.2 does not apply, the Premises shall be repaired by Landlord at Landlord's expense. Repairs shall be accomplished with all reasonable dispatch subject to interruptions and delays from labor disputes and matters beyond the control of Landlord and shall be performed in accordance with the provisions of Section 4.3.

9.2 Destruction. If the Premises or the structure are destroyed or damaged such that the cost of repair exceeds fifty five percent (55%) of the value of the structure before the damage, either party may elect to terminate the lease as of the date of the damage or destruction by notice given to the other in writing not more than forty five (45) days following the date of damage. In such event all rights and obligations of the parties shall cease as of the date of termination, and Tenant shall be entitled to the reimbursement of any prepaid amounts paid by Tenant and attributable to the anticipated term. If neither party elects to terminate, Landlord shall proceed to restore the Premises to substantially the same form as prior to the damage or destruction. Work shall be commenced as soon as reasonably possible and thereafter shall proceed without interruption except for work stoppages on account of labor disputes and matters beyond Landlord's reasonable control.

9.3 Rent Abatement. Rent shall be abated during the repair of any damage to the extent the premises are untenantable, except that there shall be no rent abatement where the damage occurred as the result of the fault of Tenant.

9.4 Damage Late in Term. If damage or destruction to which Section 9.2 would apply occurs within six months before the end of the then-current lease term, Tenant may elect to terminate the lease by written notice to Landlord given within thirty (30) days after the date of the damage. Such termination shall have the same effect as termination by Landlord under Section 9.2.

Section 10. Liability and Indemnity

10.1 Liens

(1) Except with respect to activities for which Landlord is responsible, Tenant shall pay as due all claims for work done on and for services rendered or material furnished to the Premises, and shall keep the Premises free from any liens. If Tenant fails to pay any such claims or to discharge any lien, Landlord may do so and collect the cost as additional rent. Any amount so added shall bear interest at the rate of nine percent (9%) per annum from the date expended by Landlord and shall be payable on demand. Such action by Landlord shall not constitute a waiver of any right or remedy which Landlord may have on account of Tenant's default.

(2) Tenant may withhold payment of any claim in connection with a good-faith dispute over the obligation to pay, as long as Landlord's property interests are not jeopardized. If a lien is filed as a result of nonpayment, Tenant shall, within ten (10) days after knowledge of the filing, secure the discharge of the lien or deposit with Landlord cash or sufficient corporate surety bond or other surety satisfactory to Landlord in an amount sufficient to discharge the lien plus any costs, attorney fees, and other charges that could accrue as a result of a foreclosure or sale under the lien.

10.2 Indemnification. Tenant shall indemnify and defend Landlord from any claim, loss, or liability arising out of or related to any negligent activity of Tenant on the Premises or any condition of the Premises in the possession or under the control of Tenant. Landlord shall have no liability to Tenant for any injury, loss, or damage caused by third parties, or by any condition of the Premises except to the extent caused by Landlord's negligence or breach of duty under this lease.

Section 11. Quiet Enjoyment; Mortgage Priority

11.1 Landlord's Warranties.

(1) Landlord warrants that it is the owner of the Premises and has the right to lease them. Landlord will defend Tenant's right to quiet enjoyment of the Premises from the lawful claims of all persons during the lease term.

(2) Landlord warrants that the Premises, including any common areas within the real property in which the Premises are situated, comply with all applicable regulatory and building

codes requirements in force on February 1, 2002 for occupancy by Tenant for the permitted uses under this Lease, and meet the requirements of the Americans With Disabilities Act (ADA) in effect on February 1, 2002 for accessibility in accordance with the standards provided in the ADA Accessibility Guidelines for Buildings and Facilities, including accessible parking for the disabled in compliance with ORS 447.233.

(3) Landlord warrants that there are no asbestos containing materials (ACM) within the Premises, including common areas within the real property in which the Premises are situated.

Section 12. Assignment and Subletting. No part of the Premises may be assigned, mortgaged, or subleased, nor may a right of use of any portion of the property be conferred on any third person by any other means, without the prior written consent of Landlord which consent shall not be unreasonably withheld or delayed. This provision shall apply to all transfers by operation of law. No consent in one instance shall prevent the provision from applying to a subsequent instance. In determining whether to consent to assignment Landlord may consider the following factors: financial ability of assignee; use of Premises to be similar to the Use permitted under Section 3.1 of this Lease.

Section 13. Default

The following shall be events of default:

13.1 Default in Rent. Failure of Tenant to pay any rent or other charge within 15 days after written notice that it is due.

13.2 Default in Other Covenants. Failure of Tenant to comply with any term or condition or fulfill any obligation of the lease (other than the payment of rent or other charges) within twenty (20) days after written notice by Landlord specifying the nature of the default with reasonable particularity. If the default is of such a nature that it cannot be completely remedied within the 20-day period, this provision shall be complied with if Tenant begins correction of the default within the twenty (20) day period and thereafter proceeds with reasonable diligence and in good faith to effect the remedy as soon as practicable.

13.3 Insolvency. Insolvency of Tenant; an assignment by Tenant for the benefit of creditors; the filing by Tenant of a voluntary petition in bankruptcy; an adjudication that Tenant is bankrupt or the appointment of a receiver of the properties of Tenant; the filing of any involuntary petition of bankruptcy and failure of Tenant to secure a dismissal of the petition within thirty (30) days after filing; attachment of or the levying of execution on the leasehold interest and failure of Tenant to secure discharge of the attachment or release of the levy of execution within ten (10) days shall constitute a default. If the lease has been assigned, the events of default so specified shall apply only with respect to the one then exercising the rights of Tenant under the lease.

Section 14. Remedies on Default. In the event of default by tenant, the Lease may be terminated at the option of Landlord by written notice to Tenant. Whether or not the Lease is terminated by the election of Landlord, Landlord shall be entitled to pursue any remedies available to Landlord under applicable law.

Section 15. Surrender at Expiration

15.1 Condition of Premises. Upon expiration of the lease term or earlier termination, Tenant shall deliver all keys to Landlord and surrender the Premises in first-class condition and broom clean. Alterations constructed with permission from Landlord shall not be removed or restored to the original condition unless the terms of permission for the alteration so require. Depreciation and wear from ordinary use for the purpose for which the Premises are leased shall be excepted but repairs for which Tenant is responsible shall be completed to the latest practical date prior to such surrender. Tenant's obligations under this section shall be subordinate to the provisions of Section 9 relating to destruction.

15.2 Fixtures

(1) All fixtures placed upon the Premises during the term, other than Tenant's trade fixtures, shall, at Landlord's option, become the property of Landlord. If Landlord so elects, Tenant shall remove any or all fixtures that would otherwise remain the property of Landlord, and shall repair any physical damage

resulting from the removal. If Tenant fails to remove such fixtures, Landlord may do so and charge the cost to Tenant with interest at the legal rate from the date of expenditure.

(2) Prior to expiration or other termination of the lease term Tenant shall remove all furnishings, furniture, and trade fixtures that remain its property. If Tenant fails to do so, this shall be an abandonment of the property, and Landlord may retain the property and all rights of Tenant with respect to it shall cease or, by notice in writing given to Tenant within twenty (20) days after removal was required, Landlord may elect to hold Tenant to its obligation of removal. If Landlord elects to require Tenant to remove, Landlord may effect a removal and place the property in public storage for Tenant's account. Tenant shall be liable to Landlord for the cost of removal, transportation to storage, and storage, with interest at the legal rate on all such expenses from the date of expenditure by Landlord.

15.3 Holdover

(1) If Tenant does not vacate the Premises at the time required, Landlord shall have the option to treat Tenant as a tenant from month to month, subject to all of the provisions of this lease except the provisions for term and renewal and at a rental rate equal to the rent last paid by Tenant during the original term. Failure of Tenant to remove fixtures, furniture, furnishings, or trade fixtures that Tenant is required to remove under this lease shall constitute a failure to vacate to which this section shall apply if the property not removed will substantially interfere with occupancy of the Premises by another tenant or with occupancy by Landlord for any purpose including preparation for a new tenant.

(2) If a month-to-month tenancy results from a holdover by Tenant under this Section 15.3, the tenancy shall be terminable at the end of any monthly rental period on written notice from Landlord given not less than thirty (30) days prior to the termination date which shall be specified in the notice. Tenant waives any notice that would otherwise be provided by law with respect to a month-to-month tenancy.

Section 16. Miscellaneous

16.1 Nonwaiver. Waiver by either party of strict performance of any provision of this lease shall not be a waiver of or prejudice the party's right to require strict performance of the same provision in the future or of any other provision.

16.2 Notices. Any notice required or permitted under this lease shall be given when actually delivered or forty eight (48) hours after deposited in United States mail as certified mail addressed to the address first given in this lease or to such other address as may be specified from time to time by either of the parties in writing.

16.3 Succession. Subject to the above-stated limitations on transfer of Tenant's interest, this lease shall be binding on and inure to the benefit of the parties and their respective successors and assigns.

16.4 Entry for Inspection. Landlord shall have the right to enter upon the Premises with twenty four (24) hours prior notice to determine Tenant's compliance with this lease, to make necessary repairs to the building or to the Premises, or to show the Premises to any prospective tenant or purchaser, except in cases of emergency when Landlord shall have the right to enter upon the Premises without notice. In addition, Landlord shall have the right, at any time during the last two months of the term of this lease, to place and maintain upon the Premises notices for leasing or selling of the Premises.

16.5 Interest on Rent and Other Charges. Any rent or other payment required of Tenant by this lease shall, if not paid within ten (10) days after it is due, bear interest at the rate of nine percent (9%) per annum (but not in any event at a rate greater than the maximum rate of interest permitted by law) from the due date until paid. In addition, if Tenant fails to make any rent or other payment required by this lease to be paid to Landlord within five days after it is due, Landlord may elect to impose a late charge of five cents ($0.05) per dollar of the overdue payment to reimburse Landlord for the costs of collecting the overdue payment. Tenant shall pay the late charge upon demand by Landlord. Landlord may levy and collect a late

charge in addition to all other remedies available for Tenant's default, and collection of a late charge shall not waive the breach caused by the late payment.

16.6 Proration of Rent. In the event of commencement or termination of this lease at a time other than the beginning or end of one of the specified rental periods, then the rent shall be prorated as of the date of commencement or termination and in the event of termination for reasons other than default, all prepaid rent shall be refunded to Tenant or paid on its account.

16.7 Oregon Tort Claims Act. Any covenant herein by Landlord to defend, indemnify or hold harmless the Tenant, or to assume liability for damages of any kind whatsoever, shall be subject to the provisions of the Oregon Tort Claims Act, ORS 30.260-30.300, and within the limits in ORS 30.270.

16.8 Time of Essence. Time is of the essence of the performance of each of Tenant's obligations under this lease.

16.9 Operation of Gresham Seniors United Offices at MCEB. Tenant shall operate and maintain program offices compatible with services to Multnomah County Human Services' clients at MCEB, as satisfactory to and determined by the County.

Landlord:
Multnomah County, Oregon

By: Diane M. Linn, County Chair

Tenant:
Gresham Seniors United

By:

Reviewed:

Matthew O. Ryan,
Assistant County Attorney

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-6 DATE 04.01.04
DEBORAH L. BOGSTAD, BOARD CLERK

Occupant Information

① Ambleside Activity Center Common Area
11201

② Exclusive Use Space
794

Multnomah County East - 437

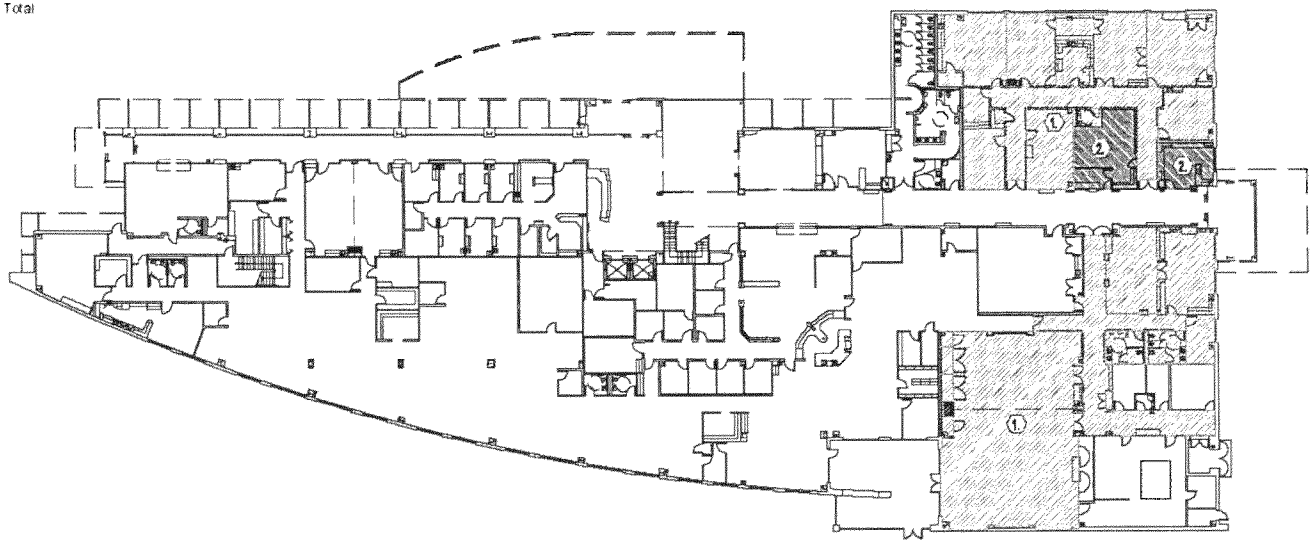
600 NE 8th Street
Gresham, Oregon 97030

R-28D - Gresham Seniors United

794 Exclusive Use Space
3248 Ambleside Activity Center Common Area (29%)

4042 Total

EXHIBIT A



First Floor

Measured by: Brett Taute
Date: 23 February 2004

EXHIBIT B

Multnomah County East Building: Parking Distribution Plan
November 2001

1. Guiding Principles:
   - Customer parking is priority;
   - No staff parking in customer areas;
   - Previous distribution and location of parking for Disabled, L&F MOW drivers and Special Assistance are already agreed to;
   - County Parking Policy is in transition but affects parking distribution;
   - The Tri Met Parking Garage Space Allocation is governed by County -Tri Met Parking Agreement. Health and ADS are required to manage parking use in the allotted spaces per the Agreement terms. Tri Met spaces will be only allocated to staff (includes partners) in order to assure compliance with the terms of the Agreement.
   - Parking will be managed on an ongoing basis, by ADS and Health Depts' Building Management Team (BMT) and the Building Tenant Council.
   - Parking is not assigned other than described as special needs or MOW:
   - Staff spaces will be marked in the Building Parking Lot as follows:
     - Reserved ADS-P (ADS and partners)
     - Reserved HED; (Health Department and partners)
     - Staff Carpool; (All tenants)
     - Staff Short-term, 20 minutes (All tenants)

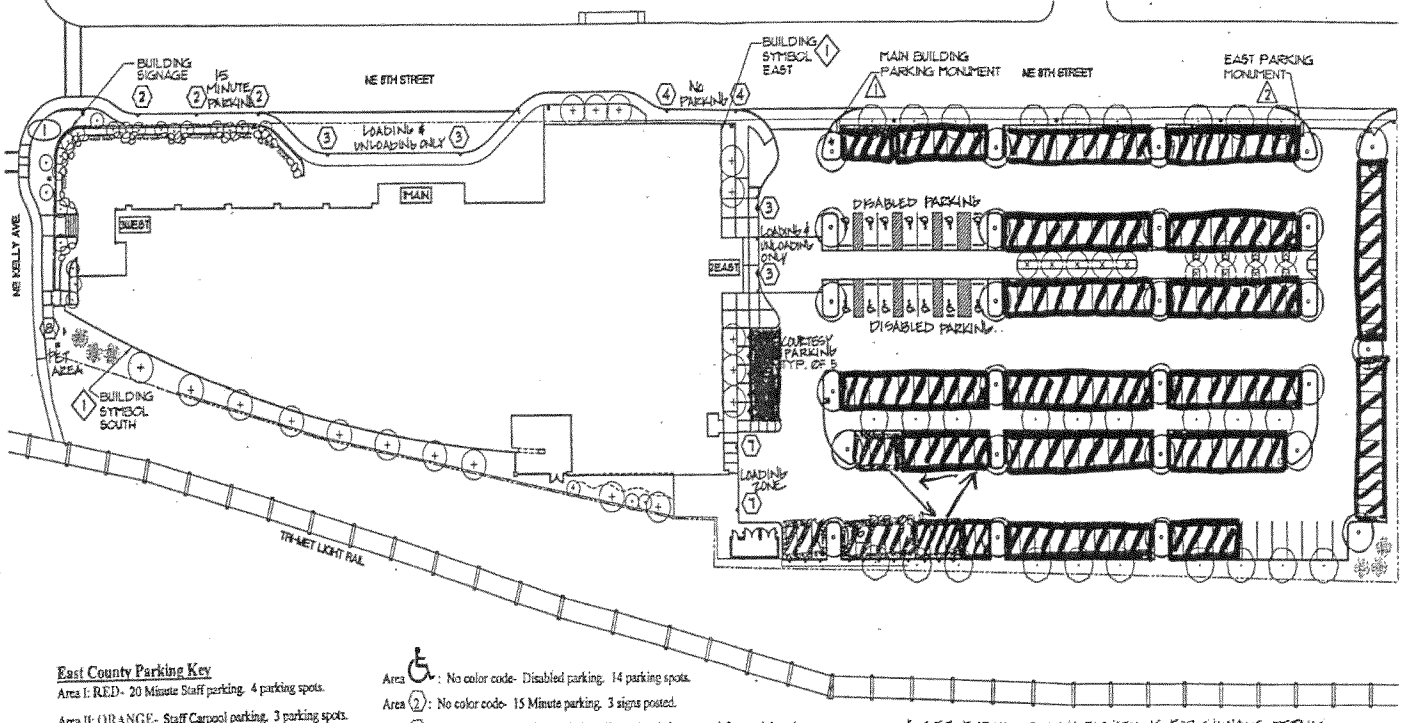
2. Distribution of MCE Lot 201 Spaces
   - Of the 201 spaces in MCE Lot (see diagram)
     - 137 for VISITORS (customers)
     - 5 for Special Needs (courtesy parking)
     - 14 for Disabled (staff and customers)
     - 11 L&F Meals on Wheels Drivers (9:00 - 2:00)
     - 4 Short-term Staff - 20 minute limit
     - 3 Staff Carpool
     - 21 allocated to ADS-P and HED Staff based on ratio of space:
       - 11 to Health
       - 10 to ADS and Partners
     - 7 spaces allocated for County Cars;

3. Distribution of Tri Met Parking Garage 70 Spaces
   - Of the 70 Spaces in Tri Met Garage
     - 2 assigned to Staff Carpool;
     - 34 assigned to HEALTH staff (HED)
     - 34 assigned to ADS and partners staff (ADS-P)

4. Special Notes:

- Recommend this distribution for first year with reassessment of parking needs and parking issues once programs are more fully functioning.
- Tri Met Agreement requires Auto-reduction plan 6 months after opening

EAST COUNTY PARKING DETAILS



East County Parking Key

Area I: RED- 20 Minute Staff parking. 4 parking spots.

Area II: ORANGE- Staff Carpool parking. 3 parking spots.

Area III: - County Car parking. 7 parking spots.

Area IV: GREEN- Mini Bus parking. 2 parking spots.

Area V: BLUE- Visitor parking. 136 parking spots.

Area VI: PURPLE- HED Staff parking. 11 parking spots.

Area VII: PINK- ADS-P Staff parking. 10 parking spots.

Area ♿: No color code- Disabled parking. 14 parking spots.

Area (2): No color code- 15 Minute parking. 3 signs posted.

Area (3): No color code- Loading and Unloading only. 4 signs posted, 2 at each location

Area (4): No color code- No Parking. 2 signs posted

Area (5): MAGENTA- Courtesy parking. 5 parking spots w/ signage.

Area (6): GREY- Reserved Leaves and Fishes. 11 parking spots w/ signage.

Area (7): No color code- Loading Zone/ No parking. 2 signs posted.

Area (8): No color code- Pet Area. 1 sign posted.

* SEE EXTERIOR SIGN ELEVATIONS FOR SIGNAGE DETAILS.

NOTE: Distribution change To glen gee FM Signage alteration; Affects Mow, STAFF CARPOOL, and Visitor SLOT Location.

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:	
Meeting Date:	**April 1, 2004**
Agenda Item #:	**R-7**
Est. Start Time:	**9:40 AM**
Date Submitted:	**03/24/04**

Requested Date: April 1, 2004 **Time Requested:** 5 minutes

Department: DBCS **Division:** Facilities and Property Mgmt

Contact/s: Greg Herlean

Phone: 503-988-4216 **Ext.:** 84216 **I/O Address:** 274 / FPM

Presenters: Greg Herlean

Agenda Title: RESOLUTION: Declaring Property within in the facility known as "Multnomah County East Building" or "MCEB" at 600 N.E. 8th, Gresham, Oregon to be Surplus and approving A Real Property Lease between Multnomah County, the Landlord, and the 5 tenants listed below:

1. **Loaves & Fishes Centers, Inc.**
2. **Independent Living Resources, Inc.**
3. **Gresham Seniors United**
4. **YWCA of Portland** ✓
5. **Ride Connection**

NOTE: If Ordinance, Resolution, Order or Proclamation, provide exact title.
For all other submissions, provide clearly written title.

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1. **What action are you requesting from the Board? What is the department/agency recommendation?** The Department of Business and Community Services requests this Resolution be considered under an "expedited process" and allow an exception to the normal Agenda Placement Request timeline. An exception is requested because the process for preparing and negotiating these leases have been extensive and the execution of these leases will facilitate payment to Multnomah County for services that will be rendered. This Agenda Placement Request, the Resolutions, and the prepared Leases are being submitted to the Agenda Review Team via e-mail requesting an

exception to the normal Agenda Placement Request timeline, an expedited review process such that it can be placed on the April 1, 2004 Board agenda.

The Department of Business and Community Services, Facilities and Property Management Division, recommends adoption of the Resolution.

2. **Please provide sufficient background information for the Board and the public to understand this issue.**
a. The leases for the last three tenants mentioned above are for space they presently occupy in the Multnomah County East Building (MCEB) and would supercede the leases previously approved by the Board on January 9, 2003.

b. The leases for the first two mentioned above are for space they presently occupy in MCEB and are similar with the proposed leases for the other tenants at that location.

c. The proposed leased space is not currently needed for any County purposes and is surplus.

d. Aging and Disability Services subsidizes all of these leases to some degree due the services they render for the citizens of Multnomah County.

3. **Explain the fiscal impact (current year and ongoing).** Aging and Disability Services (ADS) previously attempted to collect rent from these tenants. ADS has requested Facilities and Property Management (FPM) to collect this rent in the future. ADS shall continue to pay FPM for the actual operating expenses of this space which exceeds tenants' payments.

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

If a budget modification, explain: NONE REQUIRED
- **What revenue is being changed and why?**
- **What budgets are increased/decreased?**
- **What do the changes accomplish?**
- **Do any personnel actions result from this budget modification? Explain.**

- **Is the revenue one-time-only in nature?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain: NONE REQUIRED
- **Why was the expenditure not included in the annual budget process?**

- **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- **Why are no other department/agency fund sources available?**

- **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**

- **Has this request been made before? When? What was the outcome?**

If grant application/notice of intent, explain: NONE REQUIRED

- **Who is the granting agency?**
- **Specify grant requirements and goals.**
- **Explain grant funding detail – is this a one time only or long term commitment?**
- **What are the estimated filing timelines?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**
- **How will the county indirect and departmental overhead costs be covered?**

4. **Explain any legal and/or policy issues involved.** None.

5. **Explain any citizen and/or other government participation that has or will take place.** None has been required.

Required Signatures:

Department/Agency Director: _____ **Date: 03/23/04**

Budget Analyst

By: _____ **Date: 03/22/04**

Dept/Countywide HR

By: Not Required for this Resolution **Date:**

MCE Tenant Square Footage and Payments

Bldg#	Lease#	Tenant	Exclusive SF	Non-Exclusive SF	Total SF	Rent collected from Tenants	Fully Loaded FY04 Client Rent ($28.54/SF)	Difference: ADS is Responsible for Payment
437	R-28B	Loaves & Fishes Centers	1,330	3,248	4,578	$11,490	$130,656.12	$119,166.12
437	R-28C	Independent Living Resources	407	1,120	1,527	$1,000	$43,580.58	$42,580.58
437	R-28D	Gresham Srs. United	794	3,248	4,042	$20,014	$115,358.68	$95,344.88
437	R-28E	YWCA of Portland	1,197	2,984	4,181	$14,864	$119,325.74	$104,461.74
437	R-28F	Ride Connection	160	0	160	$1,785	$4,566.40	$2,781.40
Total					14,488	**$49,153**	$413,487.52	$364,334.72

March 20, 2003

The square footage above is not loaded.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Declaring Property Within 600 NE 8th Street, Gresham, Oregon, To Be Surplus And Approving A Real Property Lease To YWCA of Portland, Inc.

The Multnomah County Board of Commissioners Finds:

a. The property specified in the attached lease and located within 600 NE 8th Street, Gresham, Oregon (Property) is, at this time, surplus to any County use.

b. The attached lease has been negotiated with YWCA of Portland, Inc.

c. It is in the best interests of the County to lease the Property on the terms and conditions set forth in the attached lease.

The Multnomah County Board of Commissioners Resolves:

1. The Board approves the attached lease. The County Chair is authorized to execute the lease substantially in the form attached to this Resolution.

2. The County Chair is authorized to execute renewals of the lease and to execute amendments to the lease without further Board action.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

_____
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

LEASE

Between: Multnomah County, Oregon ("Landlord")
Facilities and Property Management
401 N. Dixon Street
Portland, Oregon 97227

And: YWCA of Portland, Inc. ("Tenant")
1111 SW 10th Avenue
Portland OR 97205

Landlord leases to Tenant and Tenant leases from Landlord in the facility known as "Multnomah County East Building" or "MCEB", located at 600 N.E. 8th Street, Gresham, Oregon the following described property (the "Premises") on the terms and conditions stated below:

1197 square feet of exclusive use space together with the non-exclusive use (as provided in Section 3.1 herein), of approximately 2984 square feet of space in the Common Area, as shown on the attached Exhibit "A".

Section 1. Occupancy

1.1 Original Term. The term of this lease shall commence April 1, 2004 and continue through March 31, 2005, subject to the parties agreement to renew as provided herein.

1.2 Possession. Tenant's right to possession and obligations under the lease shall commence on April 1, 2004.

1.3 Renewal Option. If the lease is not in default at the time each option is exercised or at the time the renewal term is to commence, Tenant shall have the option to renew this lease for successive terms of one (1) years each, as follows:

(1) Each of the renewal terms shall commence on the day following expiration of the preceding term.

(2) The option may be exercised by written notice to Landlord given not less than six (6) months prior to the last day of the expiring term. The giving of such notice shall be sufficient to make the lease binding for the renewal term,

subject to any rent adjustment being mutually agreed to by the parties as provided Sub-section 1.3(3). If such notice is not provided by Tenant, Landlord may lease Premises to another tenant at the expiration of the remaining term.

(3) The terms and conditions of the lease for each renewal term shall be identical with the original term except for rent. Rent for a renewal term shall be as mutually agreed upon between Landlord and Tenant. If Landlord and Tenant are unable to agree upon rent for the renewal term, the renewal term shall not commence and this Lease shall terminate at the end of the expiring term.

1.4 Termination. Either party may terminate this Lease effective at any time during the term upon not less than six (6) months' written notice to the other party.

Section 2. Rent

2.1 Base Rent., The base rent shall be ($1,238.66) during the initial term of this Lease. Rent shall be payable on the first day of each month in advance at the address for Landlord first above stated or at such place as may be designated by Landlord.

2.2 Additional Rent. Any other sum that Tenant is required to pay to Landlord in addition to that paid pursuant to Sub-section 2.1, shall be considered additional rent.

Section 3. Use of the Premises

3.1 Permitted Use.
(1) The Exclusive Use space shall be used for office and public service use, and for no other purpose without the consent of Landlord, which consent shall not be unreasonably withheld or delayed.
(2) The Non-Exclusive Use space shall be used for public service use, and for no other purpose without the consent of Landlord, which consent shall not be unreasonably withheld or delayed, **Provided** the hours and days of Tenant's use of the Non-Exclusive space shall be subject the provisions of the Tenant Partnership Agreement For the Ambelside Center.

3.2 Restrictions on Use. In connection with the use of the Premises, Tenant shall:

(1) Conform to all applicable laws, ordinances and regulations of any public authority affecting the premises and the use, and correct at Tenant's own expense any failure of compliance created through Tenant's fault or by reason of Tenant's use, but Tenant shall not be required to make any structural changes to effect such compliance.

(2) Refrain from any activity that would make it impossible to insure the Premises against casualty, would increase the insurance rate, or would prevent Landlord from taking advantage of any ruling of the Oregon Insurance Rating Bureau, or its successor, allowing Landlord to obtain reduced premium rates for long-term fire insurance policies, unless Tenant pays the additional cost of the insurance.

(3) Refrain from any use that would be reasonably offensive to other tenants or owners or users of neighboring premises or that would tend to create a nuisance or damage the reputation of the premises.

(4) Refrain from loading the electrical system or floors beyond the point considered safe by a competent engineer or architect selected by Landlord.

(5) Refrain from making any marks on or attaching any sign, insignia, antenna, aerial, or other device to the exterior or interior walls, windows, or roof of the premises without the written consent of Landlord, which shall not be unreasonably withheld.

3.3 Hazardous Substances. Tenant shall not cause or permit any Hazardous Substance to be spilled, leaked, disposed of, or otherwise released on or under the Premises. Tenant may use or otherwise handle on the Premises only those Hazardous Substances typically used or sold in the prudent and safe operation of the Permitted Use specified in Section 3.1. Tenant may store such Hazardous Substances on the Premises only in quantities necessary to satisfy Tenant's reasonably anticipated needs. Tenant shall comply with all Environmental Laws and exercise the highest degree of care in the use, handling, and storage of Hazardous Substances and shall take all practicable measures to minimize the quantity and toxicity of Hazardous Substances used, handled, or stored on the Premises. Upon the expiration or termination of this Lease, Tenant shall remove all Hazardous Substances from the Premises. The term Environmental Law shall mean any federal, state, or local statute, regulation, or ordinance or any judicial or other governmental order pertaining to the protection of health, safety or the environment. The term Hazardous Substance shall mean any hazardous, toxic, infectious or radioactive substance, waste, and material as defined or listed by any Environmental Law and shall include, without limitation, petroleum oil and its fractions.

3.4 Parking. Parking for all tenants of, and visitors to, the building in which the Premises are located shall be in accordance with the Multnomah County East Building: Parking Distribution Plan (the "Parking Plan"). The Parking Plan may be changed by Landlord in its discretion at any time and Tenant shall not have any right to use of the parking at the building except in accordance with the Parking Plan then in effect. The November 2001 Parking Plan, attached to this Lease as Exhibit "B", is in effect at the commencement date and shall remain in effect unless and until changed by Landlord. Landlord shall notify Tenant of any future changes to the Parking Plan.

Section 4. Repairs and Maintenance

4.1 Maintenance and Repair of Premises. Responsibilities for repair and maintenance of the Premises shall be as follows:

(1) Landlord shall perform all necessary maintenance and repairs to the structure, foundation, exterior walls, roof, doors and windows, elevators, emergency lighting, and Lessor-provided fire extinguishers, sidewalks and parking area, which are located on the Premises or the structure in which the Premises are located. Landlord shall maintain the Premises in a hazard free condition and shall repair or replace, if necessary and at Landlord's sole expense, the heating, venting, air conditioning, plumbing, electrical, and lighting systems in the Premises, obtaining required permits and inspections from Codes enforcement authorities. Landlord shall keep the Premises, improvements, grounds, and landscaping in good repair and appearance. Carpets shall be repaired and replaced as necessary by Landlord. Landlord shall furnish, install and replace all exterior and interior lighting bulbs, ballasts and fluorescent tubes.

(2) Tenant shall perform all necessary maintenance and repairs to trade fixtures (regardless if attached to Premises) and at the expiration of the term surrender the Premises in as good condition as at the commencement of this Lease, excepting only reasonable wear, permitted alterations, and damage by fire or other casualty.

4.2 Tenant's Obligations. The following shall be the responsibility of Tenant:

(1) Any repairs necessitated by the negligence of Tenant, its agents, employees, and invitees, except as provided in Section 6.3 dealing with waiver of subrogation, but including repairs that would otherwise be the responsibility of Landlord under Section 4.1.

(2) Any repairs or alterations required under Tenant's obligation to comply with laws and regulations as set forth in Section 3.2(1).

(3) All other repairs to the Premises which Landlord is not required to make under Section 4.1.

4.3 Landlord's Interference with Tenant. In performing any repairs, replacements, alterations, or other work performed on or around the Premises, Landlord shall not cause unreasonable interference with use of the Premises by Tenant. Tenant shall have neither right to an abatement of rent nor any claim against Landlord for any inconvenience or disturbance resulting from Landlord's activities performed in conformance with the requirement of this provision.

4.4 Inspection of Premises. Landlord shall have the right to inspect the Premises at any reasonable time or times to determine the necessity of repair. Whether or not such inspection is made, the duty of Landlord to make repairs shall not mature until a reasonable time after Landlord has received from Tenant written notice of the repairs that are required.

Section 5. Alterations

5.1 Alterations Restricted. Tenant shall make no improvements or alterations on the Premises of any kind. Tenant may request that alterations to the Premises be made and such alterations shall be made, subject to Landlord's reasonable approval and at Tenant's sole expense. All alterations shall be made in a good and workmanlike manner, and in compliance with applicable laws and building codes. Alterations requested by Tenant will be performed by Landlord at the expense of Tenant.

5.2 Ownership and Removal of Alterations. All improvements and alterations performed on the Premises shall be the property of Landlord when installed unless the applicable Landlord's consent or work sheet specifically provides otherwise. Such improvements and alterations shall, at Landlord's option, be removed by Tenant and the premises restored, unless the applicable Landlord's consent or work sheet specifically provides otherwise.

Section 6. Insurance

6.1 Insurance Required Landlord. . Landlord is self-insured for its property and liability exposures, as subject to the Oregon Tort Claims Act, ORS 30.260 through 30.300.

6.2 Insurance Required Tenant. Tenant shall provide at its expense on or before the Commencement Date and keep in force

during the Term, naming Landlord insured, a commercial general liability insurance policy or such successor comparable form of coverage(hereinafter referred to as a "Liability Policy") written on a "per occurrence basis," including, without limitation, blanket contractual liability coverage, broad form property damage, independent contractor's coverage, and personal injury coverage, protecting Landlord and Tenant against liability occasioned by any covered occurrence on or about the Premises. Such policy shall be written by a good and solvent insurance company licensed to do business in the State of Oregon and shall provide coverage limits of not less than One Million Dollars ($1,000,000) combined single limit per occurrence for bodily or personal injury (including death) and property damage combined, subject to a commercially reasonable deductible. Prior to the time such insurance is first required to be carried by Tenant and thereafter, Tenant agrees to deliver to Landlord a certificate evidencing such insurance coverage. Said certificate shall contain an endorsement that such insurance may not be canceled except upon ten (10) days' prior written notice to Landlord.

6.3 Waiver of Subrogation. Neither party shall be liable to the other (or to the other's successors or assigns) for any loss or damage caused by fire or any of the risks enumerated in a standard fire insurance policy with an extended coverage endorsement, and in the event of insured loss, neither party's insurance company shall have a subrogated claim against the other. This waiver of subrogation shall be valid only if the insurance policies of both parties in question expressly permit waiver of subrogation or if the insurance companies agree in writing that such waivers will not affect coverage under the policies.

Section 7. Taxes

7.1 Property Taxes. Tenant shall pay as due all taxes on its personal property located on the Premises. Tenant shall, upon invoice from landlord, reimburse Landlord for all real property taxes levied against the Premises. As used herein, real property taxes include any fee or charge relating to the ownership, use or rental of the Premises, other than taxes on net income of Landlord. If Tenant intends to seek exemption from real property taxes Tenant shall apply for exemption

through Multnomah County Assessment and Taxation pursuant to ORS 307.112.

7.2 Special Assessments. If an assessment for a public improvement is made against the Premises, Landlord may elect to cause such assessment to be paid in the maximum number of installments allowed by law, in which case all of the installments payable with respect to the lease term shall be treated the same as general real property taxes for purposes of Section 7.1.

7.3 Contest of Taxes. Tenant shall be permitted to contest the amount of any tax or assessment as long as such contest is conducted in a manner that does not cause any risk that Landlord's interest in the Premises will be foreclosed for nonpayment. Landlord shall cooperate in any reasonable manner with such contest by Tenant.

7.4 Proration of Taxes. Tenant's share of real property taxes and assessments for the years in which this lease commences or terminates shall be prorated based on the portion of the tax year that this lease is in effect.

Section 8. Services and Utilities.

8.1 Landlord and Tenant Responsibilities. Landlord will cause the utilities and services listed below to be furnished to the Premises. Costs shall be paid as indicated:

	Cost Paid By:	
Utility or Service	Landlord	Tenant
Water	X	___
Sewer	X	___
Electricity	X	___
Gas	X	___
Trash Removal	X	___
Janitorial Service	X	___
Janitorial Supplies	X	___
Snow and Ice Removal	X	___

8.2 Recycling Materials. Landlord shall support the policy for recycling materials as provided in ORS 279.560 by providing adequate collection areas and storage facilities for

office recycling programs when recycling services are available to Tenant.

Section 9. Damage and Destruction

9.1 Partial Damage. If the Premises are partly damaged and Section 9.2 does not apply, the Premises shall be repaired by Landlord at Landlord's expense. Repairs shall be accomplished with all reasonable dispatch subject to interruptions and delays from labor disputes and matters beyond the control of Landlord and shall be performed in accordance with the provisions of Section 4.3.

9.2 Destruction. If the Premises or the structure are destroyed or damaged such that the cost of repair exceeds fifty five percent (55%) of the value of the structure before the damage, either party may elect to terminate the lease as of the date of the damage or destruction by notice given to the other in writing not more than forty five (45) days following the date of damage. In such event all rights and obligations of the parties shall cease as of the date of termination, and Tenant shall be entitled to the reimbursement of any prepaid amounts paid by Tenant and attributable to the anticipated term. If neither party elects to terminate, Landlord shall proceed to restore the Premises to substantially the same form as prior to the damage or destruction. Work shall be commenced as soon as reasonably possible and thereafter shall proceed without interruption except for work stoppages on account of labor disputes and matters beyond Landlord's reasonable control.

9.3 Rent Abatement. Rent shall be abated during the repair of any damage to the extent the premises are untenantable, except that there shall be no rent abatement where the damage occurred as the result of the fault of Tenant.

9.4 Damage Late in Term. If damage or destruction to which Section 9.2 would apply occurs within six months before the end of the then-current lease term, Tenant may elect to terminate the lease by written notice to Landlord given within thirty (30) days after the date of the damage. Such termination shall have the same effect as termination by Landlord under Section 9.2.

Section 10. Liability and Indemnity

10.1 Liens

(1) Except with respect to activities for which Landlord is responsible, Tenant shall pay as due all claims for work done on and for services rendered or material furnished to the Premises, and shall keep the Premises free from any liens. If Tenant fails to pay any such claims or to discharge any lien, Landlord may do so and collect the cost as additional rent. Any amount so added shall bear interest at the rate of nine percent (9%) per annum from the date expended by Landlord and shall be payable on demand. Such action by Landlord shall not constitute a waiver of any right or remedy which Landlord may have on account of Tenant's default.

(2) Tenant may withhold payment of any claim in connection with a good-faith dispute over the obligation to pay, as long as Landlord's property interests are not jeopardized. If a lien is filed as a result of nonpayment, Tenant shall, within ten (10) days after knowledge of the filing, secure the discharge of the lien or deposit with Landlord cash or sufficient corporate surety bond or other surety satisfactory to Landlord in an amount sufficient to discharge the lien plus any costs, attorney fees, and other charges that could accrue as a result of a foreclosure or sale under the lien.

10.2 Indemnification. Tenant shall indemnify and defend Landlord from any claim, loss, or liability arising out of or related to any negligent activity of Tenant on the Premises or any condition of the Premises in the possession or under the control of Tenant. Landlord shall have no liability to Tenant for any injury, loss, or damage caused by third parties, or by any condition of the Premises except to the extent caused by Landlord's negligence or breach of duty under this lease.

Section 11. Quiet Enjoyment; Mortgage Priority

11.1 Landlord's Warranties.

(1) Landlord warrants that it is the owner of the Premises and has the right to lease them. Landlord will defend Tenant's right to quiet enjoyment of the Premises from the lawful claims of all persons during the lease term.

(2) Landlord warrants that the Premises, including any

common areas within the real property in which the Premises are situated, comply with all applicable regulatory and building codes requirements in force on February 1, 2002 for occupancy by Tenant for the permitted uses under this Lease, and meet the requirements of the Americans With Disabilities Act (ADA) in effect on February 1, 2002 for accessibility in accordance with the standards provided in the ADA Accessibility Guidelines for Buildings and Facilities, including accessible parking for the disabled in compliance with ORS 447.233.

(3) Landlord warrants that there are no asbestos containing materials (ACM) within the Premises, including common areas within the real property in which the Premises are situated.

Section 12. Assignment and Subletting. No part of the Premises may be assigned, mortgaged, or subleased, nor may a right of use of any portion of the property be conferred on any third person by any other means, without the prior written consent of Landlord which consent shall not be unreasonably withheld or delayed. This provision shall apply to all transfers by operation of law. No consent in one instance shall prevent the provision from applying to a subsequent instance. In determining whether to consent to assignment Landlord may consider the following factors: financial ability of assignee; use of Premises to be similar to the Use permitted under Section 3.1 of this Lease.

Section 13. Default

The following shall be events of default:

13.1 Default in Rent. Failure of Tenant to pay any rent or other charge within 15 days after written notice that it is due.

13.2 Default in Other Covenants. Failure of Tenant to comply with any term or condition or fulfill any obligation of the lease (other than the payment of rent or other charges) within twenty (20) days after written notice by Landlord specifying the nature of the default with reasonable particularity. If the default is of such a nature that it cannot be completely remedied within the 20-day period, this provision shall be complied with if Tenant begins correction of the default within the twenty (20) day period and thereafter

proceeds with reasonable diligence and in good faith to effect the remedy as soon as practicable.

13.3 Insolvency. Insolvency of Tenant; an assignment by Tenant for the benefit of creditors; the filing by Tenant of a voluntary petition in bankruptcy; an adjudication that Tenant is bankrupt or the appointment of a receiver of the properties of Tenant; the filing of any involuntary petition of bankruptcy and failure of Tenant to secure a dismissal of the petition within thirty (30) days after filing; attachment of or the levying of execution on the leasehold interest and failure of Tenant to secure discharge of the attachment or release of the levy of execution within ten (10) days shall constitute a default. If the lease has been assigned, the events of default so specified shall apply only with respect to the one then exercising the rights of Tenant under the lease.

Section 14. Remedies on Default. In the event of default by tenant, the Lease may be terminated at the option of Landlord by written notice to Tenant. Whether or not the Lease is terminated by the election of Landlord, Landlord shall be entitled to pursue any remedies available to Landlord under applicable law.

Section 15. Surrender at Expiration

15.1 Condition of Premises. Upon expiration of the lease term or earlier termination, Tenant shall deliver all keys to Landlord and surrender the Premises in first-class condition and broom clean. Alterations constructed with permission from Landlord shall not be removed or restored to the original condition unless the terms of permission for the alteration so require. Depreciation and wear from ordinary use for the purpose for which the Premises are leased shall be excepted but repairs for which Tenant is responsible shall be completed to the latest practical date prior to such surrender. Tenant's obligations under this section shall be subordinate to the provisions of Section 9 relating to destruction.

15.2 Fixtures

(1) All fixtures placed upon the Premises during the term, other than Tenant's trade fixtures, shall, at Landlord's option, become the property of Landlord. If Landlord so elects, Tenant

shall remove any or all fixtures that would otherwise remain the property of Landlord, and shall repair any physical damage resulting from the removal. If Tenant fails to remove such fixtures, Landlord may do so and charge the cost to Tenant with interest at the legal rate from the date of expenditure.

(2) Prior to expiration or other termination of the lease term Tenant shall remove all furnishings, furniture, and trade fixtures that remain its property. If Tenant fails to do so, this shall be an abandonment of the property, and Landlord may retain the property and all rights of Tenant with respect to it shall cease or, by notice in writing given to Tenant within twenty (20) days after removal was required, Landlord may elect to hold Tenant to its obligation of removal. If Landlord elects to require Tenant to remove, Landlord may effect a removal and place the property in public storage for Tenant's account. Tenant shall be liable to Landlord for the cost of removal, transportation to storage, and storage, with interest at the legal rate on all such expenses from the date of expenditure by Landlord.

15.3 Holdover

(1) If Tenant does not vacate the Premises at the time required, Landlord shall have the option to treat Tenant as a tenant from month to month, subject to all of the provisions of this lease except the provisions for term and renewal and at a rental rate equal to the rent last paid by Tenant during the original term. Failure of Tenant to remove fixtures, furniture, furnishings, or trade fixtures that Tenant is required to remove under this lease shall constitute a failure to vacate to which this section shall apply if the property not removed will substantially interfere with occupancy of the Premises by another tenant or with occupancy by Landlord for any purpose including preparation for a new tenant.

(2) If a month-to-month tenancy results from a holdover by Tenant under this Section 15.3, the tenancy shall be terminable at the end of any monthly rental period on written notice from Landlord given not less than thirty (30) days prior to the termination date which shall be specified in the notice. Tenant waives any notice that would otherwise be provided by law with respect to a month-to-month tenancy.

Section 16. Miscellaneous

16.1 Nonwaiver. Waiver by either party of strict performance of any provision of this lease shall not be a waiver of or prejudice the party's right to require strict performance of the same provision in the future or of any other provision.

16.2 Notices. Any notice required or permitted under this lease shall be given when actually delivered or forty eight (48) hours after deposited in United States mail as certified mail addressed to the address first given in this lease or to such other address as may be specified from time to time by either of the parties in writing.

16.3 Succession. Subject to the above-stated limitations on transfer of Tenant's interest, this lease shall be binding on and inure to the benefit of the parties and their respective successors and assigns.

16.4 Entry for Inspection. Landlord shall have the right to enter upon the Premises with twenty four (24) hours prior notice to determine Tenant's compliance with this lease, to make necessary repairs to the building or to the Premises, or to show the Premises to any prospective tenant or purchaser, except in cases of emergency when Landlord shall have the right to enter upon the Premises without notice. In addition, Landlord shall have the right, at any time during the last two months of the term of this lease, to place and maintain upon the Premises notices for leasing or selling of the Premises.

16.5 Interest on Rent and Other Charges. Any rent or other payment required of Tenant by this lease shall, if not paid within ten (10) days after it is due, bear interest at the rate of nine percent (9%) per annum (but not in any event at a rate greater than the maximum rate of interest permitted by law) from the due date until paid. In addition, if Tenant fails to make any rent or other payment required by this lease to be paid to Landlord within five days after it is due, Landlord may elect to impose a late charge of five cents ($0.05) per dollar of the overdue payment to reimburse Landlord for the costs of collecting the overdue payment. Tenant shall pay the late charge upon demand by Landlord. Landlord may levy and collect a late charge in addition to all other remedies available for Tenant's

default, and collection of a late charge shall not waive the breach caused by the late payment.

16.6 Proration of Rent. In the event of commencement or termination of this lease at a time other than the beginning or end of one of the specified rental periods, then the rent shall be prorated as of the date of commencement or termination and in the event of termination for reasons other than default, all prepaid rent shall be refunded to Tenant or paid on its account.

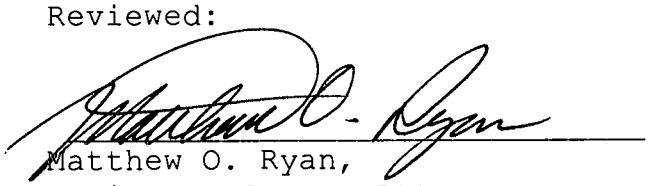
16.7 Oregon Tort Claims Act. Any covenant herein by Landlord to defend, indemnify or hold harmless the Tenant, or to assume liability for damages of any kind whatsoever, shall be subject to the provisions of the Oregon Tort Claims Act, ORS 30.260-30.300, and within the limits in ORS 30.270.

16.8 Time of Essence. Time is of the essence of the performance of each of Tenant's obligations under this lease.

16.9 Operation of YWCA Offices at MCEB.
Tenant shall operate and maintain program offices compatible with services to Multnomah County Human Services' clients at MCEB, as satisfactory to and determined by the County.

Landlord:	Tenant:
Multnomah County, Oregon	YWCA of Portland, Inc.
By: Diane M. Linn, County Chair	By:

Reviewed:



Matthew O. Ryan,
Assistant County Attorney

Occupant Information

① Ambleside Activity Center Common Area
11201

② Exclusive Use Space
1197

④ Space Within Shared Office Area
744

Multnomah County East - 437

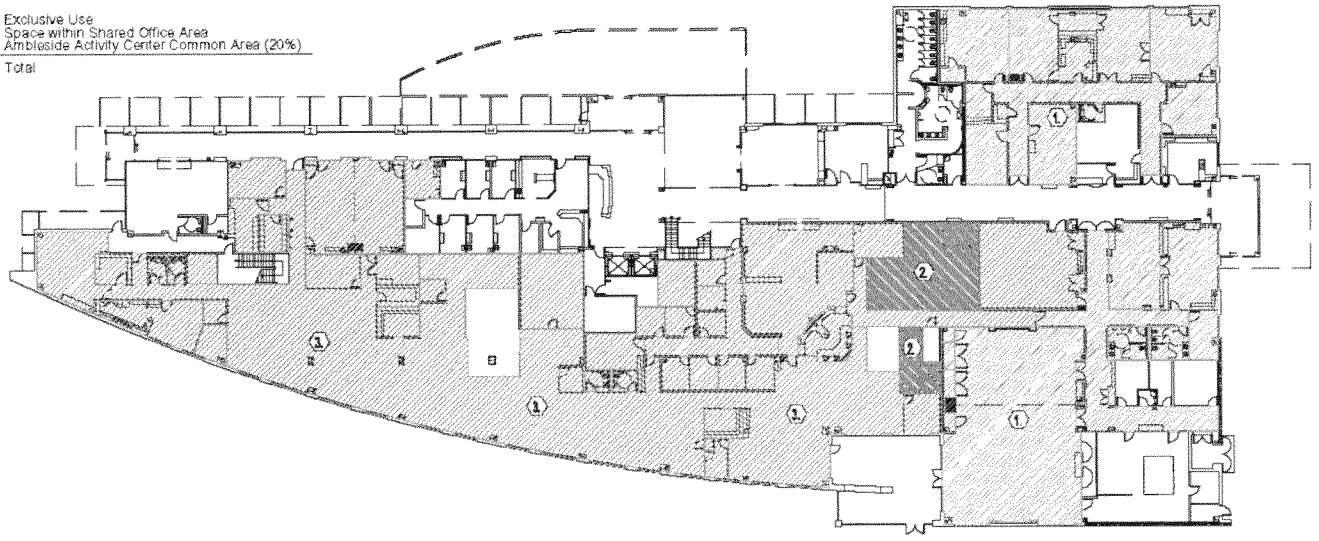
600 NE 8th Street
Gresham, Oregon 97030

R-28E - YWCA of Portland

1197 Exclusive Use
744 Space within Shared Office Area
2240 Ambleside Activity Center Common Area (20%)

4181 Total

EXHIBIT A



First Floor

Measured by: Brett Taute
Date: 23 February 2004

EXHIBIT B

Multnomah County East Building: Parking Distribution Plan
November 2001

1. Guiding Principles:
   - Customer parking is priority;
   - No staff parking in customer areas;
   - Previous distribution and location of parking for Disabled, L&F MOW drivers and Special Assistance are already agreed to;
   - County Parking Policy is in transition but affects parking distribution;
   - The Tri Met Parking Garage Space Allocation is governed by County -Tri Met Parking Agreement. Health and ADS are required to manage parking use in the allotted spaces per the Agreement terms. Tri Met spaces will be only allocated to staff (includes partners) in order to assure compliance with the terms of the Agreement.
   - Parking will be managed on an ongoing basis, by ADS and Health Depts' Building Management Team (BMT) and the Building Tenant Council.
   - Parking is not assigned other than described as special needs or MOW:
   - Staff spaces will be marked in the Building Parking Lot as follows:
     - Reserved ADS-P (ADS and partners)
     - Reserved HED; (Health Department and partners)
     - Staff Carpool; (All tenants)
     - Staff Short-term, 20 minutes (All tenants)

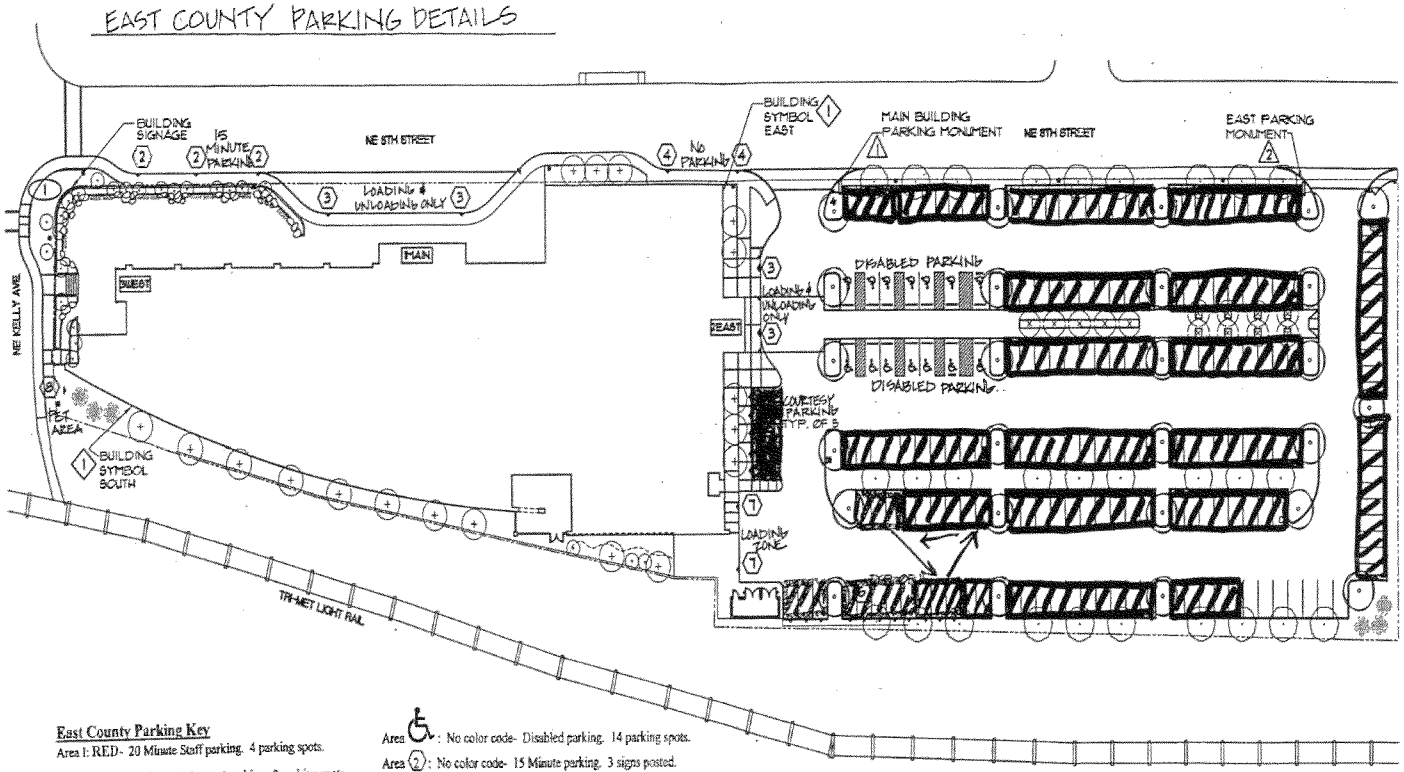
2. Distribution of MCE Lot 201 Spaces
   - Of the 201 spaces in MCE Lot (see diagram)
     - 137 for VISITORS (customers)
     - 5 for Special Needs (courtesy parking)
     - 14 for Disabled (staff and customers)
     - 11 L&F Meals on Wheels Drivers (9:00 - 2:00)
     - 4 Short-term Staff - 20 minute limit
     - 3 Staff Carpool
     - 21 allocated to ADS-P and HED Staff based on ratio of space:
       - 11 to Health
       - 10 to ADS and Partners
     - 7 spaces allocated for County Cars;

3. Distribution of Tri Met Parking Garage 70 Spaces
   - Of the 70 Spaces in Tri Met Garage
     - 2 assigned to Staff Carpool;
     - 34 assigned to HEALTH staff (HED)
     - 34 assigned to ADS and partners staff (ADS-P)

4. Special Notes:

- Recommend this distribution for first year with reassessment of parking needs and parking issues once programs are more fully functioning.
- Tri Met Agreement requires Auto-reduction plan 6 months after opening

EAST COUNTY PARKING DETAILS



East County Parking Key

Area I: RED- 20 Minute Staff parking. 4 parking spots.

Area II: ORANGE- Staff Carpool parking. 3 parking spots.

Area III: - County Car parking. 7 parking spots.

Area IV: GREEN- Mini Bus parking. 2 parking spots.

Area V: BLUE- Visitor parking. 136 parking spots.

Area VI: PURPLE- RED Staff parking. 11 parking spots.

Area VII: PINK- ADS-P Staff parking. 10 parking spots.

Area ♿: No color code- Disabled parking. 14 parking spots.

Area (2): No color code- 15 Minute parking. 3 signs posted.

Area (3): No color code- Loading and Unloading only. 4 signs posted, 2 at each location

Area (4): No color code- No Parking. 2 signs posted

Area (5): MAGENTA- Courtesy parking. 5 parking spots w/ signage.

Area (6): GREY- Reserved Loaves and Fishes. 11 parking spots w/ signage.

Area (7): No color code- Loading Zone/ No parking. 2 signs posted.

Area (8): No color code- Pet Area. 1 sign posted.

* SEE EXTERIOR SIGN ELEVATIONS FOR SIGNAGE DETAILS.

NOTE: ↔ Distribution Change To Plan per FM Signage alteration; Affects Mow, STAFF CARPOOL, and Visitor SLOT Location.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-037

Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to YWCA of Portland, Inc.

The Multnomah County Board of Commissioners Finds:

a. The property specified in the attached lease and located within the Multnomah County East Building at 600 NE 8th Street, Gresham, Oregon (Property) is, at this time, surplus to any County use.

b. The attached lease has been negotiated with YWCA of Portland, Inc.

c. It is in the best interests of the County to lease the Property on the terms and conditions set forth in the attached lease.

The Multnomah County Board of Commissioners Resolves:

1. The Board approves the attached lease. The County Chair is authorized to execute the lease substantially in the form attached to this Resolution.

2. The County Chair is authorized to execute renewals of the lease and to execute amendments to the lease without further Board action.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By
Matthew O. Ryan, Assistant County Attorney

LEASE

Between: Multnomah County, Oregon ("Landlord")
Facilities and Property Management
401 N. Dixon Street
Portland, Oregon 97227

And: YWCA of Portland, Inc. ("Tenant")
1111 SW 10th Avenue
Portland OR 97205

Landlord leases to Tenant and Tenant leases from Landlord in the facility known as "Multnomah County East Building" or "MCEB", located at 600 N.E. 8th Street, Gresham, Oregon the following described property (the "Premises") on the terms and conditions stated below:

1197 square feet of exclusive use space together with the non-exclusive use (as provided in Section 3.1 herein), of approximately 2984 square feet of space in the Common Area, as shown on the attached Exhibit "A".

Section 1. Occupancy

1.1 Original Term. The term of this lease shall commence April 1, 2004 and continue through March 31, 2005, subject to the parties agreement to renew as provided herein.

1.2 Possession. Tenant's right to possession and obligations under the lease shall commence on April 1, 2004.

1.3 Renewal Option. If the lease is not in default at the time each option is exercised or at the time the renewal term is to commence, Tenant shall have the option to renew this lease for successive terms of one (1) years each, as follows:

(1) Each of the renewal terms shall commence on the day following expiration of the preceding term.

(2) The option may be exercised by written notice to Landlord given not less than six (6) months prior to the last day of the expiring term. The giving of such notice shall be sufficient to make the lease binding for the renewal term,

subject to any rent adjustment being mutually agreed to by the parties as provided Sub-section 1.3(3). If such notice is not provided by Tenant, Landlord may lease Premises to another tenant at the expiration of the remaining term.

(3) The terms and conditions of the lease for each renewal term shall be identical with the original term except for rent. Rent for a renewal term shall be as mutually agreed upon between Landlord and Tenant. If Landlord and Tenant are unable to agree upon rent for the renewal term, the renewal term shall not commence and this Lease shall terminate at the end of the expiring term.

1.4 Termination. Either party may terminate this Lease effective at any time during the term upon not less than six (6) months' written notice to the other party.

Section 2. Rent

2.1 Base Rent., The base rent shall be ($1,238.66) during the initial term of this Lease. Rent shall be payable on the first day of each month in advance at the address for Landlord first above stated or at such place as may be designated by Landlord.

2.2 Additional Rent. Any other sum that Tenant is required to pay to Landlord in addition to that paid pursuant to Sub-section 2.1, shall be considered additional rent.

Section 3. Use of the Premises

3.1 Permitted Use.
(1) The Exclusive Use space shall be used for office and public service use, and for no other purpose without the consent of Landlord, which consent shall not be unreasonably withheld or delayed.
(2) The Non-Exclusive Use space shall be used for public service use, and for no other purpose without the consent of Landlord, which consent shall not be unreasonably withheld or delayed, **Provided** the hours and days of Tenant's use of the Non-Exclusive space shall be subject the provisions of the Tenant Partnership Agreement For the Ambelside Center.

3.2 Restrictions on Use. In connection with the use of the Premises, Tenant shall:

(1) Conform to all applicable laws, ordinances and regulations of any public authority affecting the premises and the use, and correct at Tenant's own expense any failure of compliance created through Tenant's fault or by reason of Tenant's use, but Tenant shall not be required to make any structural changes to effect such compliance.

(2) Refrain from any activity that would make it impossible to insure the Premises against casualty, would increase the insurance rate, or would prevent Landlord from taking advantage of any ruling of the Oregon Insurance Rating Bureau, or its successor, allowing Landlord to obtain reduced premium rates for long-term fire insurance policies, unless Tenant pays the additional cost of the insurance.

(3) Refrain from any use that would be reasonably offensive to other tenants or owners or users of neighboring premises or that would tend to create a nuisance or damage the reputation of the premises.

(4) Refrain from loading the electrical system or floors beyond the point considered safe by a competent engineer or architect selected by Landlord.

(5) Refrain from making any marks on or attaching any sign, insignia, antenna, aerial, or other device to the exterior or interior walls, windows, or roof of the premises without the written consent of Landlord, which shall not be unreasonably withheld.

3.3 Hazardous Substances. Tenant shall not cause or permit any Hazardous Substance to be spilled, leaked, disposed of, or otherwise released on or under the Premises. Tenant may use or otherwise handle on the Premises only those Hazardous Substances typically used or sold in the prudent and safe operation of the Permitted Use specified in Section 3.1. Tenant may store such Hazardous Substances on the Premises only in quantities necessary to satisfy Tenant's reasonably anticipated needs. Tenant shall comply with all Environmental Laws and exercise the highest degree of care in the use, handling, and storage of Hazardous Substances and shall take all practicable measures to minimize the quantity and toxicity of Hazardous Substances used, handled, or stored on the Premises. Upon the expiration or termination of this Lease, Tenant shall remove all Hazardous Substances from the Premises. The term Environmental Law shall mean any federal, state, or local statute, regulation, or ordinance or any judicial or other governmental order pertaining to the protection of health, safety or the environment. The term Hazardous Substance shall mean any hazardous, toxic, infectious or radioactive substance, waste, and material as defined or listed by any Environmental Law and shall include, without limitation, petroleum oil and its fractions.

3.4 Parking. Parking for all tenants of, and visitors to, the building in which the Premises are located shall be in accordance with the Multnomah County East Building: Parking Distribution Plan (the "Parking Plan"). The Parking Plan may be changed by Landlord in its discretion at any time and Tenant shall not have any right to use of the parking at the building except in accordance with the Parking Plan then in effect. The November 2001 Parking Plan, attached to this Lease as Exhibit "B", is in effect at the commencement date and shall remain in effect unless and until changed by Landlord. Landlord shall notify Tenant of any future changes to the Parking Plan.

Section 4. Repairs and Maintenance

4.1 Maintenance and Repair of Premises. Responsibilities for repair and maintenance of the Premises shall be as follows:

(1) Landlord shall perform all necessary maintenance and repairs to the structure, foundation, exterior walls, roof, doors and windows, elevators, emergency lighting, and Lessor-provided fire extinguishers, sidewalks and parking area, which are located on the Premises or the structure in which the Premises are located. Landlord shall maintain the Premises in a hazard free condition and shall repair or replace, if necessary and at Landlord's sole expense, the heating, venting, air conditioning, plumbing, electrical, and lighting systems in the Premises, obtaining required permits and inspections from Codes enforcement authorities. Landlord shall keep the Premises, improvements, grounds, and landscaping in good repair and appearance. Carpets shall be repaired and replaced as necessary by Landlord. Landlord shall furnish, install and replace all exterior and interior lighting bulbs, ballasts and fluorescent tubes.

(2) Tenant shall perform all necessary maintenance and repairs to trade fixtures (regardless if attached to Premises) and at the expiration of the term surrender the Premises in as good condition as at the commencement of this Lease, excepting only reasonable wear, permitted alterations, and damage by fire or other casualty.

4.2 Tenant's Obligations. The following shall be the responsibility of Tenant:

(1) Any repairs necessitated by the negligence of Tenant, its agents, employees, and invitees, except as provided in Section 6.3 dealing with waiver of subrogation, but including repairs that would otherwise be the responsibility of Landlord under Section 4.1.

(2) Any repairs or alterations required under Tenant's obligation to comply with laws and regulations as set forth in Section 3.2(1).

(3) All other repairs to the Premises which Landlord is not required to make under Section 4.1.

4.3 Landlord's Interference with Tenant. In performing any repairs, replacements, alterations, or other work performed on or around the Premises, Landlord shall not cause unreasonable interference with use of the Premises by Tenant. Tenant shall have neither right to an abatement of rent nor any claim against Landlord for any inconvenience or disturbance resulting from Landlord's activities performed in conformance with the requirement of this provision.

4.4 Inspection of Premises. Landlord shall have the right to inspect the Premises at any reasonable time or times to determine the necessity of repair. Whether or not such inspection is made, the duty of Landlord to make repairs shall not mature until a reasonable time after Landlord has received from Tenant written notice of the repairs that are required.

Section 5. Alterations

5.1 Alterations Restricted. Tenant shall make no improvements or alterations on the Premises of any kind. Tenant may request that alterations to the Premises be made and such alterations shall be made, subject to Landlord's reasonable approval and at Tenant's sole expense. All alterations shall be made in a good and workmanlike manner, and in compliance with applicable laws and building codes. Alterations requested by Tenant will be performed by Landlord at the expense of Tenant.

5.2 Ownership and Removal of Alterations. All improvements and alterations performed on the Premises shall be the property of Landlord when installed unless the applicable Landlord's consent or work sheet specifically provides otherwise. Such improvements and alterations shall, at Landlord's option, be removed by Tenant and the premises restored, unless the applicable Landlord's consent or work sheet specifically provides otherwise.

Section 6. Insurance

6.1 Insurance Required Landlord. . Landlord is self-insured for its property and liability exposures, as subject to the Oregon Tort Claims Act, ORS 30.260 through 30.300.

6.2 Insurance Required Tenant. Tenant shall provide at its expense on or before the Commencement Date and keep in force

during the Term, naming Landlord insured, a commercial general liability insurance policy or such successor comparable form of coverage(hereinafter referred to as a "Liability Policy") written on a "per occurrence basis," including, without limitation, blanket contractual liability coverage, broad form property damage, independent contractor's coverage, and personal injury coverage, protecting Landlord and Tenant against liability occasioned by any covered occurrence on or about the Premises. Such policy shall be written by a good and solvent insurance company licensed to do business in the State of Oregon and shall provide coverage limits of not less than One Million Dollars ($1,000,000) combined single limit per occurrence for bodily or personal injury (including death) and property damage combined, subject to a commercially reasonable deductible. Prior to the time such insurance is first required to be carried by Tenant and thereafter, Tenant agrees to deliver to Landlord a certificate evidencing such insurance coverage. Said certificate shall contain an endorsement that such insurance may not be canceled except upon ten (10) days' prior written notice to Landlord.

6.3 Waiver of Subrogation. Neither party shall be liable to the other (or to the other's successors or assigns) for any loss or damage caused by fire or any of the risks enumerated in a standard fire insurance policy with an extended coverage endorsement, and in the event of insured loss, neither party's insurance company shall have a subrogated claim against the other. This waiver of subrogation shall be valid only if the insurance policies of both parties in question expressly permit waiver of subrogation or if the insurance companies agree in writing that such waivers will not affect coverage under the policies.

Section 7. Taxes

7.1 Property Taxes. Tenant shall pay as due all taxes on its personal property located on the Premises. Tenant shall, upon invoice from landlord, reimburse Landlord for all real property taxes levied against the Premises. As used herein, real property taxes include any fee or charge relating to the ownership, use or rental of the Premises, other than taxes on net income of Landlord. If Tenant intends to seek exemption from real property taxes Tenant shall apply for exemption

through Multnomah County Assessment and Taxation pursuant to ORS 307.112.

7.2 Special Assessments. If an assessment for a public improvement is made against the Premises, Landlord may elect to cause such assessment to be paid in the maximum number of installments allowed by law, in which case all of the installments payable with respect to the lease term shall be treated the same as general real property taxes for purposes of Section 7.1.

7.3 Contest of Taxes. Tenant shall be permitted to contest the amount of any tax or assessment as long as such contest is conducted in a manner that does not cause any risk that Landlord's interest in the Premises will be foreclosed for nonpayment. Landlord shall cooperate in any reasonable manner with such contest by Tenant.

7.4 Proration of Taxes. Tenant's share of real property taxes and assessments for the years in which this lease commences or terminates shall be prorated based on the portion of the tax year that this lease is in effect.

Section 8. Services and Utilities.

8.1 Landlord and Tenant Responsibilities. Landlord will cause the utilities and services listed below to be furnished to the Premises. Costs shall be paid as indicated:

Utility or Service	Cost Paid By: Landlord	Tenant
Water	X	___
Sewer	X	___
Electricity	X	___
Gas	X	___
Trash Removal	X	___
Janitorial Service	X	___
Janitorial Supplies	X	___
Snow and Ice Removal	X	___

8.2 Recycling Materials. Landlord shall support the policy for recycling materials as provided in ORS 279.560 by providing adequate collection areas and storage facilities for

office recycling programs when recycling services are available to Tenant.

Section 9. Damage and Destruction

9.1 Partial Damage. If the Premises are partly damaged and Section 9.2 does not apply, the Premises shall be repaired by Landlord at Landlord's expense. Repairs shall be accomplished with all reasonable dispatch subject to interruptions and delays from labor disputes and matters beyond the control of Landlord and shall be performed in accordance with the provisions of Section 4.3.

9.2 Destruction. If the Premises or the structure are destroyed or damaged such that the cost of repair exceeds fifty five percent (55%) of the value of the structure before the damage, either party may elect to terminate the lease as of the date of the damage or destruction by notice given to the other in writing not more than forty five (45) days following the date of damage. In such event all rights and obligations of the parties shall cease as of the date of termination, and Tenant shall be entitled to the reimbursement of any prepaid amounts paid by Tenant and attributable to the anticipated term. If neither party elects to terminate, Landlord shall proceed to restore the Premises to substantially the same form as prior to the damage or destruction. Work shall be commenced as soon as reasonably possible and thereafter shall proceed without interruption except for work stoppages on account of labor disputes and matters beyond Landlord's reasonable control.

9.3 Rent Abatement. Rent shall be abated during the repair of any damage to the extent the premises are untenantable, except that there shall be no rent abatement where the damage occurred as the result of the fault of Tenant.

9.4 Damage Late in Term. If damage or destruction to which Section 9.2 would apply occurs within six months before the end of the then-current lease term, Tenant may elect to terminate the lease by written notice to Landlord given within thirty (30) days after the date of the damage. Such termination shall have the same effect as termination by Landlord under Section 9.2.

Section 10. Liability and Indemnity

10.1 Liens

(1) Except with respect to activities for which Landlord is responsible, Tenant shall pay as due all claims for work done on and for services rendered or material furnished to the Premises, and shall keep the Premises free from any liens. If Tenant fails to pay any such claims or to discharge any lien, Landlord may do so and collect the cost as additional rent. Any amount so added shall bear interest at the rate of nine percent (9%) per annum from the date expended by Landlord and shall be payable on demand. Such action by Landlord shall not constitute a waiver of any right or remedy which Landlord may have on account of Tenant's default.

(2) Tenant may withhold payment of any claim in connection with a good-faith dispute over the obligation to pay, as long as Landlord's property interests are not jeopardized. If a lien is filed as a result of nonpayment, Tenant shall, within ten (10) days after knowledge of the filing, secure the discharge of the lien or deposit with Landlord cash or sufficient corporate surety bond or other surety satisfactory to Landlord in an amount sufficient to discharge the lien plus any costs, attorney fees, and other charges that could accrue as a result of a foreclosure or sale under the lien.

10.2 Indemnification. Tenant shall indemnify and defend Landlord from any claim, loss, or liability arising out of or related to any negligent activity of Tenant on the Premises or any condition of the Premises in the possession or under the control of Tenant. Landlord shall have no liability to Tenant for any injury, loss, or damage caused by third parties, or by any condition of the Premises except to the extent caused by Landlord's negligence or breach of duty under this lease.

Section 11. Quiet Enjoyment; Mortgage Priority

11.1 Landlord's Warranties.

(1) Landlord warrants that it is the owner of the Premises and has the right to lease them. Landlord will defend Tenant's right to quiet enjoyment of the Premises from the lawful claims of all persons during the lease term.

(2) Landlord warrants that the Premises, including any

common areas within the real property in which the Premises are situated, comply with all applicable regulatory and building codes requirements in force on February 1, 2002 for occupancy by Tenant for the permitted uses under this Lease, and meet the requirements of the Americans With Disabilities Act (ADA) in effect on February 1, 2002 for accessibility in accordance with the standards provided in the ADA Accessibility Guidelines for Buildings and Facilities, including accessible parking for the disabled in compliance with ORS 447.233.

(3) Landlord warrants that there are no asbestos containing materials (ACM) within the Premises, including common areas within the real property in which the Premises are situated.

Section 12. Assignment and Subletting. No part of the Premises may be assigned, mortgaged, or subleased, nor may a right of use of any portion of the property be conferred on any third person by any other means, without the prior written consent of Landlord which consent shall not be unreasonably withheld or delayed. This provision shall apply to all transfers by operation of law. No consent in one instance shall prevent the provision from applying to a subsequent instance. In determining whether to consent to assignment Landlord may consider the following factors: financial ability of assignee; use of Premises to be similar to the Use permitted under Section 3.1 of this Lease.

Section 13. Default

The following shall be events of default:

13.1 Default in Rent. Failure of Tenant to pay any rent or other charge within 15 days after written notice that it is due.

13.2 Default in Other Covenants. Failure of Tenant to comply with any term or condition or fulfill any obligation of the lease (other than the payment of rent or other charges) within twenty (20) days after written notice by Landlord specifying the nature of the default with reasonable particularity. If the default is of such a nature that it cannot be completely remedied within the 20-day period, this provision shall be complied with if Tenant begins correction of the default within the twenty (20) day period and thereafter

proceeds with reasonable diligence and in good faith to effect the remedy as soon as practicable.

13.3 Insolvency. Insolvency of Tenant; an assignment by Tenant for the benefit of creditors; the filing by Tenant of a voluntary petition in bankruptcy; an adjudication that Tenant is bankrupt or the appointment of a receiver of the properties of Tenant; the filing of any involuntary petition of bankruptcy and failure of Tenant to secure a dismissal of the petition within thirty (30) days after filing; attachment of or the levying of execution on the leasehold interest and failure of Tenant to secure discharge of the attachment or release of the levy of execution within ten (10) days shall constitute a default. If the lease has been assigned, the events of default so specified shall apply only with respect to the one then exercising the rights of Tenant under the lease.

Section 14. Remedies on Default. In the event of default by tenant, the Lease may be terminated at the option of Landlord by written notice to Tenant. Whether or not the Lease is terminated by the election of Landlord, Landlord shall be entitled to pursue any remedies available to Landlord under applicable law.

Section 15. Surrender at Expiration

15.1 Condition of Premises. Upon expiration of the lease term or earlier termination, Tenant shall deliver all keys to Landlord and surrender the Premises in first-class condition and broom clean. Alterations constructed with permission from Landlord shall not be removed or restored to the original condition unless the terms of permission for the alteration so require. Depreciation and wear from ordinary use for the purpose for which the Premises are leased shall be excepted but repairs for which Tenant is responsible shall be completed to the latest practical date prior to such surrender. Tenant's obligations under this section shall be subordinate to the provisions of Section 9 relating to destruction.

15.2 Fixtures

(1) All fixtures placed upon the Premises during the term, other than Tenant's trade fixtures, shall, at Landlord's option, become the property of Landlord. If Landlord so elects, Tenant

shall remove any or all fixtures that would otherwise remain the property of Landlord, and shall repair any physical damage resulting from the removal. If Tenant fails to remove such fixtures, Landlord may do so and charge the cost to Tenant with interest at the legal rate from the date of expenditure.

(2) Prior to expiration or other termination of the lease term Tenant shall remove all furnishings, furniture, and trade fixtures that remain its property. If Tenant fails to do so, this shall be an abandonment of the property, and Landlord may retain the property and all rights of Tenant with respect to it shall cease or, by notice in writing given to Tenant within twenty (20) days after removal was required, Landlord may elect to hold Tenant to its obligation of removal. If Landlord elects to require Tenant to remove, Landlord may effect a removal and place the property in public storage for Tenant's account. Tenant shall be liable to Landlord for the cost of removal, transportation to storage, and storage, with interest at the legal rate on all such expenses from the date of expenditure by Landlord.

15.3 Holdover

(1) If Tenant does not vacate the Premises at the time required, Landlord shall have the option to treat Tenant as a tenant from month to month, subject to all of the provisions of this lease except the provisions for term and renewal and at a rental rate equal to the rent last paid by Tenant during the original term. Failure of Tenant to remove fixtures, furniture, furnishings, or trade fixtures that Tenant is required to remove under this lease shall constitute a failure to vacate to which this section shall apply if the property not removed will substantially interfere with occupancy of the Premises by another tenant or with occupancy by Landlord for any purpose including preparation for a new tenant.

(2) If a month-to-month tenancy results from a holdover by Tenant under this Section 15.3, the tenancy shall be terminable at the end of any monthly rental period on written notice from Landlord given not less than thirty (30) days prior to the termination date which shall be specified in the notice. Tenant waives any notice that would otherwise be provided by law with respect to a month-to-month tenancy.

Section 16. Miscellaneous

16.1 Nonwaiver. Waiver by either party of strict performance of any provision of this lease shall not be a waiver of or prejudice the party's right to require strict performance of the same provision in the future or of any other provision.

16.2 Notices. Any notice required or permitted under this lease shall be given when actually delivered or forty eight (48) hours after deposited in United States mail as certified mail addressed to the address first given in this lease or to such other address as may be specified from time to time by either of the parties in writing.

16.3 Succession. Subject to the above-stated limitations on transfer of Tenant's interest, this lease shall be binding on and inure to the benefit of the parties and their respective successors and assigns.

16.4 Entry for Inspection. Landlord shall have the right to enter upon the Premises with twenty four (24) hours prior notice to determine Tenant's compliance with this lease, to make necessary repairs to the building or to the Premises, or to show the Premises to any prospective tenant or purchaser, except in cases of emergency when Landlord shall have the right to enter upon the Premises without notice. In addition, Landlord shall have the right, at any time during the last two months of the term of this lease, to place and maintain upon the Premises notices for leasing or selling of the Premises.

16.5 Interest on Rent and Other Charges. Any rent or other payment required of Tenant by this lease shall, if not paid within ten (10) days after it is due, bear interest at the rate of nine percent (9%) per annum (but not in any event at a rate greater than the maximum rate of interest permitted by law) from the due date until paid. In addition, if Tenant fails to make any rent or other payment required by this lease to be paid to Landlord within five days after it is due, Landlord may elect to impose a late charge of five cents ($0.05) per dollar of the overdue payment to reimburse Landlord for the costs of collecting the overdue payment. Tenant shall pay the late charge upon demand by Landlord. Landlord may levy and collect a late charge in addition to all other remedies available for Tenant's

default, and collection of a late charge shall not waive the breach caused by the late payment.

16.6 Proration of Rent. In the event of commencement or termination of this lease at a time other than the beginning or end of one of the specified rental periods, then the rent shall be prorated as of the date of commencement or termination and in the event of termination for reasons other than default, all prepaid rent shall be refunded to Tenant or paid on its account.

16.7 Oregon Tort Claims Act. Any covenant herein by Landlord to defend, indemnify or hold harmless the Tenant, or to assume liability for damages of any kind whatsoever, shall be subject to the provisions of the Oregon Tort Claims Act, ORS 30.260-30.300, and within the limits in ORS 30.270.

16.8 Time of Essence. Time is of the essence of the performance of each of Tenant's obligations under this lease.

16.9 Operation of YWCA Offices at MCEB. Tenant shall operate and maintain program offices compatible with services to Multnomah County Human Services' clients at MCEB, as satisfactory to and determined by the County.

Landlord:
Multnomah County, Oregon

By: Diane M. Linn, County Chair

Tenant:
YWCA of Portland, Inc.

By:

Reviewed:

Matthew O. Ryan,
Assistant County Attorney

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-7 DATE 04-01-04
DEBORAH L. BOGSTAD, BOARD CLERK

Occupant Information

① Ambleside Activity Center Common Area
11201

② Exclusive Use Space
1197

③ Space Within Shared Office Area
744

Multnomah County East - 437

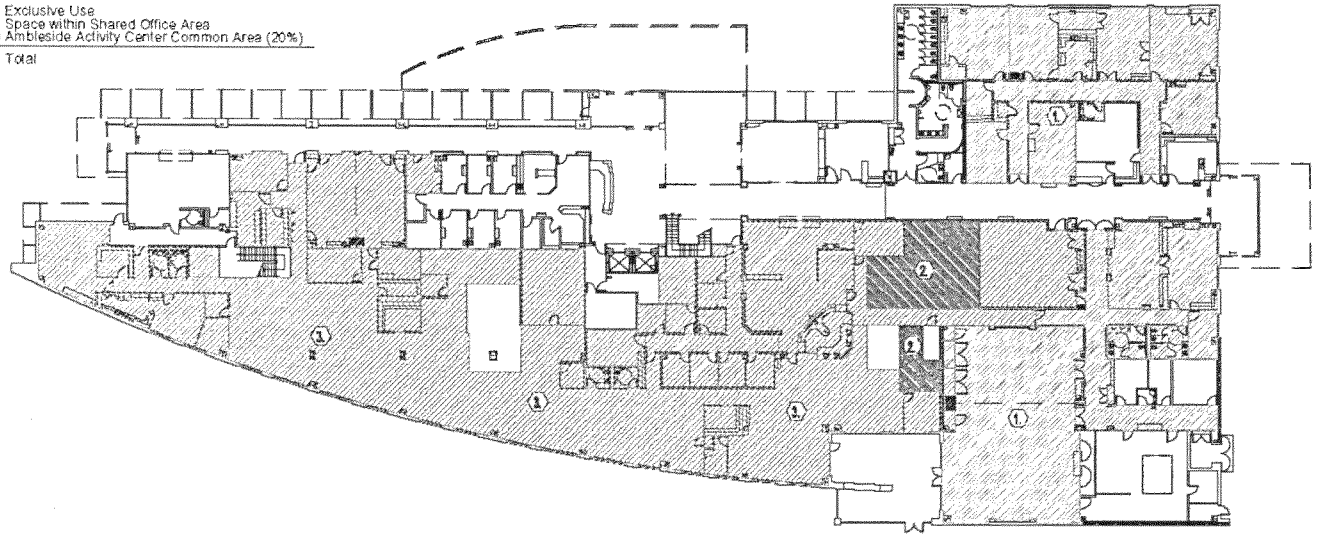
600 NE 8th Street
Gresham, Oregon 97030

R-28E - YWCA of Portland

1197 Exclusive Use
744 Space within Shared Office Area
2240 Ambleside Activity Center Common Area (20%)

4181 Total

EXHIBIT A



First Floor

Measured by: Brett Taute
Date: 23 February 2004

EXHIBIT B

Multnomah County East Building: Parking Distribution Plan
November 2001

1. Guiding Principles:
   - Customer parking is priority;
   - No staff parking in customer areas;
   - Previous distribution and location of parking for Disabled, L&F MOW drivers and Special Assistance are already agreed to;
   - County Parking Policy is in transition but affects parking distribution;
   - The Tri Met Parking Garage Space Allocation is governed by County -Tri Met Parking Agreement. Health and ADS are required to manage parking use in the allotted spaces per the Agreement terms. Tri Met spaces will be only allocated to staff (includes partners) in order to assure compliance with the terms of the Agreement.
   - Parking will be managed on an ongoing basis, by ADS and Health Depts' Building Management Team (BMT) and the Building Tenant Council.
   - Parking is not assigned other than described as special needs or MOW:
   - Staff spaces will be marked in the Building Parking Lot as follows:
     - Reserved ADS-P (ADS and partners)
     - Reserved HED; (Health Department and partners)
     - Staff Carpool; (All tenants)
     - Staff Short-term, 20 minutes (All tenants)

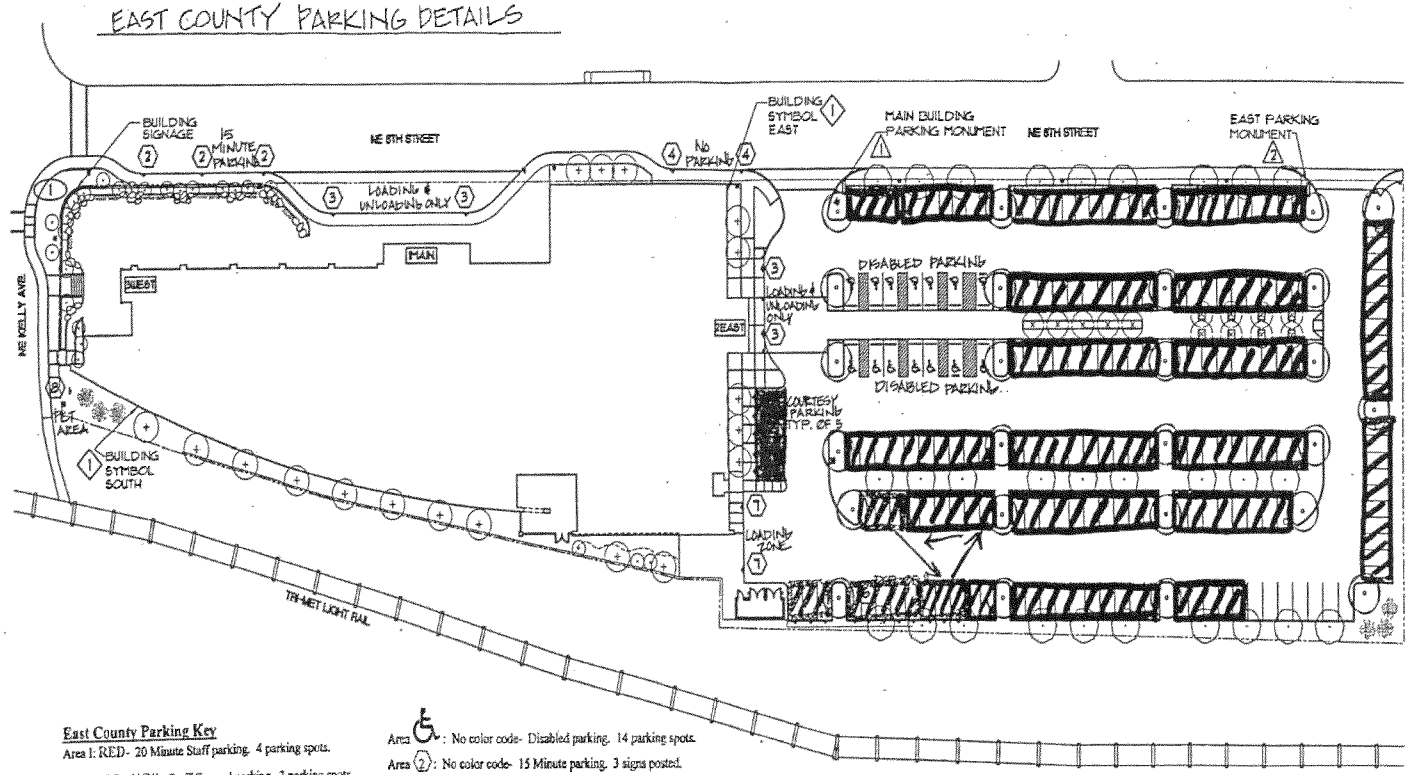
2. Distribution of MCE Lot 201 Spaces
   - Of the 201 spaces in MCE Lot (see diagram)
     - 137 for VISITORS (customers)
     - 5 for Special Needs (courtesy parking)
     - 14 for Disabled (staff and customers)
     - 11 L&F Meals on Wheels Drivers (9:00 - 2:00)
     - 4 Short-term Staff - 20 minute limit
     - 3 Staff Carpool
     - 21 allocated to ADS-P and HED Staff based on ratio of space:
       - 11 to Health
       - 10 to ADS and Partners
     - 7 spaces allocated for County Cars;

3. Distribution of Tri Met Parking Garage 70 Spaces
   - Of the 70 Spaces in Tri Met Garage
     - 2 assigned to Staff Carpool;
     - 34 assigned to HEALTH staff (HED)
     - 34 assigned to ADS and partners staff (ADS-P)

4. Special Notes:

- Recommend this distribution for first year with reassessment of parking needs and parking issues once programs are more fully functioning.
- Tri Met Agreement requires Auto-reduction plan 6 months after opening

EAST COUNTY PARKING DETAILS



East County Parking Key

Area I: RED- 20 Minute Staff parking. 4 parking spots.

Area II: ORANGE- Staff Carpool parking. 3 parking spots.

Area III: - County Car parking. 7 parking spots.

Area IV: GREEN- Mini Bus parking. 2 parking spots.

Area V: BLUE- Visitor parking. 136 parking spots.

Area VI: PURPLE- HED Staff parking. 11 parking spots.

Area VII: PINK- ADS-P Staff parking. 10 parking spots.

Area ♿: No color code- Disabled parking. 14 parking spots.

Area (2): No color code- 15 Minute parking. 3 signs posted.

Area (3): No color code- Loading and Unloading only. 4 signs posted, 2 at each location

Area (4): No color code- No Parking. 2 signs posted

Area (5): MAGENTA- Courtesy parking. 5 parking spots w/ signage.

Area (6): GREY- Reserved Loaves and Fishes. 11 parking spots w/ signage.

Area (7): No color code- Loading Zone/ No parking. 2 signs posted.

Area (8): No color code- Pet Area. 1 sign posted.

* SEE EXTERIOR SIGN ELEVATIONS FOR SIGNAGE DETAILS.

NOTE: Distribution change To glen per FM Signage alteration; Affects Mow, STAFF CARPOOL, and VISITOR SLOT Location.

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:	
Meeting Date:	**April 1, 2004**
Agenda Item #:	**R-8**
Est. Start Time:	**9:40 AM**
Date Submitted:	**03/24/04**

Requested Date: April 1, 2004 **Time Requested:** 5 minutes

Department: DBCS **Division:** Facilities and Property Mgmt

Contact/s: Greg Herlean

Phone: 503-988-4216 **Ext.:** 84216 **I/O Address:** 274 / FPM

Presenters: Greg Herlean

Agenda Title: RESOLUTION: Declaring Property within in the facility known as "Multnomah County East Building" or "MCEB" at 600 N.E. 8th, Gresham, Oregon to be Surplus and approving A Real Property Lease between Multnomah County, the Landlord, and the 5 tenants listed below:

1. **Loaves & Fishes Centers, Inc.**
2. **Independent Living Resources, Inc.**
3. **Gresham Seniors United**
4. **YWCA of Portland**
5. **Ride Connection** ✓

NOTE: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide clearly written title.

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1. **What action are you requesting from the Board? What is the department/agency recommendation?** The Department of Business and Community Services requests this Resolution be considered under an "expedited process" and allow an exception to the normal Agenda Placement Request timeline. An exception is requested because the process for preparing and negotiating these leases have been extensive and the execution of these leases will facilitate payment to Multnomah County for services that will be rendered. This Agenda Placement Request, the Resolutions, and the prepared Leases are being submitted to the Agenda Review Team via e-mail requesting an

exception to the normal Agenda Placement Request timeline, an expedited review process such that it can be placed on the April 1, 2004 Board agenda.

The Department of Business and Community Services, Facilities and Property Management Division, recommends adoption of the Resolution.

2. **Please provide sufficient background information for the Board and the public to understand this issue.**
a. The leases for the last three tenants mentioned above are for space they presently occupy in the Multnomah County East Building (MCEB) and would supercede the leases previously approved by the Board on January 9, 2003.

b. The leases for the first two mentioned above are for space they presently occupy in MCEB and are similar with the proposed leases for the other tenants at that location.

c. The proposed leased space is not currently needed for any County purposes and is surplus.

d. Aging and Disability Services subsidizes all of these leases to some degree due the services they render for the citizens of Multnomah County.

3. **Explain the fiscal impact (current year and ongoing).** Aging and Disability Services (ADS) previously attempted to collect rent from these tenants. ADS has requested Facilities and Property Management (FPM) to collect this rent in the future. ADS shall continue to pay FPM for the actual operating expenses of this space which exceeds tenants' payments.

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

If a budget modification, explain: NONE REQUIRED
- **What revenue is being changed and why?**
- **What budgets are increased/decreased?**
- **What do the changes accomplish?**
- **Do any personnel actions result from this budget modification? Explain.**

- **Is the revenue one-time-only in nature?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain: NONE REQUIRED
- **Why was the expenditure not included in the annual budget process?**

- **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- **Why are no other department/agency fund sources available?**

- **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**

- **Has this request been made before? When? What was the outcome?**

If grant application/notice of intent, explain: NONE REQUIRED

- **Who is the granting agency?**
- **Specify grant requirements and goals.**
- **Explain grant funding detail – is this a one time only or long term commitment?**
- **What are the estimated filing timelines?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**
- **How will the county indirect and departmental overhead costs be covered?**

4. **Explain any legal and/or policy issues involved.** None.

5. **Explain any citizen and/or other government participation that has or will take place.** None has been required.

Required Signatures:

Department/Agency Director: _____ **Date: 03/23/04**

Budget Analyst

By: _____ **Date: 03/22/04**

Dept/Countywide HR

By: Not Required for this Resolution **Date:**

MCE Tenant Square Footage and Payments

Bldg#	Lease#	Tenant	Exclusive SF	Non-Exclusive SF	Total SF	Rent collected from Tenants	Fully Loaded FY04 Client Rent ($28.54/SF)	Difference: ADS is Responsible for Payment
437	R-28B	Loaves & Fishes Centers	1,330	3,248	4,578	$11,490	$130,656.12	$119,166.12
437	R-28C	Independent Living Resources	407	1,120	1,527	$1,000	$43,580.58	$42,580.58
437	R-28D	Gresham Srs. United	794	3,248	4,042	$20,014	$115,358.68	$95,344.88
437	R-28E	YWCA of Portland	1,197	2,984	4,181	$14,864	$119,325.74	$104,461.74
437	R-28F	Ride Connection	160	0	160	$1,785	$4,566.40	$2,781.40
Total					14,488	**$49,153**	$413,487.52	$364,334.72

March 20, 2003

The square footage above is not loaded.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Declaring Property Within 600 NE 8th Street, Gresham, Oregon, To Be Surplus And Approving A Real Property Lease To Ride Connection.

The Multnomah County Board of Commissioners Finds:

a. The property specified in the attached lease and located within 600 NE 8th Street, Gresham, Oregon (Property) is, at this time, surplus to any County use.

b. The attached lease has been negotiated with Ride Connection.

c. It is in the best interests of the County to lease the Property on the terms and conditions set forth in the attached lease.

The Multnomah County Board of Commissioners Resolves:

1. The Board approves the attached lease. The County Chair is authorized to execute the lease substantially in the form attached to this Resolution.

2. The County Chair is authorized to execute renewals of the lease and to execute amendments to the lease without further Board action.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

_____
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

LEASE

Between: Multnomah County, Oregon ("Landlord")
Facilities and Property Management
401 N. Dixon Street
Portland, Oregon 97227

And: Ride Connection ("Tenant")
2145 NW Overton
Portland OR 97210

Landlord leases to Tenant and Tenant leases from Landlord in the facility known as "Multnomah County East Building" or "MCEB", located at 600 N.E. 8th Street, Gresham, Oregon the following described property (the "Premises") on the terms and conditions stated below:

160 square feet of exclusive use space as shown on the attached Exhibit "A".

Section 1. Occupancy

1.1 Original Term. The term of this lease shall commence April 1, 2004 and continue through March 31, 2005, subject to the parties agreement to renew as provided herein.

1.2 Possession. Tenant's right to possession and obligations under the lease shall commence on April 1, 2004.

1.3 Renewal Option. If the lease is not in default at the time each option is exercised or at the time the renewal term is to commence, Tenant shall have the option to renew this lease for successive terms of one (1) years each, as follows:

(1) Each of the renewal terms shall commence on the day following expiration of the preceding term.

(2) The option may be exercised by written notice to Landlord given not less than six (6) months prior to the last day of the expiring term. The giving of such notice shall be sufficient to make the lease binding for the renewal term, subject to any rent adjustment being mutually agreed to by the parties as provided Sub-section 1.3(3). If such notice is not

provided by Tenant, Landlord may lease Premises to another tenant at the expiration of the remaining term.

(3) The terms and conditions of the lease for each renewal term shall be identical with the original term except for rent. Rent for a renewal term shall be as mutually agreed upon between Landlord and Tenant. If Landlord and Tenant are unable to agree upon rent for the renewal term, the renewal term shall not commence and this Lease shall terminate at the end of the expiring term.

1.4 Termination. Either party may terminate this Lease effective at any time during the term upon not less than six (6) months' written notice to the other party.

Section 2. Rent

2.1 Base Rent., The base rent shall be ($148.75) during the initial term of this Lease. Rent shall be payable on the first day of each month in advance at the address for Landlord first above stated or at such place as may be designated by Landlord.

2.2 Additional Rent. Any other sum that Tenant is required to pay to Landlord in addition to that paid pursuant to Sub-section 2.1, shall be considered additional rent.

Section 3. Use of the Premises

3.1 Permitted Use. The Premises shall be used for office and public service use, and for no other purpose without the consent of Landlord, which consent shall not be unreasonably withheld or delayed.

3.2 Restrictions on Use. In connection with the use of the Premises, Tenant shall:

(1) Conform to all applicable laws, ordinances and regulations of any public authority affecting the premises and the use, and correct at Tenant's own expense any failure of compliance created through Tenant's fault or by reason of Tenant's use, but Tenant shall not be required to make any structural changes to effect such compliance.

(2) Refrain from any activity that would make it impossible to insure the Premises against casualty, would increase the insurance rate, or would prevent Landlord from taking advantage of any ruling of the Oregon Insurance Rating Bureau, or its successor, allowing Landlord to obtain reduced premium rates for long-term fire insurance policies, unless Tenant pays the additional cost of the insurance.

(3) Refrain from any use that would be reasonably offensive to other tenants or owners or users of neighboring premises or that would tend to create a nuisance or damage the reputation of the premises.

(4) Refrain from loading the electrical system or floors beyond the point considered safe by a competent engineer or architect selected by Landlord.

(5) Refrain from making any marks on or attaching any sign, insignia, antenna, aerial, or other device to the exterior or interior walls, windows, or roof of the premises without the written consent of Landlord, which shall not be unreasonably withheld.

3.3 Hazardous Substances. Tenant shall not cause or permit any Hazardous Substance to be spilled, leaked, disposed of, or otherwise released on or under the Premises. Tenant may use or otherwise handle on the Premises only those Hazardous Substances typically used or sold in the prudent and safe operation of the Permitted Use specified in Section 3.1. Tenant may store such Hazardous Substances on the Premises only in quantities necessary to satisfy Tenant's reasonably anticipated needs. Tenant shall comply with all Environmental Laws and exercise the highest degree of care in the use, handling, and storage of Hazardous Substances and shall take all practicable measures to minimize the quantity and toxicity of Hazardous Substances used, handled, or stored on the Premises. Upon the expiration or termination of this Lease, Tenant shall remove all Hazardous Substances from the Premises. The term Environmental Law shall mean any federal, state, or local statute, regulation, or ordinance or any judicial or other governmental order pertaining to the protection of health, safety or the environment. The term Hazardous Substance shall mean any hazardous, toxic, infectious or radioactive substance, waste, and material as defined or

listed by any Environmental Law and shall include, without limitation, petroleum oil and its fractions.

3.4 Parking. Parking for all tenants of, and visitors to, the building in which the Premises are located shall be in accordance with the Multnomah County East Building: Parking Distribution Plan (the "Parking Plan"). The Parking Plan may be changed by Landlord in its discretion at any time and Tenant shall not have any right to use of the parking at the building except in accordance with the Parking Plan then in effect. The November 2001 Parking Plan, attached to this Lease as Exhibit "B", is in effect at the commencement date and shall remain in effect unless and until changed by Landlord. Landlord shall notify Tenant of any future changes to the Parking Plan.

Section 4. Repairs and Maintenance

4.1 Maintenance and Repair of Premises. Responsibilities for repair and maintenance of the Premises shall be as follows:

(1) Landlord shall perform all necessary maintenance and repairs to the structure, foundation, exterior walls, roof, doors and windows, elevators, emergency lighting, and Lessor-provided fire extinguishers, sidewalks and parking area, which are located on the Premises or the structure in which the Premises are located. Landlord shall maintain the Premises in a hazard free condition and shall repair or replace, if necessary and at Landlord's sole expense, the heating, venting, air conditioning, plumbing, electrical, and lighting systems in the Premises, obtaining required permits and inspections from Codes enforcement authorities. Landlord shall keep the Premises, improvements, grounds, and landscaping in good repair and appearance. Carpets shall be repaired and replaced as necessary by Landlord. Landlord shall furnish, install and replace all exterior and interior lighting bulbs, ballasts and fluorescent tubes.

(2) Tenant shall perform all necessary maintenance and repairs to trade fixtures (regardless if attached to Premises) and at the expiration of the term surrender the Premises in as good condition as at the commencement of this Lease, excepting only reasonable wear, permitted alterations, and damage by fire or other casualty.

4.2 Tenant's Obligations. The following shall be the responsibility of Tenant:

(1) Any repairs necessitated by the negligence of Tenant, its agents, employees, and invitees, except as provided in Section 6.3 dealing with waiver of subrogation, but including repairs that would otherwise be the responsibility of Landlord under Section 4.1.

(2) Any repairs or alterations required under Tenant's obligation to comply with laws and regulations as set forth in Section 3.2(1).

(3) All other repairs to the Premises which Landlord is not required to make under Section 4.1.

4.3 Landlord's Interference with Tenant. In performing any repairs, replacements, alterations, or other work performed on or around the Premises, Landlord shall not cause unreasonable interference with use of the Premises by Tenant. Tenant shall have neither right to an abatement of rent nor any claim against Landlord for any inconvenience or disturbance resulting from Landlord's activities performed in conformance with the requirement of this provision.

4.4 Inspection of Premises. Landlord shall have the right to inspect the Premises at any reasonable time or times to determine the necessity of repair. Whether or not such inspection is made, the duty of Landlord to make repairs shall not mature until a reasonable time after Landlord has received from Tenant written notice of the repairs that are required.

Section 5. Alterations

5.1 Alterations Restricted. Tenant shall make no improvements or alterations on the Premises of any kind. Tenant may request that alterations to the Premises be made and such alterations shall be made, subject to Landlord's reasonable approval and at Tenant's sole expense. All alterations shall be made in a good and workmanlike manner, and in compliance with applicable laws and building codes. Alterations requested by Tenant will be performed by Landlord at the expense of Tenant.

5.2 Ownership and Removal of Alterations. All improvements and alterations performed on the Premises shall be the property of Landlord when installed unless the applicable Landlord's consent or work sheet specifically provides otherwise. Such improvements and alterations shall, at Landlord's option, be removed by Tenant and the premises restored, unless the applicable Landlord's consent or work sheet specifically provides otherwise.

Section 6. Insurance

6.1 Insurance Required Landlord. . Landlord is self-insured for its property and liability exposures, as subject to the Oregon Tort Claims Act, ORS 30.260 through 30.300.

6.2 Insurance Required Tenant. Tenant shall provide at its expense on or before the Commencement Date and keep in force during the Term, naming Landlord insured, a commercial general liability insurance policy or such successor comparable form of coverage(hereinafter referred to as a "Liability Policy") written on a "per occurrence basis," including, without limitation, blanket contractual liability coverage, broad form property damage, independent contractor's coverage, and personal injury coverage, protecting Landlord and Tenant against liability occasioned by any covered occurrence on or about the Premises. Such policy shall be written by a good and solvent insurance company licensed to do business in the State of Oregon and shall provide coverage limits of not less than One Million Dollars ($1,000,000) combined single limit per occurrence for bodily or personal injury (including death) and property damage combined, subject to a commercially reasonable deductible. Prior to the time such insurance is first required to be carried by Tenant and thereafter, Tenant agrees to deliver to Landlord a certificate evidencing such insurance coverage. Said certificate shall contain an endorsement that such insurance may not be canceled except upon ten (10) days' prior written notice to Landlord.

6.3 Waiver of Subrogation. Neither party shall be liable to the other (or to the other's successors or assigns) for any loss or damage caused by fire or any of the risks enumerated in a standard fire insurance policy with an extended coverage endorsement, and in the event of insured loss, neither party's insurance company shall have a subrogated claim against the

other. This waiver of subrogation shall be valid only if the insurance policies of both parties in question expressly permit waiver of subrogation or if the insurance companies agree in writing that such waivers will not affect coverage under the policies.

Section 7. Taxes

7.1 Property Taxes. Tenant shall pay as due all taxes on its personal property located on the Premises. Tenant shall, upon invoice from landlord, reimburse Landlord for all real property taxes levied against the Premises. As used herein, real property taxes include any fee or charge relating to the ownership, use or rental of the Premises, other than taxes on net income of Landlord. If Tenant intends to seek exemption from real property taxes Tenant shall apply for exemption through Multnomah County Assessment and Taxation pursuant to ORS 307.112.

7.2 Special Assessments. If an assessment for a public improvement is made against the Premises, Landlord may elect to cause such assessment to be paid in the maximum number of installments allowed by law, in which case all of the installments payable with respect to the lease term shall be treated the same as general real property taxes for purposes of Section 7.1.

7.3 Contest of Taxes. Tenant shall be permitted to contest the amount of any tax or assessment as long as such contest is conducted in a manner that does not cause any risk that Landlord's interest in the Premises will be foreclosed for nonpayment. Landlord shall cooperate in any reasonable manner with such contest by Tenant.

7.4 Proration of Taxes. Tenant's share of real property taxes and assessments for the years in which this lease commences or terminates shall be prorated based on the portion of the tax year that this lease is in effect.

Section 8. Services and Utilities.

8.1 Landlord and Tenant Responsibilities. Landlord will cause the utilities and services listed below to be furnished to the Premises. Costs shall be paid as indicated:

Utility or Service	Cost Paid By: Landlord	Tenant
Water	X	___
Sewer	X	___
Electricity	X	___
Gas	X	___
Trash Removal	X	___
Janitorial Service	X	___
Janitorial Supplies	X	___
Snow and Ice Removal	X	___

8.2 Recycling Materials. Landlord shall support the policy for recycling materials as provided in ORS 279.560 by providing adequate collection areas and storage facilities for office recycling programs when recycling services are available to Tenant.

Section 9. Damage and Destruction

9.1 Partial Damage. If the Premises are partly damaged and Section 9.2 does not apply, the Premises shall be repaired by Landlord at Landlord's expense. Repairs shall be accomplished with all reasonable dispatch subject to interruptions and delays from labor disputes and matters beyond the control of Landlord and shall be performed in accordance with the provisions of Section 4.3.

9.2 Destruction. If the Premises or the structure are destroyed or damaged such that the cost of repair exceeds fifty five percent (55%) of the value of the structure before the damage, either party may elect to terminate the lease as of the date of the damage or destruction by notice given to the other in writing not more than forty five (45) days following the date of damage. In such event all rights and obligations of the parties shall cease as of the date of termination, and Tenant shall be entitled to the reimbursement of any prepaid amounts paid by Tenant and attributable to the anticipated term. If neither party elects to terminate, Landlord shall proceed to restore the Premises to substantially the same form as prior to the damage or destruction. Work shall be commenced as soon as reasonably possible and thereafter shall proceed without

interruption except for work stoppages on account of labor disputes and matters beyond Landlord's reasonable control.

9.3 Rent Abatement. Rent shall be abated during the repair of any damage to the extent the premises are untenantable, except that there shall be no rent abatement where the damage occurred as the result of the fault of Tenant.

9.4 Damage Late in Term. If damage or destruction to which Section 9.2 would apply occurs within six months before the end of the then-current lease term, Tenant may elect to terminate the lease by written notice to Landlord given within thirty (30) days after the date of the damage. Such termination shall have the same effect as termination by Landlord under Section 9.2.

Section 10. Liability and Indemnity

10.1 Liens

(1) Except with respect to activities for which Landlord is responsible, Tenant shall pay as due all claims for work done on and for services rendered or material furnished to the Premises, and shall keep the Premises free from any liens. If Tenant fails to pay any such claims or to discharge any lien, Landlord may do so and collect the cost as additional rent. Any amount so added shall bear interest at the rate of nine percent (9%) per annum from the date expended by Landlord and shall be payable on demand. Such action by Landlord shall not constitute a waiver of any right or remedy which Landlord may have on account of Tenant's default.

(2) Tenant may withhold payment of any claim in connection with a good-faith dispute over the obligation to pay, as long as Landlord's property interests are not jeopardized. If a lien is filed as a result of nonpayment, Tenant shall, within ten (10) days after knowledge of the filing, secure the discharge of the lien or deposit with Landlord cash or sufficient corporate surety bond or other surety satisfactory to Landlord in an amount sufficient to discharge the lien plus any costs, attorney fees, and other charges that could accrue as a result of a foreclosure or sale under the lien.

10.2 Indemnification. Tenant shall indemnify and defend Landlord from any claim, loss, or liability arising out of or

related to any negligent activity of Tenant on the Premises or any condition of the Premises in the possession or under the control of Tenant. Landlord shall have no liability to Tenant for any injury, loss, or damage caused by third parties, or by any condition of the Premises except to the extent caused by Landlord's negligence or breach of duty under this lease.

Section 11. Quiet Enjoyment; Mortgage Priority

11.1 Landlord's Warranties.

(1) Landlord warrants that it is the owner of the Premises and has the right to lease them. Landlord will defend Tenant's right to quiet enjoyment of the Premises from the lawful claims of all persons during the lease term.

(2) Landlord warrants that the Premises, including any common areas within the real property in which the Premises are situated, comply with all applicable regulatory and building codes requirements in force on February 1, 2002 for occupancy by Tenant for the permitted uses under this Lease, and meet the requirements of the Americans With Disabilities Act (ADA) in effect on February 1, 2002 for accessibility in accordance with the standards provided in the ADA Accessibility Guidelines for Buildings and Facilities, including accessible parking for the disabled in compliance with ORS 447.233.

(3) Landlord warrants that there are no asbestos containing materials (ACM) within the Premises, including common areas within the real property in which the Premises are situated.

Section 12. Assignment and Subletting. No part of the Premises may be assigned, mortgaged, or subleased, nor may a right of use of any portion of the property be conferred on any third person by any other means, without the prior written consent of Landlord which consent shall not be unreasonably withheld or delayed. This provision shall apply to all transfers by operation of law. No consent in one instance shall prevent the provision from applying to a subsequent instance. In determining whether to consent to assignment Landlord may consider the following factors: financial ability of assignee; use of Premises to be similar to the Use permitted under Section 3.1 of this Lease.

Section 13. Default

The following shall be events of default:

13.1 Default in Rent. Failure of Tenant to pay any rent or other charge within 15 days after written notice that it is due.

13.2 Default in Other Covenants. Failure of Tenant to comply with any term or condition or fulfill any obligation of the lease (other than the payment of rent or other charges) within twenty (20) days after written notice by Landlord specifying the nature of the default with reasonable particularity. If the default is of such a nature that it cannot be completely remedied within the 20-day period, this provision shall be complied with if Tenant begins correction of the default within the twenty (20) day period and thereafter proceeds with reasonable diligence and in good faith to effect the remedy as soon as practicable.

13.3 Insolvency. Insolvency of Tenant; an assignment by Tenant for the benefit of creditors; the filing by Tenant of a voluntary petition in bankruptcy; an adjudication that Tenant is bankrupt or the appointment of a receiver of the properties of Tenant; the filing of any involuntary petition of bankruptcy and failure of Tenant to secure a dismissal of the petition within thirty (30) days after filing; attachment of or the levying of execution on the leasehold interest and failure of Tenant to secure discharge of the attachment or release of the levy of execution within ten (10) days shall constitute a default. If the lease has been assigned, the events of default so specified shall apply only with respect to the one then exercising the rights of Tenant under the lease.

Section 14. Remedies on Default. In the event of default by tenant, the Lease may be terminated at the option of Landlord by written notice to Tenant. Whether or not the Lease is terminated by the election of Landlord, Landlord shall be entitled to pursue any remedies available to Landlord under applicable law.

Section 15. Surrender at Expiration

15.1 Condition of Premises. Upon expiration of the lease term or earlier termination, Tenant shall deliver all keys to Landlord and surrender the Premises in first-class condition and broom clean. Alterations constructed with permission from Landlord shall not be removed or restored to the original condition unless the terms of permission for the alteration so require. Depreciation and wear from ordinary use for the purpose for which the Premises are leased shall be excepted but repairs for which Tenant is responsible shall be completed to the latest practical date prior to such surrender. Tenant's obligations under this section shall be subordinate to the provisions of Section 9 relating to destruction.

15.2 Fixtures

(1) All fixtures placed upon the Premises during the term, other than Tenant's trade fixtures, shall, at Landlord's option, become the property of Landlord. If Landlord so elects, Tenant shall remove any or all fixtures that would otherwise remain the property of Landlord, and shall repair any physical damage resulting from the removal. If Tenant fails to remove such fixtures, Landlord may do so and charge the cost to Tenant with interest at the legal rate from the date of expenditure.

(2) Prior to expiration or other termination of the lease term Tenant shall remove all furnishings, furniture, and trade fixtures that remain its property. If Tenant fails to do so, this shall be an abandonment of the property, and Landlord may retain the property and all rights of Tenant with respect to it shall cease or, by notice in writing given to Tenant within twenty (20) days after removal was required, Landlord may elect to hold Tenant to its obligation of removal. If Landlord elects to require Tenant to remove, Landlord may effect a removal and place the property in public storage for Tenant's account. Tenant shall be liable to Landlord for the cost of removal, transportation to storage, and storage, with interest at the legal rate on all such expenses from the date of expenditure by Landlord.

15.3 Holdover

(1) If Tenant does not vacate the Premises at the time required, Landlord shall have the option to treat Tenant as a tenant from month to month, subject to all of the provisions of this lease except the provisions for term and renewal and at a rental rate equal to the rent last paid by Tenant during the original term. Failure of Tenant to remove fixtures, furniture, furnishings, or trade fixtures that Tenant is required to remove under this lease shall constitute a failure to vacate to which this section shall apply if the property not removed will substantially interfere with occupancy of the Premises by another tenant or with occupancy by Landlord for any purpose including preparation for a new tenant.

(2) If a month-to-month tenancy results from a holdover by Tenant under this Section 15.3, the tenancy shall be terminable at the end of any monthly rental period on written notice from Landlord given not less than thirty (30) days prior to the termination date which shall be specified in the notice. Tenant waives any notice that would otherwise be provided by law with respect to a month-to-month tenancy.

Section 16. Miscellaneous

16.1 Nonwaiver. Waiver by either party of strict performance of any provision of this lease shall not be a waiver of or prejudice the party's right to require strict performance of the same provision in the future or of any other provision.

16.2 Notices. Any notice required or permitted under this lease shall be given when actually delivered or forty eight (48) hours after deposited in United States mail as certified mail addressed to the address first given in this lease or to such other address as may be specified from time to time by either of the parties in writing.

16.3 Succession. Subject to the above-stated limitations on transfer of Tenant's interest, this lease shall be binding on and inure to the benefit of the parties and their respective successors and assigns.

16.4 Entry for Inspection. Landlord shall have the right to enter upon the Premises with twenty four (24) hours prior

notice to determine Tenant's compliance with this lease, to make necessary repairs to the building or to the Premises, or to show the Premises to any prospective tenant or purchaser, except in cases of emergency when Landlord shall have the right to enter upon the Premises without notice. In addition, Landlord shall have the right, at any time during the last two months of the term of this lease, to place and maintain upon the Premises notices for leasing or selling of the Premises.

16.5 Interest on Rent and Other Charges. Any rent or other payment required of Tenant by this lease shall, if not paid within ten (10) days after it is due, bear interest at the rate of nine percent (9%) per annum (but not in any event at a rate greater than the maximum rate of interest permitted by law) from the due date until paid. In addition, if Tenant fails to make any rent or other payment required by this lease to be paid to Landlord within five days after it is due, Landlord may elect to impose a late charge of five cents ($0.05) per dollar of the overdue payment to reimburse Landlord for the costs of collecting the overdue payment. Tenant shall pay the late charge upon demand by Landlord. Landlord may levy and collect a late charge in addition to all other remedies available for Tenant's default, and collection of a late charge shall not waive the breach caused by the late payment.

16.6 Proration of Rent. In the event of commencement or termination of this lease at a time other than the beginning or end of one of the specified rental periods, then the rent shall be prorated as of the date of commencement or termination and in the event of termination for reasons other than default, all prepaid rent shall be refunded to Tenant or paid on its account.

16.7 Oregon Tort Claims Act. Any covenant herein by Landlord to defend, indemnify or hold harmless the Tenant, or to assume liability for damages of any kind whatsoever, shall be subject to the provisions of the Oregon Tort Claims Act, ORS 30.260-30.300, and within the limits in ORS 30.270.

16.8 Time of Essence. Time is of the essence of the performance of each of Tenant's obligations under this lease.

16.9 Provider of Transportation Services. Tenant shall contract with transportation providers in the tri-county area to provide transportation for the elderly, people with disabilities, and the general community.

Landlord:	Tenant:
Multnomah County, Oregon	Ride Connection
_____	_____
By: Diane M. Linn, County Chair	By:

Reviewed:

_____
Matthew O. Ryan,
Assistant County Attorney

Occupant Information

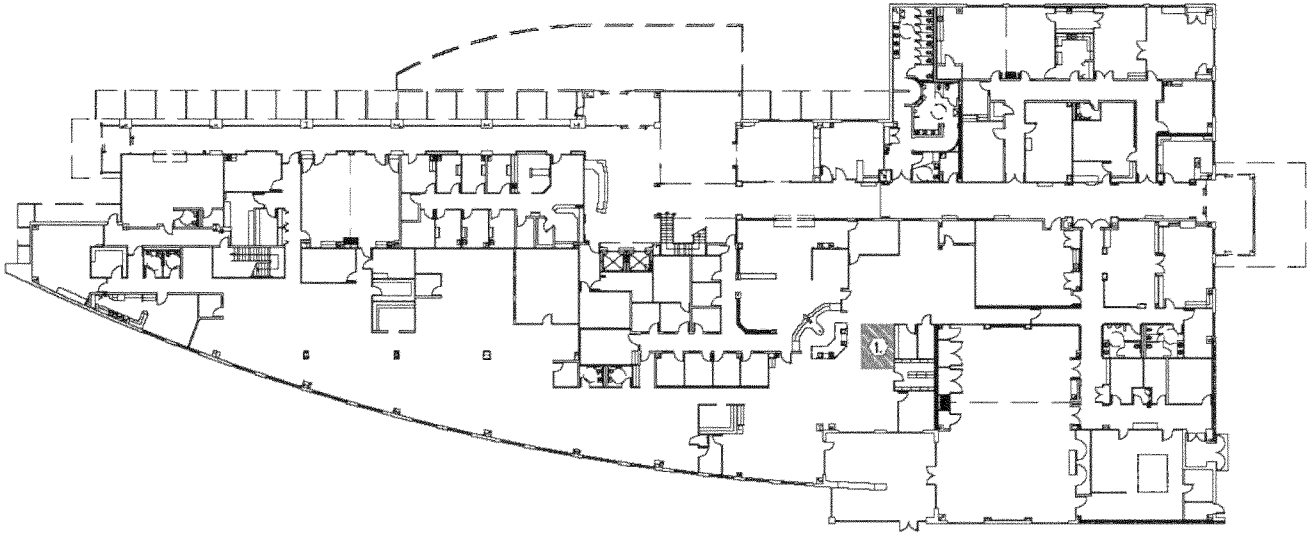
① Exclusive Use Space
160

Multnomah County East - 437

600 NE 8th Street
Gresham, Oregon 97030

R-28F - Ride Connection, Inc.

EXHIBIT A



First Floor

Measured by: Brett Taute
Date: 23 February 2004

EXHIBIT B

Multnomah County East Building: Parking Distribution Plan
November 2001

1. Guiding Principles:
   - Customer parking is priority;
   - No staff parking in customer areas;
   - Previous distribution and location of parking for Disabled, L&F MOW drivers and Special Assistance are already agreed to;
   - County Parking Policy is in transition but affects parking distribution;
   - The Tri Met Parking Garage Space Allocation is governed by County -Tri Met Parking Agreement. Health and ADS are required to manage parking use in the allotted spaces per the Agreement terms. Tri Met spaces will be only allocated to staff (includes partners) in order to assure compliance with the terms of the Agreement.
   - Parking will be managed on an ongoing basis, by ADS and Health Depts' Building Management Team (BMT) and the Building Tenant Council.
   - Parking is not assigned other than described as special needs or MOW:
   - Staff spaces will be marked in the Building Parking Lot as follows:
     - Reserved ADS-P (ADS and partners)
     - Reserved HED; (Health Department and partners)
     - Staff Carpool; (All tenants)
     - Staff Short-term, 20 minutes (All tenants)

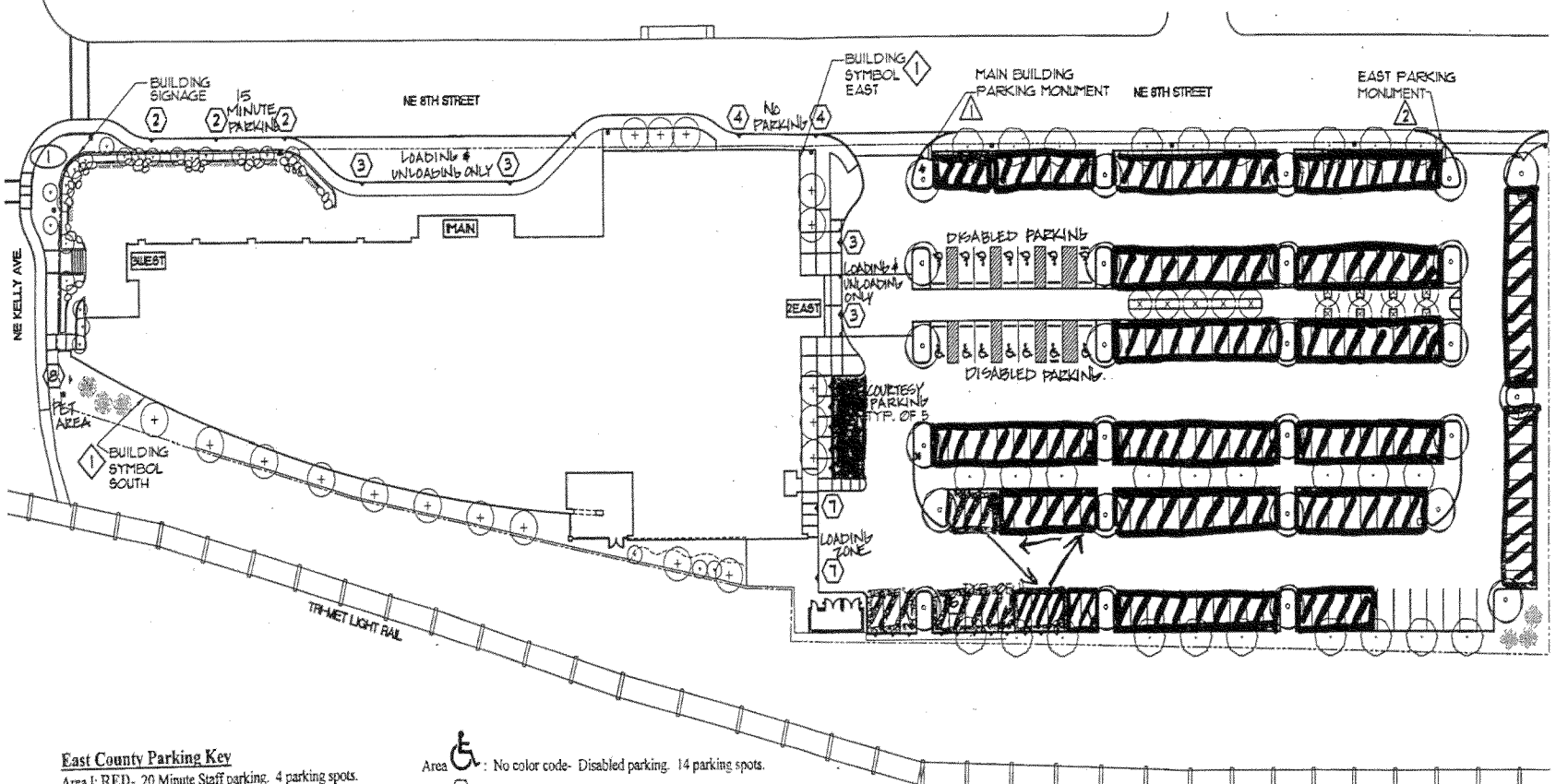
2. Distribution of MCE Lot 201 Spaces
   - Of the 201 spaces in MCE Lot (see diagram)
     - 137 for VISITORS (customers)
     - 5 for Special Needs (courtesy parking)
     - 14 for Disabled (staff and customers)
     - 11 L&F Meals on Wheels Drivers (9:00 - 2:00)
     - 4 Short-term Staff - 20 minute limit
     - 3 Staff Carpool
     - 21 allocated to ADS-P and HED Staff based on ratio of space:
       - 11 to Health
       - 10 to ADS and Partners
     - 7 spaces allocated for County Cars;

3. Distribution of Tri Met Parking Garage 70 Spaces
   - Of the 70 Spaces in Tri Met Garage
     - 2 assigned to Staff Carpool;
     - 34 assigned to HEALTH staff (HED)
     - 34 assigned to ADS and partners staff (ADS-P)

4. Special Notes:

- Recommend this distribution for first year with reassessment of parking needs and parking issues once programs are more fully functioning.
- Tri Met Agreement requires Auto-reduction plan 6 months after opening

EAST COUNTY PARKING DETAILS



East County Parking Key

Area I: RED- 20 Minute Staff parking. 4 parking spots.

Area II: ORANGE- Staff Carpool parking. 3 parking spots.

Area III: - County Car parking. 7 parking spots.

Area IV: GREEN- Mini Bus parking. 2 parking spots.

Area V: BLUE- Visitor parking. 136 parking spots.

Area VI: PURPLE- HED Staff parking. 11 parking spots.

Area VII: PINK- ADS-P Staff parking. 10 parking spots.

Area ♿: No color code- Disabled parking. 14 parking spots.

Area (2): No color code- 15 Minute parking. 3 signs posted.

Area (3): No color code- Loading and Unloading only. 4 signs posted, 2 at each location

Area (4): No color code- No Parking. 2 signs posted

Area (5): MAGENTA- Courtesy parking. 5 parking spots w/ signage.

Area (6): GREY- Reserved Loaves and Fishes. 11 parking spots w/ signage.

Area (7): No color code- Loading Zone/ No parking. 2 signs posted.

Area (8): No color code- Pet Area. 1 sign posted.

* SEE EXTERIOR SIGN ELEVATIONS FOR SIGNAGE DETAILS.

NOTE: ↔↗ Distribution Change To Plan per FM Signage alteration; Affects MOW, STAFF CARPOOL, and VISITOR SLOT Location.

BOGSTAD Deborah L

From: HERLEAN Gregory B
Sent: Thursday, April 01, 2004 1:19 PM
To: BOGSTAD Deborah L
Subject: Thanks for the nice Summary of Resolutions Today!

Deb

For the record, the County Attorneys, Matt Ryan and John Thomas, agreed to a last minute change requested by Ride Connection. We added a co-tenant to their lease, East County Ministries. It is reflected in the signed Ride Connection lease I provided to you this morning.

Gregory B. Herlean, CPCM, CPPO
Manager,
Contracts & Procurement
Business Services Department
Multnomah County

(503) 988-4216, direct line
(503) 209-1943, cellular

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-038

Declaring Property within 600 NE 8th Street, Gresham, Oregon, to be Surplus and Approving a Real Property Lease to Ride Connection

The Multnomah County Board of Commissioners Finds:

a. The property specified in the attached lease and located within the Multnomah County East Building at 600 NE 8th Street, Gresham, Oregon (Property) is, at this time, surplus to any County use.

b. The attached lease has been negotiated with Ride Connection.

c. It is in the best interests of the County to lease the Property on the terms and conditions set forth in the attached lease.

The Multnomah County Board of Commissioners Resolves:

1. The Board approves the attached lease. The County Chair is authorized to execute the lease substantially in the form attached to this Resolution.

2. The County Chair is authorized to execute renewals of the lease and to execute amendments to the lease without further Board action.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By
Matthew O. Ryan, Assistant County Attorney

LEASE

Between:	Multnomah County, Oregon Facilities and Property Management 401 N. Dixon Street Portland, Oregon 97227	("Landlord")
And:	Ride Connection 2145 NW Overton Portland OR 97210	("Tenant No.1")
:	East County Ministries 1816 NW Irving Portland OR 97209	("Tenant No.2")

Landlord leases to the two (2) above named Tenants (hereinafter collectively referred to as the "Tenant") (and the Tenant leases from Landlord in the facility known as "Multnomah County East Building" or "MCEB", located at 600 N.E. 8th Street, Gresham, Oregon the following described property (the "Premises") on the terms and conditions stated below:

160 square feet of exclusive use space as shown on the attached Exhibit "A".

Section 1. Occupancy

1.1 Original Term. The term of this lease shall commence April 1, 2004 and continue through March 31, 2005, subject to the parties agreement to renew as provided herein.

1.2 Possession. Tenant's right to possession and obligations under the lease shall commence on April 1, 2004.

1.3 Renewal Option. If the lease is not in default at the time each option is exercised or at the time the renewal term is to commence, Tenant shall have the option to renew this lease for successive terms of one (1) years each, as follows:

(1) Each of the renewal terms shall commence on the day following expiration of the preceding term.

(2) The option may be exercised by written notice to Landlord given not less than six (6) months prior to the last day of the expiring term. The giving of such notice shall be sufficient to make the lease binding for the renewal term, subject to any rent adjustment being mutually agreed to by the parties as provided Sub-section 1.3(3). If such notice is not

provided by Tenant, Landlord may lease Premises to another tenant at the expiration of the remaining term.

(3) The terms and conditions of the lease for each renewal term shall be identical with the original term except for rent. Rent for a renewal term shall be as mutually agreed upon between Landlord and Tenant. If Landlord and Tenant are unable to agree upon rent for the renewal term, the renewal term shall not commence and this Lease shall terminate at the end of the expiring term.

1.4 Termination. Either party may terminate this Lease effective at any time during the term upon not less than six (6) months' written notice to the other party.

Section 2. Rent

2.1 Base Rent. The base rent shall be ($148.75) during the initial term of this Lease. Rent shall be payable on the first day of each month in advance at the address for Landlord first above stated or at such place as may be designated by Landlord.

2.2 Additional Rent. Any other sum that Tenant is required to pay to Landlord in addition to that paid pursuant to Sub-section 2.1, shall be considered additional rent.

Section 3. Use of the Premises

3.1 Permitted Use. The Premises shall be used for office and public service use, and for no other purpose without the consent of Landlord, which consent shall not be unreasonably withheld or delayed.

3.2 Restrictions on Use. In connection with the use of the Premises, Tenant shall:

(1) Conform to all applicable laws, ordinances and regulations of any public authority affecting the premises and the use, and correct at Tenant's own expense any failure of compliance created through Tenant's fault or by reason of Tenant's use, but Tenant shall not be required to make any structural changes to effect such compliance.

(2) Refrain from any activity that would make it impossible to insure the Premises against casualty, would increase the insurance rate, or would prevent Landlord from taking advantage of any ruling of the Oregon Insurance Rating Bureau, or its successor, allowing Landlord to obtain reduced premium rates for long-term fire insurance policies, unless Tenant pays the additional cost of the insurance.

(3) Refrain from any use that would be reasonably offensive to other tenants or owners or users of neighboring premises or that would tend to create a nuisance or damage the reputation of the premises.

(4) Refrain from loading the electrical system or floors beyond the point considered safe by a competent engineer or architect selected by Landlord.

(5) Refrain from making any marks on or attaching any sign, insignia, antenna, aerial, or other device to the exterior or interior walls, windows, or roof of the premises without the written consent of Landlord, which shall not be unreasonably withheld.

3.3 Hazardous Substances. Tenant shall not cause or permit any Hazardous Substance to be spilled, leaked, disposed of, or otherwise released on or under the Premises. Tenant may use or otherwise handle on the Premises only those Hazardous Substances typically used or sold in the prudent and safe operation of the Permitted Use specified in Section 3.1. Tenant may store such Hazardous Substances on the Premises only in quantities necessary to satisfy Tenant's reasonably anticipated needs. Tenant shall comply with all Environmental Laws and exercise the highest degree of care in the use, handling, and storage of Hazardous Substances and shall take all practicable measures to minimize the quantity and toxicity of Hazardous Substances used, handled, or stored on the Premises. Upon the expiration or termination of this Lease, Tenant shall remove all Hazardous Substances from the Premises. The term Environmental Law shall mean any federal, state, or local statute, regulation, or ordinance or any judicial or other governmental order pertaining to the protection of health, safety or the environment. The term Hazardous Substance shall mean any hazardous, toxic, infectious or radioactive substance, waste, and material as defined or

listed by any Environmental Law and shall include, without limitation, petroleum oil and its fractions.

3.4 Parking. Parking for all tenants of, and visitors to, the building in which the Premises are located shall be in accordance with the Multnomah County East Building: Parking Distribution Plan (the "Parking Plan"). The Parking Plan may be changed by Landlord in its discretion at any time and Tenant shall not have any right to use of the parking at the building except in accordance with the Parking Plan then in effect. The November 2001 Parking Plan, attached to this Lease as Exhibit "B", is in effect at the commencement date and shall remain in effect unless and until changed by Landlord. Landlord shall notify Tenant of any future changes to the Parking Plan.

Section 4. Repairs and Maintenance

4.1 Maintenance and Repair of Premises. Responsibilities for repair and maintenance of the Premises shall be as follows:

(1) Landlord shall perform all necessary maintenance and repairs to the structure, foundation, exterior walls, roof, doors and windows, elevators, emergency lighting, and Lessor-provided fire extinguishers, sidewalks and parking area, which are located on the Premises or the structure in which the Premises are located. Landlord shall maintain the Premises in a hazard free condition and shall repair or replace, if necessary and at Landlord's sole expense, the heating, venting, air conditioning, plumbing, electrical, and lighting systems in the Premises, obtaining required permits and inspections from Codes enforcement authorities. Landlord shall keep the Premises, improvements, grounds, and landscaping in good repair and appearance. Carpets shall be repaired and replaced as necessary by Landlord. Landlord shall furnish, install and replace all exterior and interior lighting bulbs, ballasts and fluorescent tubes.

(2) Tenant shall perform all necessary maintenance and repairs to trade fixtures (regardless if attached to Premises) and at the expiration of the term surrender the Premises in as good condition as at the commencement of this Lease, excepting only reasonable wear, permitted alterations, and damage by fire or other casualty.

4.2 Tenant's Obligations. The following shall be the responsibility of Tenant:

(1) Any repairs necessitated by the negligence of Tenant, its agents, employees, and invitees, except as provided in Section 6.3 dealing with waiver of subrogation, but including repairs that would otherwise be the responsibility of Landlord under Section 4.1.

(2) Any repairs or alterations required under Tenant's obligation to comply with laws and regulations as set forth in Section 3.2(1).

(3) All other repairs to the Premises which Landlord is not required to make under Section 4.1.

4.3 Landlord's Interference with Tenant. In performing any repairs, replacements, alterations, or other work performed on or around the Premises, Landlord shall not cause unreasonable interference with use of the Premises by Tenant. Tenant shall have neither right to an abatement of rent nor any claim against Landlord for any inconvenience or disturbance resulting from Landlord's activities performed in conformance with the requirement of this provision.

4.4 Inspection of Premises. Landlord shall have the right to inspect the Premises at any reasonable time or times to determine the necessity of repair. Whether or not such inspection is made, the duty of Landlord to make repairs shall not mature until a reasonable time after Landlord has received from Tenant written notice of the repairs that are required.

Section 5. Alterations

5.1 Alterations Restricted. Tenant shall make no improvements or alterations on the Premises of any kind. Tenant may request that alterations to the Premises be made and such alterations shall be made, subject to Landlord's reasonable approval and at Tenant's sole expense. All alterations shall be made in a good and workmanlike manner, and in compliance with applicable laws and building codes. Alterations requested by Tenant will be performed by Landlord at the expense of Tenant.

5.2 Ownership and Removal of Alterations. All improvements and alterations performed on the Premises shall be the property of Landlord when installed unless the applicable Landlord's consent or work sheet specifically provides otherwise. Such improvements and alterations shall, at Landlord's option, be removed by Tenant and the premises restored, unless the applicable Landlord's consent or work sheet specifically provides otherwise.

Section 6. Insurance

6.1 Insurance Required Landlord. . Landlord is self-insured for its property and liability exposures, as subject to the Oregon Tort Claims Act, ORS 30.260 through 30.300.

6.2 Insurance Required Tenant. Tenant shall provide at its expense on or before the Commencement Date and keep in force during the Term, naming Landlord insured, a commercial general liability insurance policy or such successor comparable form of coverage(hereinafter referred to as a "Liability Policy") written on a "per occurrence basis," including, without limitation, blanket contractual liability coverage, broad form property damage, independent contractor's coverage, and personal injury coverage, protecting Landlord and Tenant against liability occasioned by any covered occurrence on or about the Premises. Such policy shall be written by a good and solvent insurance company licensed to do business in the State of Oregon and shall provide coverage limits of not less than One Million Dollars ($1,000,000) combined single limit per occurrence for bodily or personal injury (including death) and property damage combined, subject to a commercially reasonable deductible. Prior to the time such insurance is first required to be carried by Tenant and thereafter, Tenant agrees to deliver to Landlord a certificate evidencing such insurance coverage. Said certificate shall contain an endorsement that such insurance may not be canceled except upon ten (10) days' prior written notice to Landlord.

6.3 Waiver of Subrogation. Neither party shall be liable to the other (or to the other's successors or assigns) for any loss or damage caused by fire or any of the risks enumerated in a standard fire insurance policy with an extended coverage endorsement, and in the event of insured loss, neither party's insurance company shall have a subrogated claim against the

other. This waiver of subrogation shall be valid only if the insurance policies of both parties in question expressly permit waiver of subrogation or if the insurance companies agree in writing that such waivers will not affect coverage under the policies.

Section 7. Taxes

7.1 Property Taxes. Tenant shall pay as due all taxes on its personal property located on the Premises. Tenant shall, upon invoice from landlord, reimburse Landlord for all real property taxes levied against the Premises. As used herein, real property taxes include any fee or charge relating to the ownership, use or rental of the Premises, other than taxes on net income of Landlord. If Tenant intends to seek exemption from real property taxes Tenant shall apply for exemption through Multnomah County Assessment and Taxation pursuant to ORS 307.112.

7.2 Special Assessments. If an assessment for a public improvement is made against the Premises, Landlord may elect to cause such assessment to be paid in the maximum number of installments allowed by law, in which case all of the installments payable with respect to the lease term shall be treated the same as general real property taxes for purposes of Section 7.1.

7.3 Contest of Taxes. Tenant shall be permitted to contest the amount of any tax or assessment as long as such contest is conducted in a manner that does not cause any risk that Landlord's interest in the Premises will be foreclosed for nonpayment. Landlord shall cooperate in any reasonable manner with such contest by Tenant.

7.4 Proration of Taxes. Tenant's share of real property taxes and assessments for the years in which this lease commences or terminates shall be prorated based on the portion of the tax year that this lease is in effect.

Section 8. Services and Utilities.

8.1 Landlord and Tenant Responsibilities. Landlord will cause the utilities and services listed below to be furnished to the Premises. Costs shall be paid as indicated:

Utility or Service	Cost Paid By: Landlord	Tenant
Water	X	___
Sewer	X	___
Electricity	X	___
Gas	X	___
Trash Removal	X	___
Janitorial Service	X	___
Janitorial Supplies	X	___
Snow and Ice Removal	X	___

8.2 Recycling Materials. Landlord shall support the policy for recycling materials as provided in ORS 279.560 by providing adequate collection areas and storage facilities for office recycling programs when recycling services are available to Tenant.

Section 9. Damage and Destruction

9.1 Partial Damage. If the Premises are partly damaged and Section 9.2 does not apply, the Premises shall be repaired by Landlord at Landlord's expense. Repairs shall be accomplished with all reasonable dispatch subject to interruptions and delays from labor disputes and matters beyond the control of Landlord and shall be performed in accordance with the provisions of Section 4.3.

9.2 Destruction. If the Premises or the structure are destroyed or damaged such that the cost of repair exceeds fifty five percent (55%) of the value of the structure before the damage, either party may elect to terminate the lease as of the date of the damage or destruction by notice given to the other in writing not more than forty five (45) days following the date of damage. In such event all rights and obligations of the parties shall cease as of the date of termination, and Tenant shall be entitled to the reimbursement of any prepaid amounts paid by Tenant and attributable to the anticipated term. If neither party elects to terminate, Landlord shall proceed to restore the Premises to substantially the same form as prior to the damage or destruction. Work shall be commenced as soon as reasonably possible and thereafter shall proceed without

interruption except for work stoppages on account of labor disputes and matters beyond Landlord's reasonable control.

9.3 Rent Abatement. Rent shall be abated during the repair of any damage to the extent the premises are untenantable, except that there shall be no rent abatement where the damage occurred as the result of the fault of Tenant.

9.4 Damage Late in Term. If damage or destruction to which Section 9.2 would apply occurs within six months before the end of the then-current lease term, Tenant may elect to terminate the lease by written notice to Landlord given within thirty (30) days after the date of the damage. Such termination shall have the same effect as termination by Landlord under Section 9.2.

Section 10. Liability and Indemnity

10.1 Liens

(1) Except with respect to activities for which Landlord is responsible, Tenant shall pay as due all claims for work done on and for services rendered or material furnished to the Premises, and shall keep the Premises free from any liens. If Tenant fails to pay any such claims or to discharge any lien, Landlord may do so and collect the cost as additional rent. Any amount so added shall bear interest at the rate of nine percent (9%) per annum from the date expended by Landlord and shall be payable on demand. Such action by Landlord shall not constitute a waiver of any right or remedy which Landlord may have on account of Tenant's default.

(2) Tenant may withhold payment of any claim in connection with a good-faith dispute over the obligation to pay, as long as Landlord's property interests are not jeopardized. If a lien is filed as a result of nonpayment, Tenant shall, within ten (10) days after knowledge of the filing, secure the discharge of the lien or deposit with Landlord cash or sufficient corporate surety bond or other surety satisfactory to Landlord in an amount sufficient to discharge the lien plus any costs, attorney fees, and other charges that could accrue as a result of a foreclosure or sale under the lien.

10.2 Indemnification. Tenant shall indemnify and defend Landlord from any claim, loss, or liability arising out of or

related to any negligent activity of Tenant on the Premises or any condition of the Premises in the possession or under the control of Tenant. Landlord shall have no liability to Tenant for any injury, loss, or damage caused by third parties, or by any condition of the Premises except to the extent caused by Landlord's negligence or breach of duty under this lease.

Section 11. Quiet Enjoyment; Mortgage Priority

11.1 Landlord's Warranties.

(1) Landlord warrants that it is the owner of the Premises and has the right to lease them. Landlord will defend Tenant's right to quiet enjoyment of the Premises from the lawful claims of all persons during the lease term.

(2) Landlord warrants that the Premises, including any common areas within the real property in which the Premises are situated, comply with all applicable regulatory and building codes requirements in force on February 1, 2002 for occupancy by Tenant for the permitted uses under this Lease, and meet the requirements of the Americans With Disabilities Act (ADA) in effect on February 1, 2002 for accessibility in accordance with the standards provided in the ADA Accessibility Guidelines for Buildings and Facilities, including accessible parking for the disabled in compliance with ORS 447.233.

(3) Landlord warrants that there are no asbestos containing materials (ACM) within the Premises, including common areas within the real property in which the Premises are situated.

Section 12. Assignment and Subletting. No part of the Premises may be assigned, mortgaged, or subleased, nor may a right of use of any portion of the property be conferred on any third person by any other means, without the prior written consent of Landlord which consent shall not be unreasonably withheld or delayed. This provision shall apply to all transfers by operation of law. No consent in one instance shall prevent the provision from applying to a subsequent instance. In determining whether to consent to assignment Landlord may consider the following factors: financial ability of assignee; use of Premises to be similar to the Use permitted under Section 3.1 of this Lease.

Section 13. Default

The following shall be events of default:

13.1 Default in Rent. Failure of Tenant to pay any rent or other charge within 15 days after written notice that it is due.

13.2 Default in Other Covenants. Failure of Tenant to comply with any term or condition or fulfill any obligation of the lease (other than the payment of rent or other charges) within twenty (20) days after written notice by Landlord specifying the nature of the default with reasonable particularity. If the default is of such a nature that it cannot be completely remedied within the 20-day period, this provision shall be complied with if Tenant begins correction of the default within the twenty (20) day period and thereafter proceeds with reasonable diligence and in good faith to effect the remedy as soon as practicable.

13.3 Insolvency. Insolvency of Tenant; an assignment by Tenant for the benefit of creditors; the filing by Tenant of a voluntary petition in bankruptcy; an adjudication that Tenant is bankrupt or the appointment of a receiver of the properties of Tenant; the filing of any involuntary petition of bankruptcy and failure of Tenant to secure a dismissal of the petition within thirty (30) days after filing; attachment of or the levying of execution on the leasehold interest and failure of Tenant to secure discharge of the attachment or release of the levy of execution within ten (10) days shall constitute a default. If the lease has been assigned, the events of default so specified shall apply only with respect to the one then exercising the rights of Tenant under the lease.

Section 14. Remedies on Default. In the event of default by tenant, the Lease may be terminated at the option of Landlord by written notice to Tenant. Whether or not the Lease is terminated by the election of Landlord, Landlord shall be entitled to pursue any remedies available to Landlord under applicable law.

Section 15. Surrender at Expiration

15.1 Condition of Premises. Upon expiration of the lease term or earlier termination, Tenant shall deliver all keys to Landlord and surrender the Premises in first-class condition and broom clean. Alterations constructed with permission from Landlord shall not be removed or restored to the original condition unless the terms of permission for the alteration so require. Depreciation and wear from ordinary use for the purpose for which the Premises are leased shall be excepted but repairs for which Tenant is responsible shall be completed to the latest practical date prior to such surrender. Tenant's obligations under this section shall be subordinate to the provisions of Section 9 relating to destruction.

15.2 Fixtures

(1) All fixtures placed upon the Premises during the term, other than Tenant's trade fixtures, shall, at Landlord's option, become the property of Landlord. If Landlord so elects, Tenant shall remove any or all fixtures that would otherwise remain the property of Landlord, and shall repair any physical damage resulting from the removal. If Tenant fails to remove such fixtures, Landlord may do so and charge the cost to Tenant with interest at the legal rate from the date of expenditure.

(2) Prior to expiration or other termination of the lease term Tenant shall remove all furnishings, furniture, and trade fixtures that remain its property. If Tenant fails to do so, this shall be an abandonment of the property, and Landlord may retain the property and all rights of Tenant with respect to it shall cease or, by notice in writing given to Tenant within twenty (20) days after removal was required, Landlord may elect to hold Tenant to its obligation of removal. If Landlord elects to require Tenant to remove, Landlord may effect a removal and place the property in public storage for Tenant's account. Tenant shall be liable to Landlord for the cost of removal, transportation to storage, and storage, with interest at the legal rate on all such expenses from the date of expenditure by Landlord.

15.3 Holdover

(1) If Tenant does not vacate the Premises at the time required, Landlord shall have the option to treat Tenant as a tenant from month to month, subject to all of the provisions of this lease except the provisions for term and renewal and at a rental rate equal to the rent last paid by Tenant during the original term. Failure of Tenant to remove fixtures, furniture, furnishings, or trade fixtures that Tenant is required to remove under this lease shall constitute a failure to vacate to which this section shall apply if the property not removed will substantially interfere with occupancy of the Premises by another tenant or with occupancy by Landlord for any purpose including preparation for a new tenant.

(2) If a month-to-month tenancy results from a holdover by Tenant under this Section 15.3, the tenancy shall be terminable at the end of any monthly rental period on written notice from Landlord given not less than thirty (30) days prior to the termination date which shall be specified in the notice. Tenant waives any notice that would otherwise be provided by law with respect to a month-to-month tenancy.

Section 16. Miscellaneous

16.1 Nonwaiver. Waiver by either party of strict performance of any provision of this lease shall not be a waiver of or prejudice the party's right to require strict performance of the same provision in the future or of any other provision.

16.2 Notices. Any notice required or permitted under this lease shall be given when actually delivered or forty eight (48) hours after deposited in United States mail as certified mail addressed to the address first given in this lease or to such other address as may be specified from time to time by either of the parties in writing.

16.3 Succession. Subject to the above-stated limitations on transfer of Tenant's interest, this lease shall be binding on and inure to the benefit of the parties and their respective successors and assigns.

16.4 Entry for Inspection. Landlord shall have the right to enter upon the Premises with twenty four (24) hours prior

notice to determine Tenant's compliance with this lease, to make necessary repairs to the building or to the Premises, or to show the Premises to any prospective tenant or purchaser, except in cases of emergency when Landlord shall have the right to enter upon the Premises without notice. In addition, Landlord shall have the right, at any time during the last two months of the term of this lease, to place and maintain upon the Premises notices for leasing or selling of the Premises.

16.5 Interest on Rent and Other Charges. Any rent or other payment required of Tenant by this lease shall, if not paid within ten (10) days after it is due, bear interest at the rate of nine percent (9%) per annum (but not in any event at a rate greater than the maximum rate of interest permitted by law) from the due date until paid. In addition, if Tenant fails to make any rent or other payment required by this lease to be paid to Landlord within five days after it is due, Landlord may elect to impose a late charge of five cents ($0.05) per dollar of the overdue payment to reimburse Landlord for the costs of collecting the overdue payment. Tenant shall pay the late charge upon demand by Landlord. Landlord may levy and collect a late charge in addition to all other remedies available for Tenant's default, and collection of a late charge shall not waive the breach caused by the late payment.

16.6 Proration of Rent. In the event of commencement or termination of this lease at a time other than the beginning or end of one of the specified rental periods, then the rent shall be prorated as of the date of commencement or termination and in the event of termination for reasons other than default, all prepaid rent shall be refunded to Tenant or paid on its account.

16.7 Oregon Tort Claims Act. Any covenant herein by Landlord to defend, indemnify or hold harmless the Tenant, or to assume liability for damages of any kind whatsoever, shall be subject to the provisions of the Oregon Tort Claims Act, ORS 30.260-30.300, and within the limits in ORS 30.270.

16.8 Time of Essence. Time is of the essence of the performance of each of Tenant's obligations under this lease.

16.9 Provider of Transportation Services. Tenant shall contract with transportation providers in the tri-county area to provide transportation for the elderly, people with disabilities, and the general community.

16.10 Joint and Several Liability. If this lease is executed by two or more persons or entities as Tenants, all of such persons or entities shall be liable jointly and severally, for payment of all sums due and performance of all conditions, terms and covenants in this lease.

Landlord:
Multnomah County, Oregon

By: Diane M. Linn, County Chair

Tenant No.1:
Ride Connection

By:

Reviewed:

Matthew O. Ryan,
Assistant County Attorney

Tenant No.2:
East County Ministries

By: , TREASURER

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-8 DATE 04.01.04
DEBORAH L. BOGSTAD, BOARD CLERK

Occupant Information

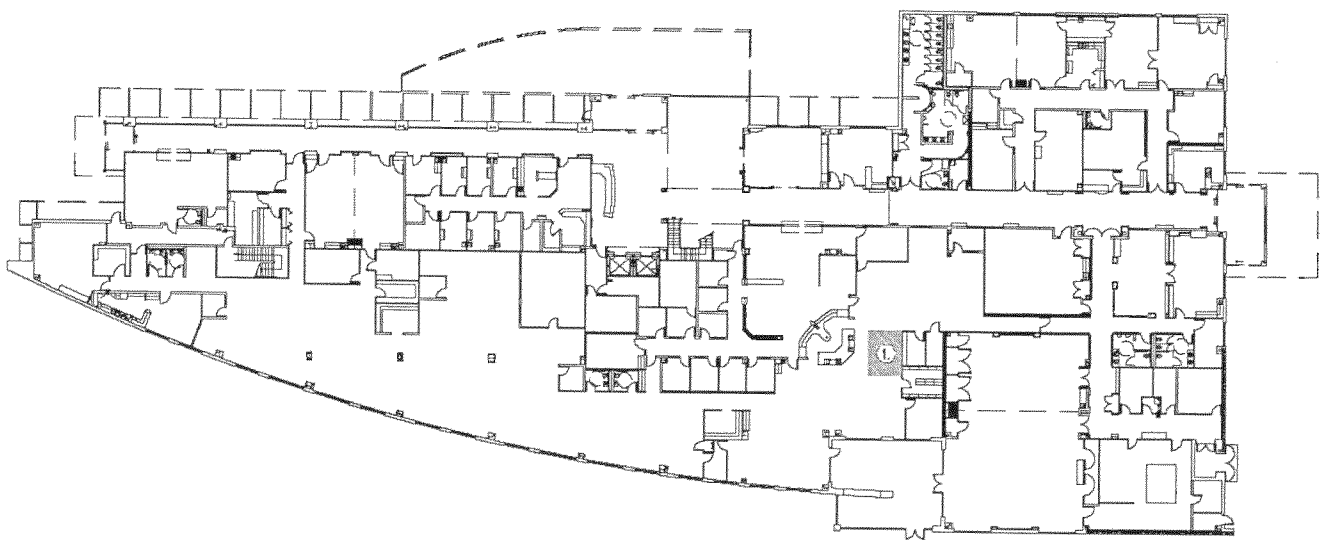
① Exclusive Use Space
160

Multnomah County East - 437

600 NE 8th Street
Gresham, Oregon 97030

R-28F - Ride Connection, Inc.

EXHIBIT A



First Floor

Measured by: Brett Taute
Date: 23 February 2004

EXHIBIT B

Multnomah County East Building: Parking Distribution Plan
November 2001

1. Guiding Principles:
   - Customer parking is priority;
   - No staff parking in customer areas;
   - Previous distribution and location of parking for Disabled, L&F MOW drivers and Special Assistance are already agreed to;
   - County Parking Policy is in transition but affects parking distribution;
   - The Tri Met Parking Garage Space Allocation is governed by County -Tri Met Parking Agreement. Health and ADS are required to manage parking use in the allotted spaces per the Agreement terms. Tri Met spaces will be only allocated to staff (includes partners) in order to assure compliance with the terms of the Agreement.
   - Parking will be managed on an ongoing basis, by ADS and Health Depts' Building Management Team (BMT) and the Building Tenant Council.
   - Parking is not assigned other than described as special needs or MOW:
   - Staff spaces will be marked in the Building Parking Lot as follows:
     - Reserved ADS-P (ADS and partners)
     - Reserved HED; (Health Department and partners)
     - Staff Carpool; (All tenants)
     - Staff Short-term, 20 minutes (All tenants)

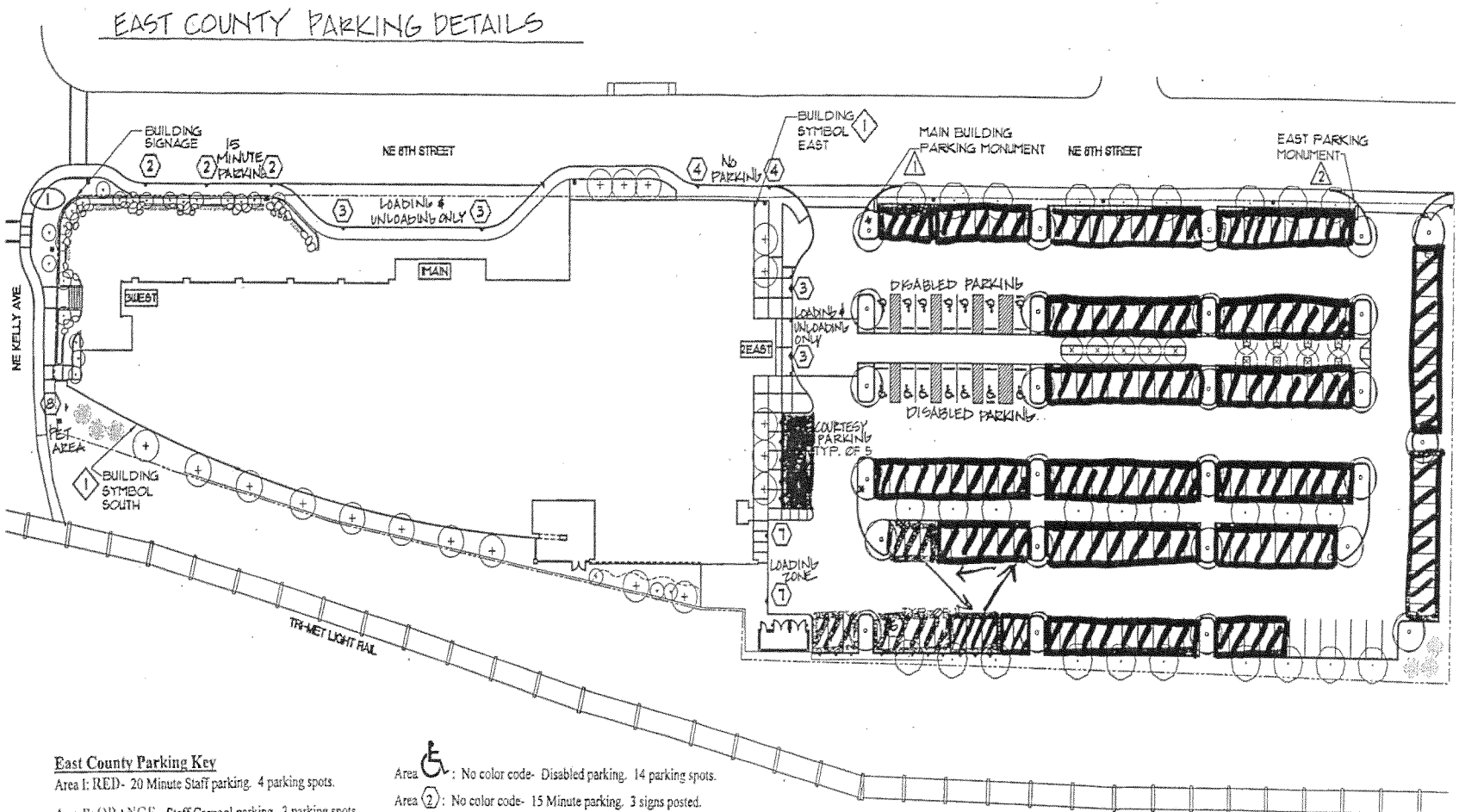
2. Distribution of MCE Lot 201 Spaces
   - Of the 201 spaces in MCE Lot (see diagram)
     - 137 for VISITORS (customers)
     - 5 for Special Needs (courtesy parking)
     - 14 for Disabled (staff and customers)
     - 11 L&F Meals on Wheels Drivers (9:00 - 2:00)
     - 4 Short-term Staff - 20 minute limit
     - 3 Staff Carpool
     - 21 allocated to ADS-P and HED Staff based on ratio of space:
       - 11 to Health
       - 10 to ADS and Partners
     - 7 spaces allocated for County Cars;

3. Distribution of Tri Met Parking Garage 70 Spaces
   - Of the 70 Spaces in Tri Met Garage
     - 2 assigned to Staff Carpool;
     - 34 assigned to HEALTH staff (HED)
     - 34 assigned to ADS and partners staff (ADS-P)

4. Special Notes:

- Recommend this distribution for first year with reassessment of parking needs and parking issues once programs are more fully functioning.
- Tri Met Agreement requires Auto-reduction plan 6 months after opening

EAST COUNTY PARKING DETAILS



East County Parking Key

Area I: RED- 20 Minute Staff parking. 4 parking spots.

Area II: ORANGE- Staff Carpool parking. 3 parking spots.

Area III: - County Car parking. 7 parking spots.

Area IV: GREEN- Mini Bus parking. 2 parking spots.

Area V: BLUE- Visitor parking. 136 parking spots.

Area VI: PURPLE- HED Staff parking. 11 parking spots.

Area VII: PINK- ADS-P Staff parking. 10 parking spots.

Area ♿: No color code- Disabled parking. 14 parking spots.

Area (2): No color code- 15 Minute parking. 3 signs posted.

Area (3): No color code- Loading and Unloading only. 4 signs posted, 2 at each location

Area (4): No color code- No Parking. 2 signs posted

Area (5): MAGENTA- Courtesy parking. 5 parking spots w/ signage.

Area (6): GREY- Reserved Loaves and Fishes. 11 parking spots w/ signage.

Area (7): No color code- Loading Zone/ No parking. 2 signs posted.

Area (8): No color code- Pet Area. 1 sign posted.

* SEE EXTERIOR SIGN ELEVATIONS FOR SIGNAGE DETAILS.

NOTE: ↔ Distribution Change To Plan per FM Signage alteration; Affects MOW, STAFF CARPOOL, and Visitor SLOT Location.

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:	
Meeting Date:	**April 1, 2004**
Agenda Item #:	**R-9**
Est. Start Time:	**9:45 AM**
Date Submitted:	**03/24/04**

Requested Date: April 1, 2004 **Time Requested:** 30 minutes

Department: Non-Departmental **Division:** Chair's Office & Com Dist 1

Contact/s: Shelli Romero, District 1, Andy Smith, Chair's office

Phone: Shelli Romero (503) 988-4435 **Ext.:** x84435 **I/O Address:** 503/6
Andy Smith (503) 988-5772 **Ext.** x85772

Presenters: Pauline Anderson and Paddy Tillett (Willamette Light Brigade), Amy Joslin (County Sustainability Initiative), and Jon Henrichsen (County Bridge Section)

Agenda Title: Bridge Lighting Plan and Proposed Agreement for Hawthorne Bridge Lighting

NOTE: If Ordinance, Resolution, Order or Proclamation, provide exact title.
For all other submissions, provide clearly written title.

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1. **What action are you requesting from the Board? What is the department/agency recommendation?**
   The Board is being asked to vote on a proposed agreement between the County and Willamette Light Brigade covering the installation and operation of architectural lighting on the Hawthorne Bridge, using funds and materials provided by Willamette Light Brigade. The County will install the lights and own them upon installation. The County Bridge Section and the Department of Business and Community Services recommend the board adopt the proposed agreement.

2. **Please provide sufficient background information for the Board and the public to understand this issue.**
   The Willamette Light Brigade (WLB) is a local non-profit group formed in the 1980's whose mission is to add architectural lighting to the downtown Willamette River bridges. Four of those bridges are maintained by Multnomah County. The County and the Bridge Section specifically have worked with WLB since 1986. WLB provided funds to install

lights on the Morrison Bridge in 1987 and has secured private funds to install architectural lights on the Hawthorne Bridge. Private funds have also been pledged to add lights to the Burnside Bridge but more will be needed to complete that project.

County staff has reviewed technical plans and specifications, responded to permit requests, and helped WLB determine which of their plans are feasible from a technical and County policy standpoint.

In August 2001, WLB presented a bridge lighting plan to the Board of County Commissioners. At the briefing, the board directed WLB to develop a lighting scheme that used private funds to install the lights and renewable energy to power them. WLB responded by conducting a study of renewable energy alternatives. Working with staff in the County's Sustainability Office, WLB and its consultant concluded that the only financially feasible solution was to power the lights with renewable energy by purchasing "green power tags" from the local utility. On the funding issue, WLB has proposed providing the County with funds and materials to complete installation of lights on the Hawthorne Bridge. The lights would be installed by County employees as part of their regular work schedule, which will reduce traffic interruptions for bridge users and reduce project costs. Prior to the lights being operated, WLB will provide the County with funds to operate and maintain the lights for three years.

3. **Explain the fiscal impact (current year and ongoing).**
The proposed agreement calls for WLB to provide materials and funds for the installation of architectural lights on the Hawthorne Bridge. The lights will be installed by County employees, with the work fitting into the maintenance schedule for the bridge. Upon installation, the County will assume ownership of the lights. Prior to operation of the lights, WLB will provide the County with funds to cover three years of maintenance and operation of the lights, including energy costs (using renewable energy "green tags"). Before the three-year period ends, a funding plan will be developed with WLB to cover ongoing maintenance and operation costs, possibly using private sponsors.

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

If a budget modification, explain:

- **What revenue is being changed and why?**
- **What budgets are increased/decreased?**
- **What do the changes accomplish?**
- **Do any personnel actions result from this budget modification? Explain.**
- **Is the revenue one-time-only in nature?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

- **Why was the expenditure not included in the annual budget process?**
- **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- **Why are no other department/agency fund sources available?**

- **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**
- **Has this request been made before? When? What was the outcome?**

If grant application/notice of intent, explain:

- **Who is the granting agency?**
- **Specify grant requirements and goals.**
- **Explain grant funding detail – is this a one time only or long term commitment?**
- **What are the estimated filing timelines?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**
- **How will the county indirect and departmental overhead costs be covered?**

4. **Explain any legal and/or policy issues involved.**
The agreement's commitment to the use of renewable energy and energy-efficient lighting fixtures supports several County resolutions. These include Res. 04-019 (Sustainability Principles), supporting the efficient use of resources, and Res. 01-051 (Local Action Plan on Global Warming), which called for increased use of renewable energy by 2010.

5. **Explain any citizen and/or other government participation that has or will take place.**
Extensive public outreach was conducted for the Hawthorne Bridge lighting project in 2001. Presentations were made to four neighborhood and business associations with boundaries near the bridge. Three other associations were contacted but did not request a presentation. A list of commercial river users was also contacted. Outreach identified strong support for the project, with several individuals stating a desire that the project be privately funded.

A number of public agencies have also been contacted regarding the Hawthorne Bridge lighting project, to ensure it meets all permitting requirements. These include the Federal Aviation Administration, NOAA Fisheries (aka National Marine Fisheries Service), Oregon Dept. of Fish and Wildlife, State Historic Preservation Office, U.S. Coast Guard, and U.S. Fish and Wildlife Service. Contacts with agencies confirmed that no permits are needed for the project.

Required Signatures:

Department/Agency Director: _____ **Date: 03/24/04**

Department/Agency Director: _____ **Date: 03/24/04**

BOGSTAD Deborah L

From: Tillett, Paddy [PTillett@zgf.com]
Sent: Friday, March 26, 2004 2:53 PM
To: BOGSTAD Deborah L
Cc: PULLEN Mike J
Subject: Willamette Light Brigade Presentation to the Board on April 1, 2004

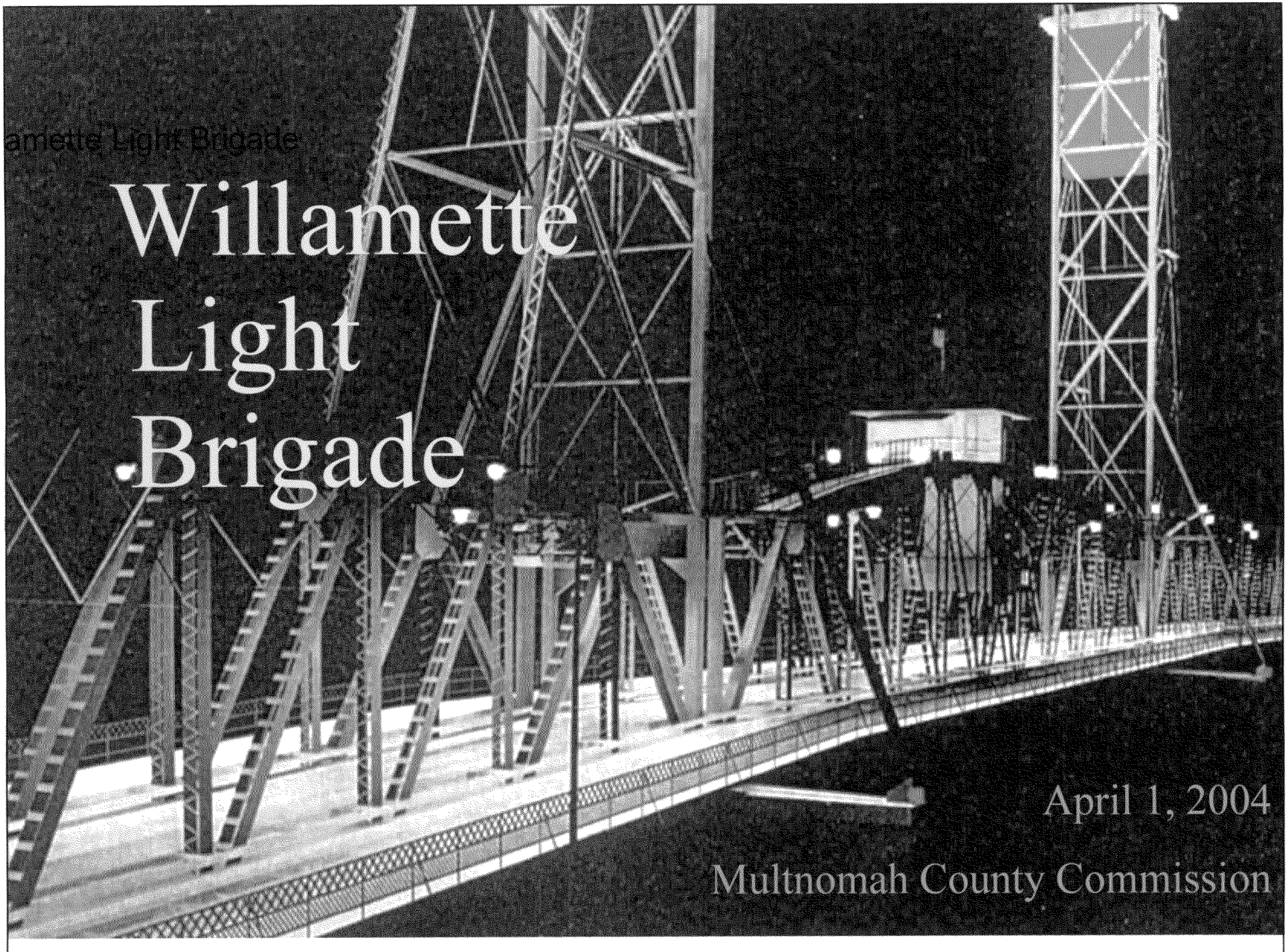
Deborah:

Attached is the brief PowerPoint presentation that we will use in our presentation to the Board of Commissioners next Thursday. If you have any questions about it, do not hesitate to call me on my direct line: 503/417-4367

-Paddy

Paddy Tillett, RIBA, FRTPI, FAICP, FAIA
Director of Planning & Urban Design
Zimmer Gunsul Frasca Partnership
320 SW Oak, Suite 500
Portland, OR 97204
voice: 503/417-4367
fax: 503/224-2482
ptillett@zgf.com

amette Light Brigade



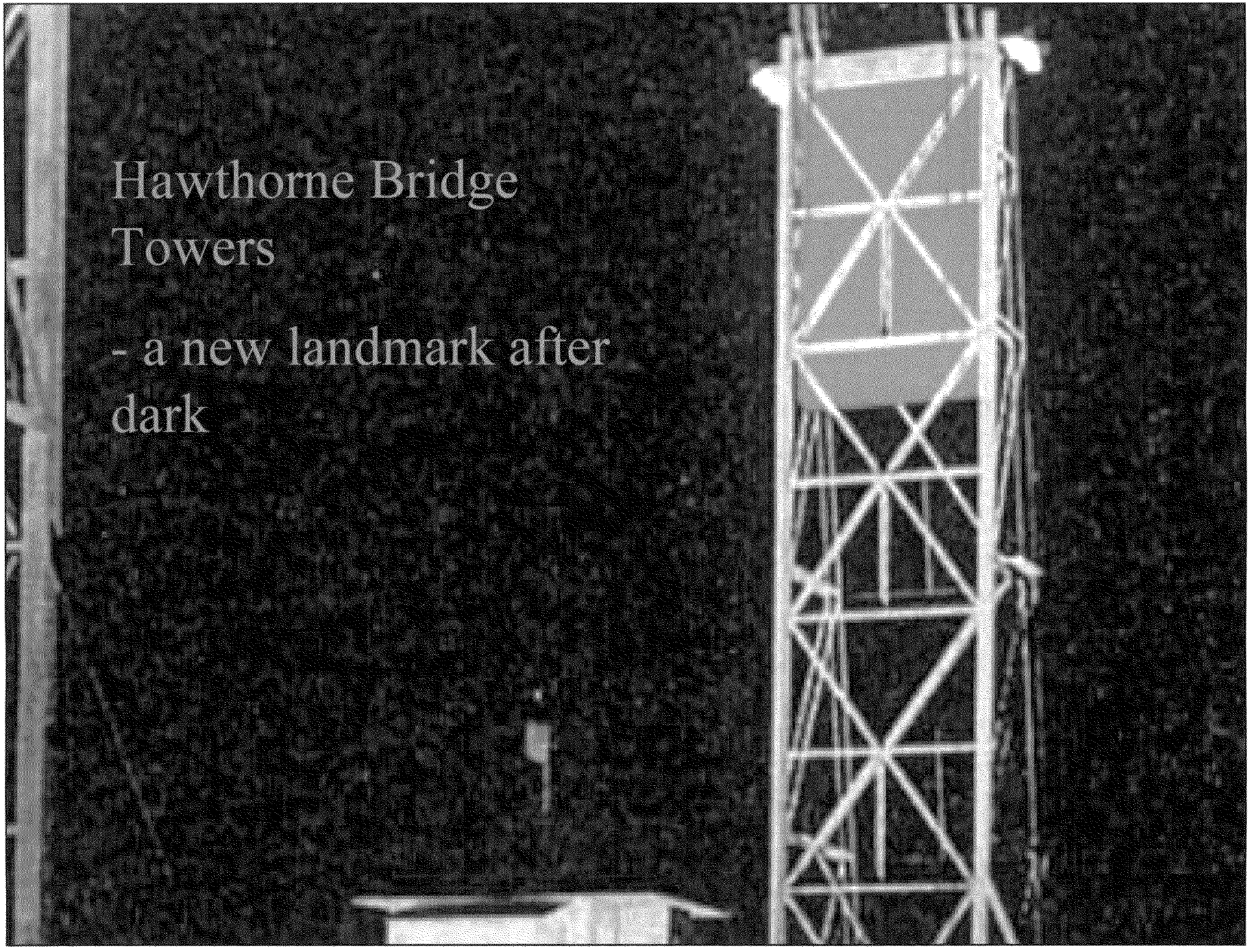
Willamette Light Brigade

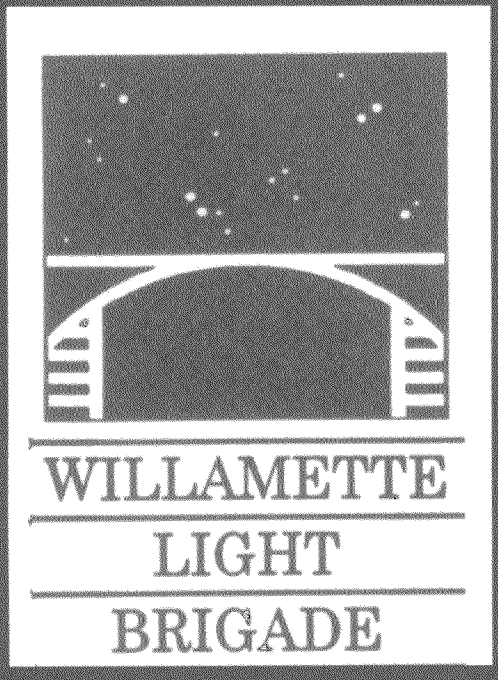
April 1, 2004

Multnomah County Commission

Main Reasons for this Briefing:

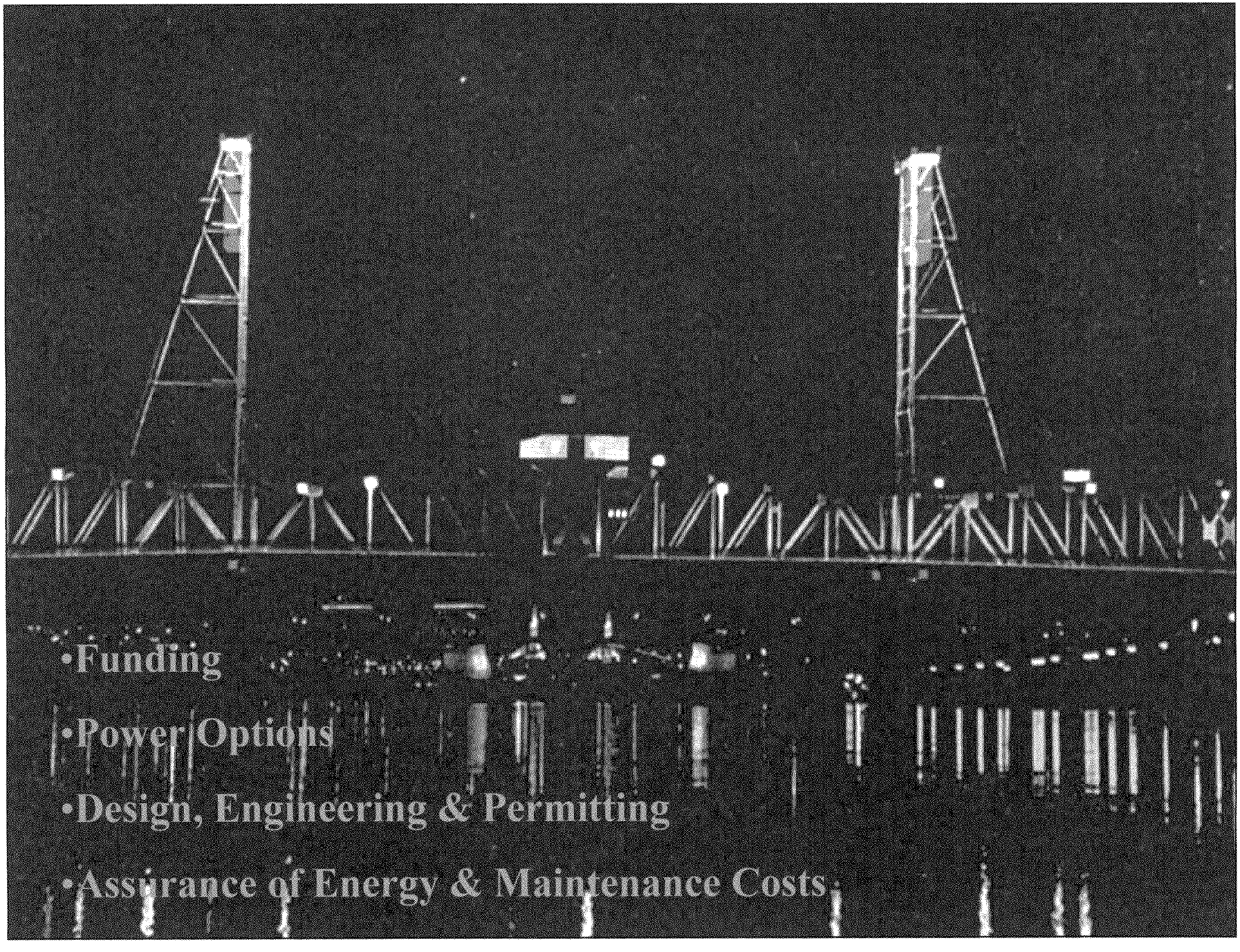
- Responding to the Board's 2001 directive to pursue renewable energy and private funds
- Asking the Board to approve an agreement to install and operate architectural lighting on the Hawthorne Bridge

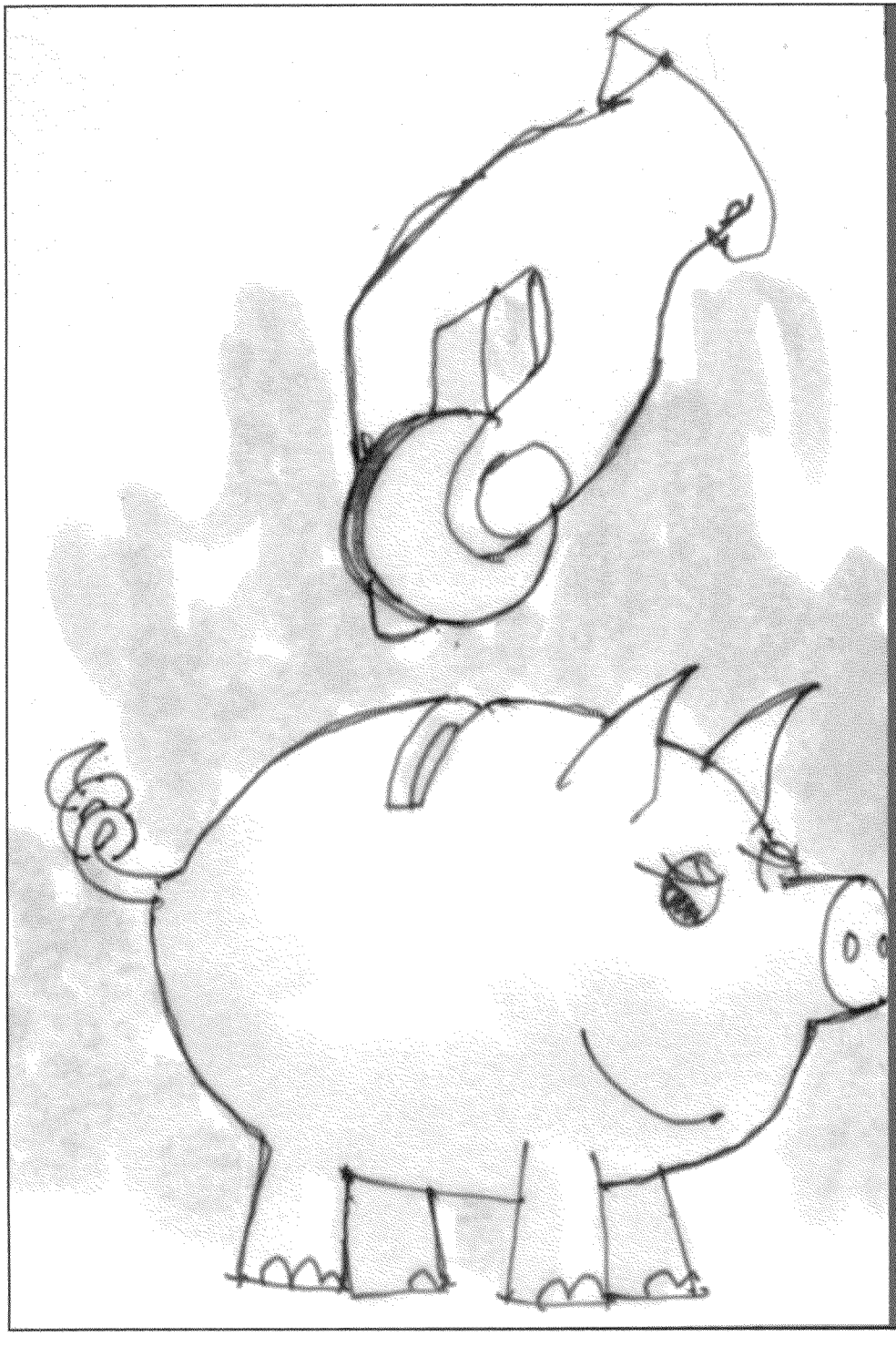

Hawthorne Bridge
Towers
- a new landmark after
dark



Why Light the Bridges?

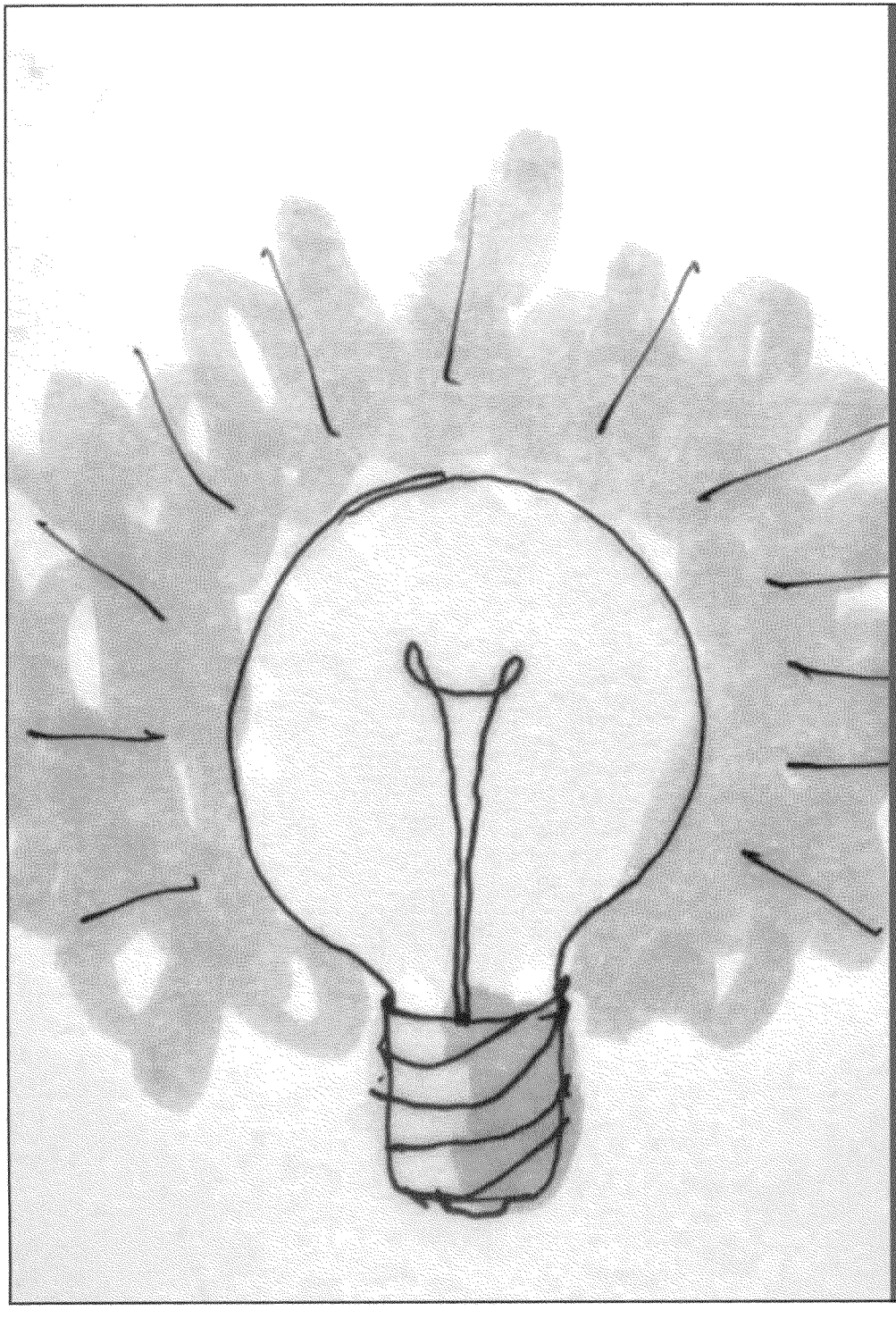
- To make the Willamette River and its bridges visible as the focus of our community after dark
- To highlight those structures that symbolize mutual dependence of citizens on both sides of the river
- To demonstrate our civic pride
- To add delight to the experience of bridge users


•Funding
•Power Options
•Design, Engineering & Permitting
•Assurance of Energy & Maintenance Costs



Funding

- Corporate Donation
- Other WLB Fund Raising
- Equipment Purchase



Alternative Power Sources

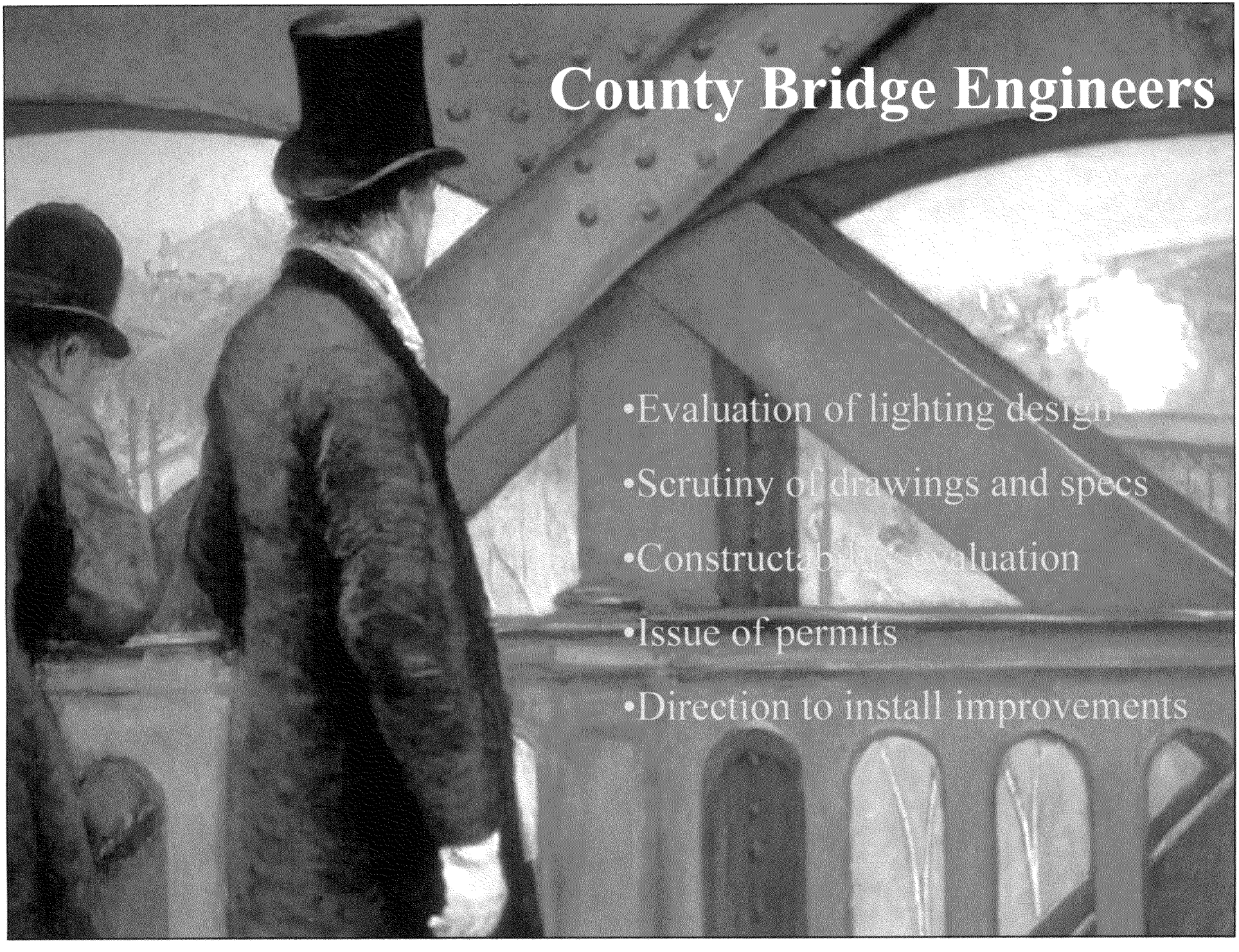
- **Photo-Voltaic Array**
- **Wind Turbine**
- **Micro Turbines**

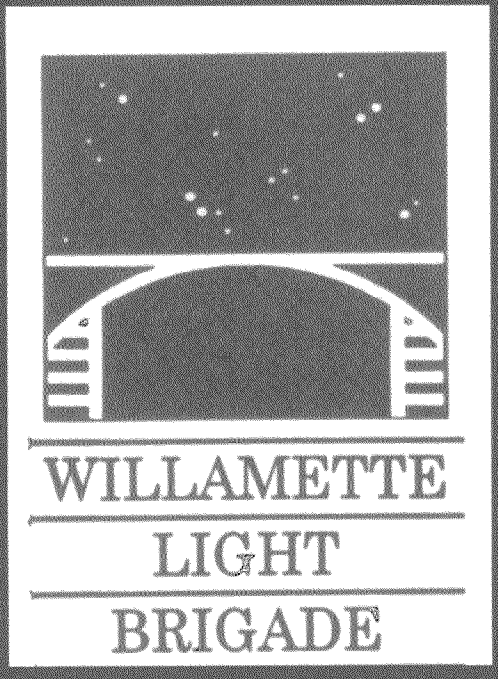
  -- Experts consulted

  -- Feasibility study commissioned

  -- Options considered

  -- Conclusions…


County Bridge Engineers
•Evaluation of lighting design
•Scrutiny of drawings and specs
•Constructability evaluation
•Issue of permits
•Direction to install improvements

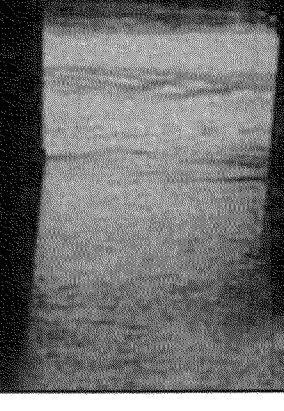


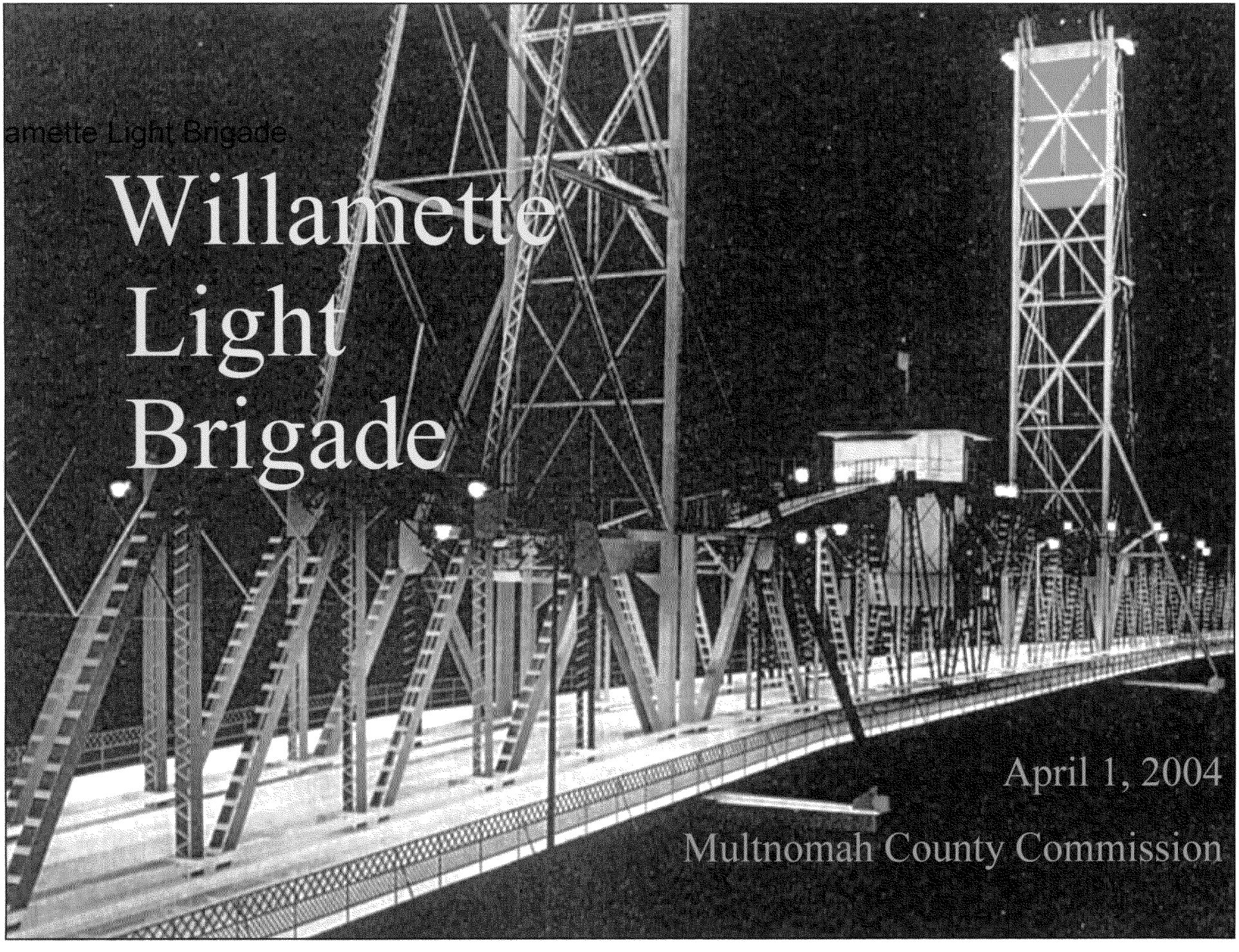
Project Agreement Between Multnomah County and WLB

- Willamette Light Brigade 501(c)3 provides equipment and pays for installation
- County Bridge Shop installs, owns and maintains the lighting
- WLB agrees to pay power and maintenance costs

Next Objective – the Burnside Bridge

- Concept and Budget Developed
- Equipment Purchased
- Engineering Ready to Proceed




amette Light Brigade
Willamette
Light
Brigade
April 1, 2004
Multnomah County Commission

Project Agreement between the WILLAMETTE LIGHT BRIGADE, an Oregon non-profit corporation ("WLB"), and MULTNOMAH COUNTY ("County") to provide for architectural lighting of the Hawthorne Bridge

I. RECITALS

1. WLB is a non-profit corporation organized for the purpose of adding architectural lighting to the bridges over the Willamette River within the city limits of Portland, Oregon. Multnomah County operates and maintains five of the ten bridges open to vehicular crossings of the Willamette in Portland.

2. WLB and the County initiated a plan to illuminate the Willamette River bridges in 1987 by working together to install lights on the piers and trusses of the Morrison Bridge.

3. An early project involving both WLB and the County involved the privately funded installation of temporary lights on the Hawthorne Bridge to celebrate the centennial anniversary of electrical service to Portland.

4. Since that time WLB has continued its efforts to highlight the portfolio of historic and architecturally significant bridges across the Willamette River in Portland.

5. In 1999 Portland Mayor Vera Katz created a "Legacy Committee" to identify projects or programs to build a lasting memorial of the new millennium and to serve as a "gift to the City" to celebrate its 150th birthday. From many suggestions the Legacy Committee chose a proposal presented by WLB to add architectural lighting to several downtown Portland bridges over the Willamette River.

6. The "Legacy" goal was to light five consecutive downtown bridges: Hawthorne, Morrison (upgrade existing lighting hardware), Burnside, Steel and Broadway. The Mayor's Office accepted fundraising responsibility for hardware and installation with the understanding that WLB would commission and underwrite the conceptual lighting designs and apply for any necessary installation permits with the County and City.

7. In 1999 on behalf of the County, which is responsible for the Hawthorne, Morrison, Burnside and Broadway bridges, County Chair Diane Linn (then Commissioner, Dist. 1) organized a committee of staff and volunteers to pursue the goal of adding architectural lights to several County bridges in downtown Portland.

8. Since that time WLB has completed conceptual designs for the new lighting system on each of the four County controlled bridges, as well as completed final plans and electrical specifications for the Hawthorne Bridge Lighting System.

9. Also, for the existing Morrison Bridge lighting system, WLB secured an anonymous donation for upgrades that will greatly reduce costs and risk factors of maintaining the system.

10. "Phase 1" of the Legacy Project covers lighting the Hawthorne and Burnside bridges. Mayor Katz secured funds and a pledge sufficient to implement Phase 1, with funds from PGE for Hawthorne and a pledge from PacifiCorp for Burnside.

11. The County and the WLB share the goals of promoting energy efficiency and renewable power. The parties agree this bridge lighting effort will utilize energy-efficient lighting fixtures powered by renewable "green" sources such as wind and solar power.

The Parties Agree as Follows:

II. PURPOSE OF AGREEMENT

This Agreement between County and WLB identifies the tasks and responsibilities of the parties to implement the architectural lighting on one of the "Legacy Project" bridges, the Hawthorne Bridge, specifically the parties' responsibilities pertaining to designing, funding, installing, operating and maintaining this unique civic project. As consideration for the WLB contributing the Lighting System Design, equipment and cash to cover the installation cost (including labor and materials), the County agrees to install the Hawthorne Bridge Lighting System on the terms and conditions set forth herein.

III. TERMS AND CONDITIONS

A. Description of Lighting System to be installed on the Hawthorne Bridge:

1) Twenty-four (24) metal halide floodlights will be installed at appropriate locations to illuminate all sides of the counterweights and towers.
2) Four lower wattage floodlights and two spotlights will illuminate the machinery house and flag atop the lift span.
3) No changes are proposed to the existing streetlights, which are directed downward onto the roadway, sidewalks and lower parts of the bridge structure.
4) The plans and specifications for the Hawthorne Bridge Lighting System ("Lighting System" or "System") are attached identified as Exhibit 1 and hereby incorporated by this reference.

B. WLB's Warranties and Other Obligations Regarding Lighting System:

1) WLB warrants it has obtained full legal authority to and control over the Lighting System and its design to be used in this project and WLB further warrants: (a) that all contractors and sub-contractors who have performed any work whatsoever in the development of this System and its design have been fully compensated for their services therein; (b) that neither the System nor its design are subject to any copyright, patent or other protected legal interest that would unreasonably interfere with the County's implementation of the System or its design as provided for in this Agreement.

2) WLB will provide the County with all materials identified in the attached Exhibit 2, which the parties have agreed are necessary for the installation of the Lighting System. Exhibit 2 is hereby incorporated by this reference.
3) WLB is purchasing a quantity of bridge lighting materials from Seattle City Light. WLB intends to provide some of these materials for use in the Hawthorne Bridge Lighting System in accordance with Exhibit 2. Some or all of the provided materials are expected to differ somewhat from components shown in the original plans and specifications listed in Exhibit 1.
4) WLB is responsible for revising the plans and specifications as necessary to accommodate the provided materials. WLB must obtain the official stamped approval of the revised plans and specifications by an Oregon registered electrical engineer.
5) WLB warrants it has obtained approval or consent from all applicable regulatory agencies and other interested organizations regarding the Lighting System including the following: State Historic Preservation Office (SHPO); U.S. Coast Guard; Federal Aviation Administration (FAA); NOAA Fisheries (aka National Marine Fisheries Service -- NMFS); United States Fish and Wildlife Service (USFWS); Oregon Department of Fish and Wildlife (ODFW); river users; business and neighborhood associations
6) The WLB confirms it has met with each Agency or organization and described the Lighting System and ascertained if a formal review and approval was required and has complied therewith.
7) WLB will provide County with written verification of approval or consent to the installation by the Agencies identified in Sub-section III B. (5); or written confirmation that the project is exempt from any compliance requirements of such Agencies or organizations.
8) The WLB will be responsible for and provide written summary of compliance with, or exemption from, all environmental regulations, including but not limited to those administered by NOAA Fisheries, USFWS, ODFW and FAA.
9) WLB will record and document all additional comments made by the Agencies and organizations and provide copies of all such comments to the County.

C. Funding of Installation:

1) WLB will pay County $50,000 within 30 days of the parties executing this Agreement to cover the cost of installing the Lighting System to illuminate the significant architectural features of the Hawthorne Bridge
2) To fund this project, WLB relies primarily on $60,000 that has been donated by PGE to the City of Portland Legacy Fund and is held in trust by the Office of the Mayor.
3) WLB and County will develop and agree to a specific project construction budget, based on current estimates provided by WLB's technical advisors and confirmed by County, in an amount not to exceed the total amount donated to the Legacy Project for this purpose.
4) If, at any time during the project, the County determines that construction/installation costs will or may exceed the budget, County will timely notify the WLB representative. County will also cease installation work at the next feasible stopping point in the County's sole determination.

5) If circumstances as set forth in Sub-section III C. (4) arise, WLB and County will confer within 30 days of County's notice to the WLB to discuss possible measures for completing the project such as changes in scope or increased funding. County will not resume installation work until both parties agree on a completion plan. If the parties cannot come to an agreement to revise the scope of the project, then the obligations of the parties will cease as provided under Sub-section III F.
6) Neither the County General Fund nor the County Road Fund shall be drawn upon to cover the cost of any of the County's activities related to the installation of the Lighting System as provided herein.
7) After installation is completed, the County will return any remaining installation funds to the WLB.

D. Installation Responsibility:

1) County will be responsible for installation of the Hawthorne Lighting System as described in Section III A, subject to the conditions set forth in this Section.
2) Subject to all necessary agency reviews of the design having been completed to County's satisfaction, the County will complete installation no later than 12 months from the approval date of this Agreement, provided that County reserves the right to delay, postpone or refuse to initiate or complete installation if:
    a. Any agency with lawful jurisdiction or regulatory authority rejects or revokes consent or other permission previously granted.
    b. For any reason the WLB is unable upon reasonable demand by the County to provide sufficient funds to cover the cost of this project.
    c. WLB does not provide the County with all equipment and materials necessary for the installation of the Lighting System identified in Exhibit 2.
    d. An emergency or other unforeseen circumstance affecting the Hawthorne Bridge precludes the County from initiating or completing installation within the 12 months time frame.
    e. The revised plans and specifications identified in Sub-section III B. (4) have not been reviewed and/or approved by the County.

E. Party Responsibilities Upon Completion of Installation:

1) County will assume ownership of the Lighting System.
2) County agrees to operate the Lighting System approximately 2,200 hours per year, with an average of at least six hours of lighting per day.
3) Subject to Sub-section E. (2) of this Section, the County will consult with WLB on a detailed schedule for operating the lighting at various times of day during different seasons of the year.
4) Notwithstanding Sub-section E. (2), County reserves the right to vary the hours of operation per day during the year or reduce them entirely if funding is not budgeted for the lighting system and its operation or adequate renewable energy is not available as the power source.
5) County will make its best efforts to maintain the Lighting System to a standard that results in full lighting of the design during the hours of operation.

6) WLB will donate $12,000 to County to be placed in a segregated fund to pay for the estimated annual cost of operating and maintaining the Lighting System for at least three (3) years. The WLB will transfer the $12,000 to the County prior to start of System operation.
7) WLB and County agree that the operating schedule may be adjusted to extend the effective period of the funding if possible.
8) All the County's obligations under this Section are subject to the County receiving from WLB the funds identified under Sub-section 6 of this Section and further provided the County can use renewable energy power sources to operate the lighting system.

F. Early Termination: This Agreement may be terminated as follows:

1) If the County at any time determines there are insufficient funds to cover the cost of the work as originally designed and the parties are unable to come to agreement on a substitute design or the provision of additional funds are not obtained, the County may terminate this agreement upon 30 days notice to WLB.
2) County and WLB may terminate this Agreement by mutual agreement at any time.
3) Either County or WLB may terminate this Agreement in the event of breach of the Agreement by the other.

G. Payment on Early Termination: Upon termination pursuant to Section III F, payment will be made as follows:

1) If terminated by the County, County will not be liable for the payment of any direct, indirect or consequential damages. Termination will not result in a waiver of any other claim County may have against WLB.
2) If terminated by WLB due to a breach by the County, then the County will refund WLB any remaining funds not otherwise expended for the installation or operation of the system.
3) If terminated by the County due to a breach by WLB, then the County retains all remedies.
4) If the Agreement is terminated under Sub-section F. (1) or (2), any funds in the County's possession received from the WLB under this Agreement which exceed the County's costs at the time of early termination shall be refunded to WLB.

H. Indemnity and Hold Harmless:

WLB shall defend, hold harmless and indemnify the County, its officers, agents and employees from all claims, suits or actions of whatsoever nature resulting from or arising out of WLB's failure to perform its obligations imposed under Section III B.

I. No Third Party Beneficiaries:

County and WLB are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives or provides any benefit or right, whether directly, indirectly, or otherwise, to third persons unless such third

persons are individually identified by name in this Agreement and expressly described as intended beneficiaries of this Agreement.

J. Governing Law:

The provisions of this Agreement will be construed in accordance with the laws of the State of Oregon and ordinances of Multnomah County, Oregon. Any legal action involving any question arising under this Agreement must be brought in Multnomah County, Oregon. If the claim must be brought in a federal forum, then it will be brought and conducted in the United States District Court for the District of Oregon.

K. Severability:

If any term or provision of this Agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions will not be affected, and the rights and obligations of the parties will be construed and enforced as if the Agreement did not contain the particular term or provision held invalid.

L. Merger Clause:

This Agreement and the attached exhibits constitute the entire agreement between the parties. All understandings and agreements between the parties and representations by either party concerning this Agreement are contained in this Agreement. No waiver, consent, modification or change in the terms of this Agreement will bind either party unless in writing signed by the authorized representative of both parties. Any written waiver, consent, modification or change will be effective only in the specific instance and for the specific purpose given.

For Willamette Light Brigade:

By: _____

Print Name: _____

Title: _____

Date: _____

For Multnomah County:

By: _____

Print Name: **Diane M. Linn**

Title: **Multnomah County Chair**

Date: April 1, 2004

REVIEWED:
AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY

BY _____
ASSISTANT COUNTY ATTORNEY

DATE March 24, 2004

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-9 DATE 04.01.04
DEBORAH L. BOGSTAD, BOARD CLERK

Exhibit 1

Plans and Specifications for Hawthorne Bridge Lighting System

The documents listed below, which were prepared by Industrial Design Corporation (IDC) for the Willamette Light Brigade, are hereby incorporated by this reference:

A. **Plans:** Set of design plans consisting of five 42"x30" drawings. The plans were produced by IDC in 1998 and stamped with an Oregon Professional Engineer's seal by Susan Schiller, P.E. They were received by Multnomah County Bridge Section on January 17, 2001. The Bridge Section reviewed the drawings and stamped them "Reviewed with Comments" on February 21, 2001. The five drawings are coded and titled as follows:
   1. HBE – 0000: Hawthorne Bridge: Electrical Legend
   2. HBE –1000: Hawthorne Bridge: Tower Lighting; Electrical Schedules & Diagrams
   3. HBE –1001: Hawthorne Bridge: Tower Lighting; Electrical Wiring Diagram
   4. HBE –1002: Hawthorne Bridge: Tower Lighting; Electrical Elevation & Plan
   5. HBE –1003: Hawthorne Bridge: Electrical Details

B. **Specifications:** Set of technical specifications titled "Hawthorne Bridge Tower Lighting -- Electrical Specifications" and consisting of fifteen 8½" x 11" pages including cover sheet. The set is marked "Issue for Construction 05/11/98." The cover sheet is stamped with an Oregon Professional Engineer's seal by Susan Schiller, P.E. The specifications were received by Multnomah County Bridge Section on January 17, 2001. The Bridge Section reviewed them and stamped them "Reviewed with Comments" on February 21, 2001.

Note: As explained in Section III B. (4), it is expected that the plans and specifications will be revised to accommodate materials purchased by the WLB for donation to the County. All significant revisions must be stamped by a registered professional engineer in accordance with Oregon regulations. Also, the revisions must be reviewed and approved by the County.

Exhibit 2

Materials to be Donated by Willamette Light Brigade for Hawthorne Bridge Lighting System

The Willamette Light Brigade will donate to Multnomah County some of the materials required for the Hawthorne Bridge Lighting System. See IDC drawings and specifications listed in Exhibit 1 for lists and descriptions of required materials. For each type of light, the technical description and size are to be determined by the parties. Materials to be donated by the WLB will include, but not be limited to, the following:

Item 1: Type A HID Floodlights. Quantity: 24

Item 2: Type B HID Floodlights. Quantity: 4

Item 3: Type C HID Spotlights. Quantity: 2

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 1, 2004
Agenda Item #: R-10
Est. Start Time: 10:15 AM
Date Submitted: 03/17/04

Requested Date: April 1, 2004 **Time Requested:** 105 mins

Department: Non-Departmental **Division:** Chair's Office

Contact/s: Agnes Sowle

Phone: 503.988-3138 **Ext.:** 83138 **I/O Address:** 503/600

Presenters: Agnes Sowle

Agenda Title: RESOLUTION Approving Chair's Administrative Decision Regarding Marriage Licenses

NOTE: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide clearly written title.

---

1. **What action are you requesting from the Board? What is the department/agency recommendation?**
   Approval of the RESOLUTION Approving Chair's Administrative Decision Regarding Marriage Licenses

2. **Please provide sufficient background information for the Board and the public to understand this issue.**
   In January 2004 Commissioners Naito and Cruz requested County Attorney Agnes Sowle to give her legal opinion on whether the County's practice of denying marriage licenses to same sex couples was permissible under current Oregon law and whether the County was at any risk of liability if it continued that practice.

   On March 2, 2004, the County Attorney delivered to each Board member both her written legal opinion and an opinion letter from Charles F. Hinkle, who was asked to review this practice as independent counsel for the County. The County Attorney concluded the County's "refusal to issue marriage licenses to same sex couples violates Article I,

section 20, of the Oregon Constitution." She further concluded that the Board and each of the Commissioners were required by law to act in compliance with the Constitution and that the County was at risk of incurring liability if it did not do so. Mr. Hinkle concurred, stating "If Multnomah County issues marriage licenses to opposite sex couples, it must issue marriage licenses to same sex couples." He further stated that "to do otherwise would be...in direct violation of the constitutional command of Article I, section 20."

No opinion was solicited from the Oregon Attorney General regarding the County's marriage licensing practice because the AG is advisory counsel for the State and State agencies rather than local government.

On March 3, 2004, Chair Linn directed the County's Tax Collection and Records Management Division to issue licenses to same sex couples. Commissioners Rojo de Steffey, Cruz and Naito held a press conference acknowledging the Chair's authority to change this administrative procedure and supporting her executive decision.

On March 8, 2004, Greg Chaimov, Legislative Counsel, released an opinion letter to Senator Kate Brown, in which he concluded that denying marriage licenses to same sex couples was a violation of the Oregon Constitution on the same grounds as cited by the County Attorney and Mr. Hinkle.

On March 12, 2004, Attorney General Hardy Myers released an opinion requested by the Governor, in which he concluded that the Supreme Court would likely find that denial of marriage licenses to same sex couples is a violation of the Oregon Constitution.

3. Explain the fiscal impact (current year and ongoing).

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

If a budget modification, explain:

- **What revenue is being changed and why?**
- **What budgets are increased/decreased?**
- **What do the changes accomplish?**
- **Do any personnel actions result from this budget modification? Explain.**
- **Is the revenue one-time-only in nature?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

- **Why was the expenditure not included in the annual budget process?**
- **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- **Why are no other department/agency fund sources available?**

- **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**
- **Has this request been made before? When? What was the outcome?**

If grant application/notice of intent, explain:

- **Who is the granting agency?**
- **Specify grant requirements and goals.**
- **Explain grant funding detail – is this a one time only or long term commitment?**
- **What are the estimated filing timelines?**
- **If a grant, what period does the grant cover?**
- **When the grant expires, what are funding plans?**
- **How will the county indirect and departmental overhead costs be covered?**

4. **Explain any legal and/or policy issues involved.**
   See response 2 on previous page.

5. **Explain any citizen and/or other government participation that has or will take place.**
   Public testimony on the same sex marriage license issue was heard during public Board meetings on March 4 and March 11, 2004. Additional public testimony solicited and expected at the March 25, March 31 and April 1, 2004 public Board meetings.

Required Signatures:

Department/Agency Director: _____ **Date: 03/17/04**

Budget Analyst

By: _____ **Date:**

Dept/Countywide HR

By: _____ **Date:**

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Approving Chair's Administrative Decision Regarding Marriage Licenses

The Multnomah County Board of Commissioners Finds:

a) In January 2004 Commissioners Naito and Cruz requested County Attorney Agnes Sowle to give her legal opinion on whether the County's practice of denying marriage licenses to same sex couples was permissible under current Oregon law and whether the County was at any risk of liability if it continued that practice.

b) On March 2, 2004, the County Attorney delivered to each Board member both her written legal opinion and an opinion letter from Charles F. Hinkle, who was asked to review this practice as independent counsel for the County. The County Attorney concluded the County's "refusal to issue marriage licenses to same sex couples violates Article I, section 20, of the Oregon Constitution." She further concluded that the Board and each of the Commissioners were required by law to act in compliance with the Constitution and that the County was at risk of incurring liability if it did not do so. Mr. Hinkle concurred, stating "If Multnomah County issues marriage licenses to opposite sex couples, it must issue marriage licenses to same sex couples." He further stated that "to do otherwise would be...in direct violation of the constitutional command of Article I, section 20."

c) No opinion was solicited from the Oregon Attorney General regarding the County's marriage licensing practice because the AG is advisory counsel for the State and State agencies rather than local government.

d) On March 3, 2004, Chair Linn directed the County's Tax Collection and Records Management Division to issue licenses to same sex couples. Commissioners Rojo de Steffey, Cruz and Naito held a press conference acknowledging the Chair's authority to change this administrative procedure and supporting her executive decision.

e) On March 8, 2004, Greg Chaimov, Legislative Counsel, released an opinion letter to Senator Kate Brown, in which he concluded that denying marriage licenses to same sex couples was a violation of the Oregon Constitution on the same grounds as cited by the County Attorney and Mr. Hinkle.

f) On March 12, 2004, Attorney General Hardy Myers released an opinion requested by the Governor, in which he concluded that the Supreme Court would likely find that denial of marriage licenses to same sex couples is a violation of the Oregon Constitution.

The Multnomah County Board of Commissioners Resolves:

1. To support Chair Linn's March 2, 2004, decision whereby she directed the Tax Collection and Records Management Division of the Department of Business and Community Services to issue marriage licenses to all qualified persons regardless of their gender or sexual orientation.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSONERS
FOR MULTNOMAH COUNTY, OREGON

_____
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By_____
Agnes Sowle, County Attorney

CABLE/MEDIA STREAMING COVERAGE FOR PUBLIC HEARINGS ON SAME SEX MARRIAGE ISSUES

Cable coverage of the March 25, March 31 and April 1, 2004 Board meetings/public hearings are produced through Multnomah Community Television. The following meetings will be cable-cast live and taped and may be seen by Cable subscribers in Multnomah County at the times and cable channels listed below. Call 503-491-7636, ext. 332 for further info or log onto http://www.mctv.org for the program guide/playback schedule. These Board meetings are also available live via media streaming at http://www.co.multnomah.or.us/cc/live_broadcast.shtml or thereafter at http://www.co.multnomah.or.us/cc/pastmeetings.shtml. Call Board Clerk Deb Bogstad 503-988-3277 for further information.

Thursday, March 25, 2004 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

10:15 AM TIME CERTAIN: PUBLIC HEARING and Consideration of a RESOLUTION Approving Chair's Decision to Issue Marriage Licenses to Same-sex Persons. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk. The Boardroom will be open one hour prior to the meeting.

Thursday March 25, 9:30 AM, (LIVE) Channel 30
Friday, March 26, 11:00 PM, Channel 30
Saturday, March 27, 10:00 AM, Channel 30
Sunday, March 28, 11:00 AM, Channel 30

Wednesday, March 31, 2004 - **4:00 PM to 6:00 PM**
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

PUBLIC HEARING

The Multnomah County Board of Commissioners is requesting public testimony on a Resolution reiterating the county's position to adhere to the legal opinion that it is unconstitutional to deny marriage licenses based on gender or sexual orientation. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk. The Boardroom will be open one hour prior to the meeting.

Wednesday, March 31, 4:00 PM, (LIVE) Channel 29
Saturday, April 3, 2:00 PM, Channel 29
Sunday, April 4, 4:00 PM, Channel 29
Wednesday, April 7, 8:00 PM, Channel 29
Saturday, April 10, 5:00 PM, Channel 29

Wednesday, March 31, 2004 - **7:00 PM to 9:00 PM**
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

PUBLIC HEARING

The Multnomah County Board of Commissioners is requesting public testimony on a Resolution reiterating the county's position to adhere to the legal opinion that it is unconstitutional to deny marriage licenses based on gender or sexual orientation. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk. The Boardroom will be open one hour prior to the meeting.

Wednesday, March 31, 7:00 PM, (LIVE) Channel 29
Saturday, April 3, 4:00 PM, Channel 29
Sunday, April 4, 6:00 PM, Channel 29
Friday, April 9, 8:00 PM, Channel 29
Saturday, April 10, 7:00 PM, Channel 29

Thursday, April 1, 2004 - 9:30 AM to 12:00 PM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

10:15 AM TIME CERTAIN: PUBLIC HEARING and Consideration of a RESOLUTION Approving Chair's Administrative Decision Regarding Marriage Licenses. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk. The Boardroom will be open one hour prior to the meeting.

Thursday April 1, 9:30 AM, (LIVE) Channel 30
Friday, April 2, 11:00 PM, Channel 30
Saturday, April 3, 10:00 AM, Channel 30
Sunday, April 4, 11:00 AM, Channel 30

MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
501 S.E. HAWTHORNE BLVD., Room 600
PORTLAND, OREGON 97204
(503) 988-5217

LISA NAITO ● DISTRICT 3 COMMISSIONER

Statement of
Multnomah County Commissioner LISA NAITO
Approving Chair's Administrative Decision
Regarding Marriage Licenses
Thursday, April 01, 2004

I want to acknowledge Chair Linn's leadership on the issue before us today, as well as Commissioners Cruz and Rojo de Steffey. I would also like to thank Commissioner Roberts who filed a resolution that gave us this opportunity to hold public hearings on Chair Linn's decision regarding marriage licenses.

The testimony these many days has shown that people have very firm and very different opinions on this issue. My sincere thanks to the many people who have testified this past week for their respect and their civility in listening to others with whom they may disagree. The testimony has been, at times, very emotional; demonstrating how important this issue is to both sides of the debate. Again, thank you to everyone who took the time and effort to share your views with us.

I would like to address some of the themes that I've heard in testimony this past week:

First, the theme, "Marriage is a religious institution and therefore limited to a man and a woman." As a government official, sworn to uphold the constitution, my only course is to adhere to the principle set forth in the First Amendment regarding separation of church and state. I would not presume to tell a church or synagogue or mosque or temple who can or cannot marry under their roof. Moreover, we have heard testimony from several religious organizations including Havurah Shalom, United Church of Christ, several Quaker congregations and

others that welcome gays and lesbians and *do* marry same sex couples under their roof. Religious organizations, like the rest of our community, are divided on the issue. And please remember, Multnomah County issues *civil*, not religious, marriage licenses.

Second, "The process was somehow flawed." I disagree. And the Fourth Circuit Court disagrees. All suits against the County have been dismissed. In effect, dismissal of those claims affirms Chair Linn's executive authority to make the decision she did. Legally and lawfully, rights granted to individuals or groups under the State Constitution are *not* dependent upon the acceptance of the majority.

Finally and most importantly, this is about human rights guaranteed by the Oregon Constitution. When we learned from County Attorney Agnes Sowle that denial of licenses to same sex couples violated their civil rights under the Constitution and that Multnomah County was required to act in accordance with the Constitution, our obligation, as County Commissioners, was to honor our oaths of office and uphold the Oregon Constitution.

As our culture has evolved and our laws have changed over time, there remains no rational, no legal basis for a governmental entity to deny same sex couples their rights. We *must* acknowledge that same sex couples already have the right to adopt children, or to conceive and bear children through modern medical innovations. It is important that we not degrade these committed families and demote them to second class citizenship. Their commitment to one another, to their children, and their full participation as members of our community must be recognized equally by their government.

After hearing hours and hours of public testimony, I remain firm in my belief that Chair Linn's decision regarding marriage licenses was fair and proper. I know that history will prove our actions to be right and just. Basic civil rights were being violated; it's as simple as that. That's why I will vote today in support of Chair Linn's decision to fix an inequity and issue marriage licenses to all qualified persons regardless of their gender or sexual orientation.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-039

Approving Chair's Administrative Decision Regarding Marriage Licenses

The Multnomah County Board of Commissioners Finds:

a) In January 2004 Commissioners Naito and Cruz requested County Attorney Agnes Sowle to give her legal opinion on whether the County's practice of denying marriage licenses to same sex couples was permissible under current Oregon law and whether the County was at any risk of liability if it continued that practice.

b) On March 2, 2004, the County Attorney delivered to each Board member both her written legal opinion and an opinion letter from Charles F. Hinkle, who was asked to review this practice as independent counsel for the County. The County Attorney concluded the County's "refusal to issue marriage licenses to same sex couples violates Article I, section 20, of the Oregon Constitution." She further concluded that the Board and each of the Commissioners were required by law to act in compliance with the Constitution and that the County was at risk of incurring liability if it did not do so. Mr. Hinkle concurred, stating "If Multnomah County issues marriage licenses to opposite sex couples, it must issue marriage licenses to same sex couples." He further stated that "to do otherwise would be...in direct violation of the constitutional command of Article I, section 20."

c) No opinion was solicited from the Oregon Attorney General regarding the County's marriage licensing practice because the AG is advisory counsel for the State and State agencies rather than local government.

d) On March 3, 2004, Chair Linn directed the County's Tax Collection and Records Management Division to issue licenses to same sex couples. Commissioners Rojo de Steffey, Cruz and Naito held a press conference acknowledging the Chair's authority to change this administrative procedure and supporting her executive decision.

e) On March 8, 2004, Greg Chaimov, Legislative Counsel, released an opinion letter to Senator Kate Brown, in which he concluded that denying marriage licenses to same sex couples was a violation of the Oregon Constitution on the same grounds as cited by the County Attorney and Mr. Hinkle.

f) On March 12, 2004, Attorney General Hardy Myers released an opinion requested by the Governor, in which he concluded that the Supreme Court would likely find that denial of marriage licenses to same sex couples is a violation of the Oregon Constitution.

The Multnomah County Board of Commissioners Resolves:

1. To support Chair Linn's March 2, 2004, decision whereby she directed the Tax Collection and Records Management Division of the Department of Business and Community Services to issue marriage licenses to all qualified persons regardless of their gender or sexual orientation.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-039

Approving Chair's Administrative Decision Regarding Marriage Licenses

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c) No opinion was solicited from the Oregon Attorney General regarding the County's marriage licensing practice because the AG is advisory counsel for the State and State agencies rather than local government.

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The Multnomah County Board of Commissioners Resolves:

1. To support Chair Linn's March 2, 2004, decision whereby she directed the Tax Collection and Records Management Division of the Department of Business and Community Services to issue marriage licenses to all qualified persons regardless of their gender or sexual orientation.

ADOPTED this 1st day of April, 2004.

BOARD OF COUNTY COMMISSONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

#1

Here @ 8:45 am

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: APRIL 1, 2004
9:30 AM – NOON

SUBJECT: MULTNOMAH County Commissioners, Issuing of SAME SEX MARRIAGE LICENSES

AGENDA NUMBER OR TOPIC: R-10

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: BARBARA BELLUS

ADDRESS: 2116 NE 18th Ave.

CITY/STATE/ZIP: Portland, OR 97212

PHONE: DAYS: (503) 930-8687 (cell) EVES: (503) 281-3697
church (503) 232-3253

EMAIL: revbab@hotmail.com FAX: NA

SPECIFIC ISSUE: Same Sex Marriage Licenses,

will be prepared to do testimony for April 1, 2004 morning

WRITTEN TESTIMONY:

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#2

Here @ 8:45 am

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4-1-04

SUBJECT: SAME-SEX MARRIAGE LICENSES

AGENDA NUMBER OR TOPIC: R-10

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: RAYMOND SABA

ADDRESS: 13085 N.E. WEIDLER

CITY/STATE/ZIP: PORTLAND, OR. 97230

PHONE: DAYS: 256-3327 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: I WOULD LIKE TO RESPOND TO SOME OF THE ISSUES EXPRESSED AT LAST WEEK'S PUBLIC HEARING.

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#3

Here @ 9:05 am

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: ~~3~~ 4/1/04

SUBJECT: GAY MARRIAGE

AGENDA NUMBER OR TOPIC: R-10

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: MARK PIERCE

ADDRESS: 4218 NE 13IST PLACE

CITY/STATE/ZIP: PORTLAND, OR 97230

PHONE: DAYS: 503-256-3047 EVES: 503-257-3480

EMAIL: PORTLANDgrace@90l.com FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#4

Here D 9:10 am

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 3 April 1, 2004

SUBJECT: Resolution on Chair's Decision Regarding Marriage Licenses

AGENDA NUMBER OR TOPIC:

FOR: ✓ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Robert E Levenson

ADDRESS: 1035 N.E Going

CITY/STATE/ZIP: Portland OR 97211

PHONE: DAYS: 503-331-1582 EVES:

EMAIL: FAX:

SPECIFIC ISSUE:

WRITTEN TESTIMONY: attached —

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

April 1, 2004 – Statement to the Board of County Commissioners

My being here this morning is to commend you on the "Chair's Administrative Decision Regarding Marriage Licenses". It is one I support.

According to the *New York Times*, there are approximately 600,000 (reported) same gender households in the United States. Sixty thousand (60,000) of those are lesbian households with children. Fifteen thousand (15,000) of those are households of gay men with children. That is at a minimum 75,000 households with children, which will be affected significantly by your contribution to this historical movement.

The nuancing of the constitutionality of your decision is yet to be determined in the courts. However, I laud you in the courage you displayed knowing it would bring a wave of resistance, initially.

What you have done is to "cast your vote" in favor of an historical movement and moment. The movement for total inclusivity in the public arena with regards to benefits; economic, medical, and social which are currently allotted to the majority population but not to a significant minority; this movement will not be turned back.

Resisted yes. Defeated no! History is on your side.

I wish to add a religious component. As a student of theology, a United Methodist Clergy, I can say unequivocally that throughout history, biblical and secular, any movement that enhances the dignity of individuals, and enables them to live unafraid of oppression or persecution because of who they are, because of an identifying feature determined by their birth; skin color, size, left handed or right handed, color of eyes, sexual orientation; <u>any movement that enhances the dignity of the individual is God inspired.</u>

You are on the side of truth, justice and goodness when measured by the biblical ethic of extravagant love and the belief that everyone of us is made in the image of God. You have done a good thing.

R. E. Leverenz, Pastor
Faith United Methodist Church
Troutdale, OR 97060

#5

9:16 AM

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: ~~TUES~~ April 1, 04

SUBJECT: Civil Union Marriage for homosexual couples.

AGENDA NUMBER OR TOPIC: _____

FOR: ✓ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Jamie Susan Maul

ADDRESS: 3833 SE Belmont

CITY/STATE/ZIP: Portland, OR 97214

PHONE: DAYS: (503)997 9459 EVES: Same

EMAIL: jamie_maul@yahoo.com FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#6

9:15

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4-1-04

SUBJECT: Gay Marriage

AGENDA NUMBER OR TOPIC:

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Pat Mahoney

ADDRESS: Uptowne Terrace

CITY/STATE/ZIP: Portland Oregon 97201

PHONE: DAYS: 503 243 7815 EVES:

EMAIL: FAX:

SPECIFIC ISSUE:

WRITTEN TESTIMONY:

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#7 9:17

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: April 1, 2004

SUBJECT: Resolution reiterating the County's position to adhere to the legal opinion that it is unconstitutional to deny Marriage licenses based on gender or sexual orientation

AGENDA NUMBER OR TOPIC:

FOR: ✓ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Michael Sorensen

ADDRESS: 3639 NE Rodney

CITY/STATE/ZIP: Portland OR 97212

PHONE: DAYS: 503-754-2314 EVES:

EMAIL: bmgsorensen3639@msn.com FAX:

SPECIFIC ISSUE:

WRITTEN TESTIMONY:

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#8

HERE 03.31.04 9:08 AM Wed

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

9:50AM

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/1/04

SUBJECT: Gay Marriage

AGENDA NUMBER OR TOPIC: _____

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Susan Lindsay

ADDRESS: 1618 SE ALDER

CITY/STATE/ZIP: Portland, OR 97214

PHONE: DAYS: _____ EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#9 Invited Guest by Chair Linn

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

10:10

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 04.01.04

SUBJECT: _____

_____

AGENDA NUMBER OR TOPIC: R-10

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Sho Dozono

ADDRESS: 320 SW Stark #600

CITY/STATE/ZIP: Portland, OR

PHONE: DAYS: 503-294-6471 EVES: _____

EMAIL: SDozono@AZUMANO.com FAX: _____

SPECIFIC ISSUE: _____

_____

WRITTEN TESTIMONY: _____

_____

_____

_____

_____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#10

9:26

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/1/09

SUBJECT: I Want to Voice my opinion against the issuance of Gay Marriage licenses

AGENDA NUMBER OR TOPIC: Gay Marriage licenses

FOR: _____ AGAINST: ✓ THE ABOVE AGENDA ITEM

NAME: Raymond Cove LOVE

ADDRESS: 5910 NE 11

CITY/STATE/ZIP: Portland, OR 97217

PHONE: DAYS: (503) 888-3656 EVES: (503) 888-3656

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: Gay Marriage

WRITTEN TESTIMONY:

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#11

9:30

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/1/04

SUBJECT: Gay Marriage

AGENDA NUMBER OR TOPIC: _____

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: Nancy Christenson

ADDRESS: 1725 SE Sandy Ct.

CITY/STATE/ZIP: Troutdale, OR 97060

PHONE: DAYS (503) 492-4195 EVES: same

EMAIL: FuninTheSonNanc@aol.com FAX: _____

SPECIFIC ISSUE: Inappropriate political process

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#12

Q30

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4-1-04

SUBJECT: Same Sex marriage license

AGENDA NUMBER OR TOPIC: _____

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: Al Bacon

ADDRESS: 19000 Abernethy Ln.

CITY/STATE/ZIP: Gladstone, OR 97027

PHONE: DAYS: 503-656-0147 EVES: Same

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#13

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

SPOKE 04.01.04

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 3/25/04

SUBJECT: GAY MARRIAGE.

AGENDA NUMBER OR TOPIC: GAY MARRIAGE

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: B. JOSHUA ULRICH

ADDRESS: 1637 SE ELLIOT AVE

CITY/STATE/ZIP: PORTLAND OR 97214

PHONE: DAYS: 503 515-7479 EVES: SAME

EMAIL: buncha gaylords@yahoo.com FAX: _____

SPECIFIC ISSUE: FOR GAY MARRIAGE, NOT CIVIL UNIONS.
EQUAL RIGHTS, EQUAL PROTECTIONS

WRITTEN TESTIMONY: I'M 24 YEARS OLD, YOUR DECISION WILL AFFECT THE REST OF MY LIFE. I'M TIRED OF BEING A 2ND CLASS CITIZEN. GIVE ME THE RIGHTS I DESERVE. CALL THEM WHAT YOU WILL, CIVIL UNIONS ARE NOT ENOUGH. I WANT EQUAL RIGHTS.

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#13

Wants to testify Thursday 10:14 am

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/1/04

SUBJECT: GAY MARRIAGE

AGENDA NUMBER OR TOPIC: R-10

FOR: ✓ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: b. joshua ulrich

ADDRESS: 1537 SE Elliott Ave

CITY/STATE/ZIP: Portland, OR 97214

PHONE: DAYS: 503 515 7479 EVES: SAME

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#14

Q 30

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: APR 1 2004

SUBJECT: APPROVING CHAIRS ADMINISTRATIVE DECISION REGARDING MARRIAGE LICENSES

AGENDA NUMBER OR TOPIC:

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: JIM SNIDER

ADDRESS: 9903 SE WOODSTOCK CT

CITY/STATE/ZIP: PORTLAND OR 97266

PHONE: DAYS: 503-777-3653 EVES:

EMAIL: FAX:

SPECIFIC ISSUE:

WRITTEN TESTIMONY: THIS CHANGE WAS MADE IN SECRET ~~[illegible]~~ WITH OUT PUBLIC REVIEW OR COMMENT AND ~~[illegible]~~ IS IN VIOLATION OF OREGON LAW, I KNOW YOU THINK YOU ARE DOING SOMETHING GOOD, BUT YOU HAVE DESTROYED HONEST ACCOUNTABLE GOVERNMENT IN MULTNOMAH COUNTY.

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#15

a32

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 2/1/14

SUBJECT: Same-sex marriage

AGENDA NUMBER OR TOPIC: _____

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Mi'Lou CHRIST

ADDRESS: 900 SE 13th

CITY/STATE/ZIP: PL 97214

PHONE: DAYS: 503/235-0384 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: yes

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

M'Lou Christ
900 SE 13th, P'd

Despite all explanations I've heard & read, I'm still bothered by the process four of you took; still not convinced you couldn't have allowed others—more than just 1 supporter—to know of your deliberations, probably without even delaying the announcement of your decision. We all look to the *means* for the color of the doer's integrity. If that color is sullied, those who don't like the *end* have that to add to their arguments, while those who agree with the *end* have to excuse the taint.

Of your decision opponents, I am most perplexed by their "affront to the sacred family—man/wife/children"—argument. 'The big dog in that pack hasn't hunted for years', not since single adults, including homosexuals living alone or with a partner, have been allowed to adopt children. Nonetheless they seem genuinely shocked that government would recognize couples as well as parents to be of the same sex.

Perhaps it would help reduce some of the confusion & acrimony on this issue if church & state roles concerning couples were separated at the outset. Confusion the state continues to engender by conferring legal status in religion-based "wedding" services. People don't recognize that last sentence, "And now by the power ..." as a separate concept from the preceding 30-60 minutes of rituals & sermonizing. That person in religious garb doesn't look like a representative of the state.

I'd love to see you entertain public discussion about restoring to government its sole authority to grant legal unions. To request the state no longer vest rabbis, priests, etc. theologians, or holders of a 'sent-away-for $50-document', with the authority to pronounce persons "*legally* married". The state doesn't confer legal status with other religious R I T E S —no connections between baptism, etc. and voting age, etc. And no one goes to religious leaders for dissolution of their spousal obligations & rights, because government has retained the right to decree divorce. No confusion there.

It is confusing when legal obligations & privileges between 2 adults are the garnish to a service of religion-specific blessings & admonitions. Why not require every couple—hetero- & homosexual—to come before the state—city hall, county seat—for their legal union. If they choose to have a religious ceremony, too, that's not the state's business any more than telling religions what ceremonies they must perform or for whom. I think that separation would make all couples more equal & help us all see them as such.

#16

935

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4-1-04

SUBJECT: SUPPORT FOR BOARD ACTION ~~[illegible]~~ SAME SEX MARRIAGE

AGENDA NUMBER OR TOPIC:

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Marla Rosenberger

ADDRESS: PO Box 66306

CITY/STATE/ZIP: Portland, OR 97290-6306

PHONE: DAYS: (503) ~~[illegible]~~ 988-3367 x 26715 EVES: (503) 475-3167

EMAIL: mpeony@aol.com FAX: N/A

SPECIFIC ISSUE: SEE ABOVE

WRITTEN TESTIMONY: ATTACHED

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

Good morning: I am Marla Rosenberger, President
Multnomah County Employees Union, AFSCME, Local 88

Local 88 represents approximately 2900 county employees. Just as the county is diverse, so is the membership of Local 88. Personal opinions of our members reflect those of the community in which we live.

I am here today to read into the record a letter written at the direction of that diverse membership.

March 19, 2004

To the Multnomah County Board of Commissioners

Dear Commissioners:

At the March 3 2004 meeting of the AFSCME Local 88 Executive Board, a motion was made and passed for the local to send a letter of support to the Board of County Commissioners for the action taken "to recognize the right of all people, regardless of their gender or sexual orientation, to marry."

This action was further endorsed by the support of the General Membership at their March 17, 2004 meeting.

For years, Multnomah County has been the vanguard of the movement to extend equal protection under the law to all people, including health benefits for domestic partners of employees.

As one of our oft-married members put it (somewhat tongue in cheek), "All people should have the right to be miserably unhappy for the rest of their natural born days."

Marla P Rosenberger
President
Multnomah County Employees Union, Local 88
Oregon AFSCME, Council 75, AFL-CIO

#17

Invited Guest by Chair Linn

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 04.01.04

SUBJECT: _____

_____

AGENDA NUMBER OR TOPIC: R-10

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Mary Botkin

ADDRESS: 123 NE 3rd

CITY/STATE/ZIP: PDX 97232

PHONE: DAYS: _____ EVES: _____

EMAIL: botkin@attbi.com FAX: _____

SPECIFIC ISSUE: Gay Marriage

_____

WRITTEN TESTIMONY: _____

_____

_____

_____

_____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#18

Invited Guest

Comm. Cruz

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 04.01.04

SUBJECT: _____

_____

AGENDA NUMBER OR TOPIC: R-10

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Moses Ross - representing the MultCo Democratic Party

ADDRESS: 1017 SW ~~Hoss~~ Morrison #411

CITY/STATE/ZIP: Portland, OR 97205

PHONE: DAYS: _____ EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

_____

WRITTEN TESTIMONY: _____

_____

_____

_____

_____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#19

9:44

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4-1-04

SUBJECT: Marriage Licenses

AGENDA NUMBER OR TOPIC: R-10

FOR: _____ AGAINST: ✓ Same sex marriage licenses THE ABOVE AGENDA ITEM

NAME: Tammy Casterline

ADDRESS: 3123 SE 8th ave #8

CITY/STATE/ZIP: Portland, OR 97202

PHONE: DAYS: 503-246-2467 EVES: 503-246-2467

EMAIL: N/A FAX: N/A

SPECIFIC ISSUE: Definition of marriage

WRITTEN TESTIMONY: I am against same sex marriages - I have personally had lesbian tendencies + know it was a life style choice. If we allow same sex marriages who is to say a woman + 2 men wouldn't be allowed to marry? Or other group type marriages?

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

Thank-you for considering defining marriage as it has been from the beginning between 1 man + 1 woman.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#20

945

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4-8-04

SUBJECT: Same sex marriage

AGENDA NUMBER OR TOPIC: _____

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: Elva Miller

ADDRESS: 36945 S. Nowlens Bar Rd

CITY/STATE/ZIP: Molalla OR 97038

PHONE: DAYS: 503 829 2642 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: Homosexuality Dangerous to health

WRITTEN TESTIMONY: same sex marriage a paradigm shift in American Culture & may well be the signal of the end of western civilization

IF YOU WISH TO ADDRESS THE BOARD: ✓

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#121

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

I'll be here around 10:30 AM

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/1/04

SUBJECT: SAME-SEX MARRIAGE

AGENDA NUMBER OR TOPIC: SAME-SEX MARRIAGE

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Ellen Eaton

ADDRESS: 618 NE FALOMA

CITY/STATE/ZIP: PORTLAND OR 97211

PHONE: DAYS: 286 5816 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: SAME-SEX MARRIAGE

WRITTEN TESTIMONY: Will submit -ATTACHED

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
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IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

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Same-Sex Marriage Testimony for 4/1/2004

Ellen Eaton
618 NE Faloma Rd.
Portland, OR

I previously testified on Wednesday, March 24th, during the initial session of testimony. I am back here today addressing an issue that often gets connected with homosexuality. I know that most of our Commissioners know this truth of which I speak.

Incest, pedophilia, and bestiality are issues that often are linked to homosexuality. Incest, pedophilia and bestiality are not issues involving homosexuality. These are issues of power where power is used through sexual weaponry ("weapon-in-tree"). Homosexuality is an issue about loving the same sex. It involves expressing the love through sexual behavior, at times. But homosexual love is not about power. It is about equality in an adult relationship that involves two adults of the same gender.

I am the product of a heterosexual marriage. My parents were married for 29 years before my mother died. Both sets of grandparents were married and separated only by death. My paternal grandparents were married for over 50 years. All of these marriages produced children who then fell in love, married and produced more children. My mother and father had eight pregnancies. Both sets of grandparents had four children. My family history is filled with heterosexuality. That is the lifestyle in which I was raised.

And yet I know this thing, this power thing about incest and pedophilia and bestiality. That is because, in the midst of my heterosexual family, I was sexually abused. By my mother starting at the age of two, by my father whose earliest picture memory I have of his abuse is age eight, yet body memories let me know some male abused me much *much* earlier, by my grandfather also at the age of eight, and by a male family friend at the age of 12. And the sexual abuse continued for years by all of these people, these heterosexual people, who also happened to be Christians. Only one abuser was female. The other abusers, including the three I didn't mention, were/are male. All were/are heterosexual.

The point I wish to make is this: Incest, pedophilia and bestiality are issues of power, involving children and animals, both of which have no power over adults. Issues of homosexuality involve loving the same gender. These issues are separate from one another.

Thank you.

#22

944

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/1/04

SUBJECT: Marriage licenses for same sex couples

AGENDA NUMBER OR TOPIC: County decision to permit

FOR: ✓ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Linda Traeger

ADDRESS: 5757 River St

CITY/STATE/ZIP: West Linn, OR 97068

PHONE: DAYS: 503-231-5759 EVES: 503-656-5340

EMAIL: LindaT@equityfoundation.org FAX:

SPECIFIC ISSUE:

WRITTEN TESTIMONY: My name is Linda Traeger and I am Executive Director of Equity Foundation. I want to express my personal appreciation for the decision to issue licenses to same sex couples, and my deepest respect for your leadership. My partner and I, who have been together for 27 years were married on March 4th. It gave us the →

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4. If written documentation is presented, please furnish one copy to the Board Clerk.

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opportunity to reaffirm our love but more importantly, the right to equal protections and benefits afforded to other married couples. It is important, and seems only fair, that after 27 years of supporting each other, we should be eligible for each other's social security benefits, and other benefits and rights, especially in times of hardship or death. It is time.

Thank you again for your leadership.

#23

9:47

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: April 1, 2004

SUBJECT: Marriage is between a man and a woman

AGENDA NUMBER OR TOPIC: R-10

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Myrna Moss

ADDRESS: 7910 SE Knight St.

CITY/STATE/ZIP: Portland, OR 97206

PHONE: DAYS: 503-771-6547 EVES: SAME

EMAIL: NONE FAX: NONE

SPECIFIC ISSUE:

WRITTEN TESTIMONY:

IF YOU WISH TO ADDRESS THE BOARD:

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4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

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2. Written testimony will be entered into the official record.

#24

958

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: Apr 1, 2004

SUBJECT: Same sex Marriage

AGENDA NUMBER OR TOPIC: _____

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: Brian Simmons

ADDRESS: 7040 NE Roselawn St

CITY/STATE/ZIP: Portland OR 97218

PHONE: DAYS: 503-284-3497 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: Same sex marriage does not provide role models for at least one gender. It is unreasonable to financially support a group that has higher than average income and education.

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

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IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

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2. Written testimony will be entered into the official record.

#25

Q.48

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/1/04

SUBJECT: Same-Sex Marriage

AGENDA NUMBER OR TOPIC: Same-Sex Marriage

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: Ian Crary

ADDRESS: 1144 NE 78th Ave.

CITY/STATE/ZIP: Portland OR 97213

PHONE: DAYS: 503-577-1406 EVES: 503-254-8065

EMAIL: iancrary@hotmail.com FAX: _____

SPECIFIC ISSUE: Legalizing Same-Sex Marriage in Oregon (Multnomah County)

WRITTEN TESTIMONY: Historically the "backbone" of our country has been based upon a strong family unit, made up of a man and a woman. It has not always been perfect but, it has held our country together for over 200 years. In the short-term same-sex marriage may have little effect on our country but in the long it will pervert and deteriorate our society.

IF YOU WISH TO ADDRESS THE BOARD:

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4. If written documentation is presented, please furnish one copy to the Board Clerk.

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#26

9:50 am

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4-1-04

SUBJECT: Same Sex Marriage

AGENDA NUMBER OR TOPIC: _____

FOR: _____ AGAINST: ✓ THE ABOVE AGENDA ITEM

NAME: Ronald J. Miller

ADDRESS: 36945 S. Nowlens Br. Rd

CITY/STATE/ZIP: Molalla, Or. 97038

PHONE: DAYS: 503-829-2642 EVES: Same

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: Welfare of Society

WRITTEN TESTIMONY: historical precedence does not indicate that homosexual privilege makes a contribution to Society. Privilege & Power walk hand in hand.

IF YOU WISH TO ADDRESS THE BOARD:

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#127

9:57

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4-1-03

SUBJECT: PUBLIC HEARING . MARRIAGE Resolution
RE: REITERATING RESOLUTION on COUNTY'S POSITION

AGENDA NUMBER OR TOPIC:

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Mike MacCutcheon

ADDRESS: 7988 SW Scholls Ferry Rd

CITY/STATE/ZIP: BEAVERTON, OR 97008 WASHINGTON COUNTY

PHONE: DAYS: 503-330-5488 EVES:

EMAIL: MACMICHEL@yahoo.com FAX:

SPECIFIC ISSUE:

WRITTEN TESTIMONY:
EXPRESSING Approval for the Resolution and Supporting all people of Oregon in the basic civil functions of government and programes. →

IF YOU WISH TO ADDRESS THE BOARD:

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IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

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I wish to personally thank all of the commissioners for providing a dialogue for an Inclusive Practice in County Government. We have many diverse backgrounds and ideas of how our elected officials should respond to policy and practice issues. Your ability to bring this limited practice to a full inclusion is applauded.

Thank You. Rachel MacCutcheon

#28

957

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: April 1, 04

SUBJECT: Gay Marriage

AGENDA NUMBER OR TOPIC: _____

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: Jill Metcalf

ADDRESS: 15608 NE 91st St

CITY/STATE/ZIP: Vanc. WA 98682

PHONE: DAYS: 360 882-4370 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: Although I'm not hateful, intolerant, or bigoted regarding

IF YOU WISH TO ADDRESS THE BOARD:

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IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

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#29

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/1/04

SUBJECT: Same-Sex Marriage

AGENDA NUMBER OR TOPIC: Hearings on Same-Sex Marriage Resolution

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: JOSH ROBERTS

ADDRESS: 3203 SE WOODSTOCK BLVD

CITY/STATE/ZIP: PORTLAND, OR 97202

PHONE: DAYS: 925-918-0779 EVES: _____

EMAIL: josh.roberts@reed.edu FAX: _____

SPECIFIC ISSUE: Support Same Sex Marriages - Support ALL marriages.

WRITTEN TESTIMONY:

Thank you for allowing me to speak today.

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
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IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

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I am sure that you are all aware that you are being harassed by threats of recall, and political retribution, by people who are scared because a sacred institution is changing. They're right, that is scary. But if you continue to issue marriage licenses to all couples – regardless of sex or sexual orientation – you will be in the company of legislators past, who repealed laws against interracial marriage; who granted women the same legal pay as men (a battle which is ~~still being fought~~). You will stand with legislators who integrated public schools because separate is inherently unequal. And you will be supported by the citizens of this county.

Before, brown vs. education, because they knew that separate can never be equal.

I promise you, if you simply allow same-sex couples to continue to love each other, with the same legal rights and privileges afforded to other married couples, it will be, to borrow a phrase from an esteemed Massachusetts legislator, the biggest nonevent in the history of Multnomah County, despite the hype.

#29

105

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/1/04

SUBJECT: Resolution Approving the Chair's decision regarding Marriage Licenses

AGENDA NUMBER OR TOPIC: Support for the Resolution

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: JOSH ROBERTS

ADDRESS: 3203 SE WOODSTOCK BLVD

CITY/STATE/ZIP: PORTLAND, OR 97202

PHONE: DAYS: 925-918-0779 EVES: —

EMAIL: josh.roberts@reed.edu FAX: —

SPECIFIC ISSUE:

WRITTEN TESTIMONY:

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
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IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

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2. Written testimony will be entered into the official record.

#30

10:09

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 04.01.04

SUBJECT: _____

_____

AGENDA NUMBER OR TOPIC: R-10

FOR: ✓ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Robin Castro

ADDRESS: 1828 NE Davis St

CITY/STATE/ZIP: ptld OR 97232

PHONE: DAYS: _____ EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

_____

WRITTEN TESTIMONY: _____

_____

_____

_____

_____

IF YOU WISH TO ADDRESS THE BOARD:

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IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#31

9:10pm Wed

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/8/04

SUBJECT: Same Sex Marriage

AGENDA NUMBER OR TOPIC: R-10

FOR: ✓ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Rev. Judith Youngman

ADDRESS: 2025 NE 23rd

CITY/STATE/ZIP: Gresham, OR 97030

PHONE: DAYS: 503 665-8741 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

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MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Spoke 04.01.04

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: March 31

SUBJECT: Same-Sex Marriage

AGENDA NUMBER OR TOPIC: _____

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: The Rev. Judith Youngman
Zion United Church of Christ

ADDRESS: NE 35TH

CITY/STATE/ZIP: Gresham, OR

PHONE: DAYS: _____ EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

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IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#32

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/21/04

SUBJECT: Same Sex Marriage

AGENDA NUMBER OR TOPIC: _____

FOR: ✓ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Rev. Dave Dornack

ADDRESS: 1907 NE 45th

CITY/STATE/ZIP: Portland, OR 97213

PHONE: DAYS: 503 282 0965 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

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IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

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MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/1/04

SUBJECT: Same Sex Marriage

AGENDA NUMBER OR TOPIC: R-10

FOR: ✓ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Rev. Barbara Campbell

ADDRESS: St. Mark's 9750 SW Terwilliger

CITY/STATE/ZIP: Portland, OR 97219

PHONE: DAYS: 244-8170 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

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#34

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/1/04

SUBJECT: Same Sex Marriage

AGENDA NUMBER OR TOPIC: R-10

FOR: ✓ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Rev. Steve Wiltse

ADDRESS: 1907 NE 45th

CITY/STATE/ZIP: Portland, OR 97213

PHONE: DAYS: 503 282 0965 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

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IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

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#35

10:09

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4-1-04

SUBJECT: Homosexual Marriages

AGENDA NUMBER OR TOPIC: _____

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: GORMAN GRAY

ADDRESS: 931 15TH ST ~~WASHOUGAL WA 98671~~

CITY/STATE/ZIP: WASHOUGAL, WA 98671-1209

PHONE: DAYS: 360-835-8361 EVES: _____

EMAIL: morning7@juno.com FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

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2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
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#36

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/1/04

SUBJECT: SUPPORT METHODS & MEASURES TO MAINTAIN AND STRENGTHEN THE FAMILY AS THE FUNDAMENTAL UNIT OF SOCIETY

AGENDA NUMBER OR TOPIC:

FOR: _____ AGAINST: ✓ THE ABOVE AGENDA ITEM

NAME: HARRY WAYNE STEWART JR.

ADDRESS: 5998 SW 153RD DR.

CITY/STATE/ZIP: BEAVERTON, OR 97006

PHONE: DAYS: 503-469-7302 EVES:

EMAIL: FAX:

SPECIFIC ISSUE:

WRITTEN TESTIMONY:

IF YOU WISH TO ADDRESS THE BOARD:

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2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
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IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

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2. Written testimony will be entered into the official record.

#37

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/1/04

SUBJECT: Same-sex marriage

AGENDA NUMBER OR TOPIC: R-10

FOR: _____ AGAINST: ✓ THE ABOVE AGENDA ITEM

NAME: John Gordon

ADDRESS: 36 NE 62nd Ave

CITY/STATE/ZIP: Portland OR 97213

PHONE: DAYS: 503-232-7297 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

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IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

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2. Written testimony will be entered into the official record.

#38

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4-21-04

SUBJECT: Support for Gay Marriage

AGENDA NUMBER OR TOPIC: Gay Marriage

FOR: ✓ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Christopher Robinson

ADDRESS: 4818 NE Sandy # 216

CITY/STATE/ZIP: Portland OR 97213

PHONE: DAYS: 503-255-5121 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: My Support for gay marriage and to thank Commissioners for making it possible

WRITTEN TESTIMONY: ~~possible~~

IF YOU WISH TO ADDRESS THE BOARD:

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2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#39

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/1/04

SUBJECT: Same Sex Marriage

AGENDA NUMBER OR TOPIC:

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: Phyllis Ernsberger

ADDRESS: 541 NE 127th Ave

CITY/STATE/ZIP: Portland Or 97230-2414

PHONE: DAYS: 503-253-3563 EVES:

EMAIL: erns@hevanet.com FAX:

SPECIFIC ISSUE: legality of action of county commissioners

WRITTEN TESTIMONY: By acting contrary to Oregon State Constitution and against explicit directives of the governor, without prior public notice or debate, thus "uniting" state law, the commissioners have behaved illegally. There is a hierarchy in government. If you feel free to act contrary to state government, why should not

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

I, a private citizen, not decide to also disregard government authority and not pay my county taxes?

No taxes without representation -
We have not been heard!

#40 10:26

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 1/4/03

SUBJECT: GAY MARRIGE

AGENDA NUMBER OR TOPIC: R-10

FOR: _____ AGAINST: ✓ THE ABOVE AGENDA ITEM

NAME: TERRY MILLER

ADDRESS: 4020 N.E. 81 #1

CITY/STATE/ZIP: PORT

PHONE: DAYS: _____ EVES: _____

EMAIL: CLASSICTERRY@HOTMAIL.COM FAX: _____

SPECIFIC ISSUE: GAY MARRIG

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#41

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: April 1, 2004

X SUBJECT: Civil Marriage for same sex couples

AGENDA NUMBER OR TOPIC: R-10

1 FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Timothy Berg

ADDRESS: 2714 SE Kelly St

CITY/STATE/ZIP: Portland OR 97202

PHONE: DAYS: 503-720-0059 EVES: 503-231-5135

EMAIL: [redacted] FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#42

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/04

SUBJECT: SAM SEX MARYA

AGENDA NUMBER OR TOPIC: R-10

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: Robert G Farris

ADDRESS: 220 SE 146TH

CITY/STATE/ZIP: Port ORE.

PHONE: DAYS: _____ EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#43

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4-1-04

SUBJECT: Pro Gay Marriage

AGENDA NUMBER OR TOPIC: R-10

FOR: ✓ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Darrell DeMotte

ADDRESS: 19025 SE Division

CITY/STATE/ZIP: Gresham, OR 97030

PHONE: DAYS: 314-4028 EVES: —

EMAIL: d.demotte@verizon.net FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#44

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: April 1 2004

SUBJECT: Pro Gay Marriage

AGENDA NUMBER OR TOPIC: R-10

FOR: ✓ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Ted Kriesel

ADDRESS: 5025 SW Humphrey Park Crest

CITY/STATE/ZIP: Portland OR 97221

PHONE: DAYS: 503-292-0573 EVES: _____

EMAIL: JasPeydog2000@yahoo.com FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#45

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/1/04

* SUBJECT: Same-Sex Marriage

AGENDA NUMBER OR TOPIC: R-10

* FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM Neither

NAME: Frank Lessa

ADDRESS: 11745 B SE Ankeny St

CITY/STATE/ZIP: Portland OR 97216

PHONE: DAYS: 503-256-9083 EVES: _____

EMAIL: FTLPDX @ XMSG.COM FAX: _____

→ * SPECIFIC ISSUE: constitutionality of state statute

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#146

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4-1-04

SUBJECT: PRO GAY MARRIAGE

AGENDA NUMBER OR TOPIC: R-10

FOR: ✓ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: ROGER STEFFANI

ADDRESS: 19235 SW DURELL COURT

CITY/STATE/ZIP: BEAVERTON, OR 97006

PHONE: DAYS: 503-356 9311 EVES: _____

EMAIL: joe-roger@comcast.com FAX: _____

SPECIFIC ISSUE: SAME SEX MARRIAGE

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#47

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/1/04

SUBJECT: Same-Sex Marriage

AGENDA NUMBER OR TOPIC: _____

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Kathy Belge

ADDRESS: 6607 N. Kerby Ave

CITY/STATE/ZIP: Portland, OR 97217

PHONE: DAYS: 503.289.3354 EVES: _____

EMAIL: Kathy@jdesignspdx.com FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: I applaud & support the commisioners for their decision to allow Same-sex marriage.

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#48

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: ~~3-31-04~~ 04.01.04

SUBJECT: Gay Marriage

AGENDA NUMBER OR TOPIC: R-10

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: Mundi Steiner

ADDRESS: PO Box 1731

CITY/STATE/ZIP: ~~Portland~~ Gresham OR 97030

PHONE: DAYS: 503 880 5918 EVES: same

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: Gay marriage

WRITTEN TESTIMONY: ~~I have submitted~~

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#49

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 04.01.04

SUBJECT: _____

_____

AGENDA NUMBER OR TOPIC: R-10

FOR: ✓ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Anthony Richards

ADDRESS: 6918 N Albina

CITY/STATE/ZIP: Portland OR 97217

PHONE: DAYS: _____ EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

_____

WRITTEN TESTIMONY: _____

_____

_____

_____

_____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#50

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 04.01.04

SUBJECT: Same Sex Marriage Certificates

AGENDA NUMBER OR TOPIC: R-10

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: Carly DeNos CARLY DE NOS

ADDRESS: 2222 SE Scott Ave.

CITY/STATE/ZIP: Gre. Or. 97080

PHONE: DAYS: 661-6695 EVES: 810-6505

EMAIL: Carlydenos@msn.com FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#51

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: ~~March~~ April 1, 2004

SUBJECT: _____

_____

AGENDA NUMBER OR TOPIC: R-10

FOR: _____ AGAINST: ✓ THE ABOVE AGENDA ITEM

NAME: Donna Oh

ADDRESS: 3708 SE 76th Avenue

CITY/STATE/ZIP: Portland, OR 97206

PHONE: DAYS: (503) 775-4718 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

_____

WRITTEN TESTIMONY: _____

_____

_____

_____

_____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#52

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: Apr. 1, 2004

SUBJECT: Same-sex marriage

AGENDA NUMBER OR TOPIC: R-10-

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Jeff Strang

ADDRESS: 1137 NE Beech St.

CITY/STATE/ZIP: Portland, OR 97212

PHONE: DAYS: 503-282-3647 EVES: same

EMAIL: jeffstrang@comcast.net FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to ~~**3 minutes.**~~ 2 minutes.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

I submitted my request to speak today yesterday evening. I've been here since 10:15 am today and haven't heard my name called.

Would you please include me?

Thank you.

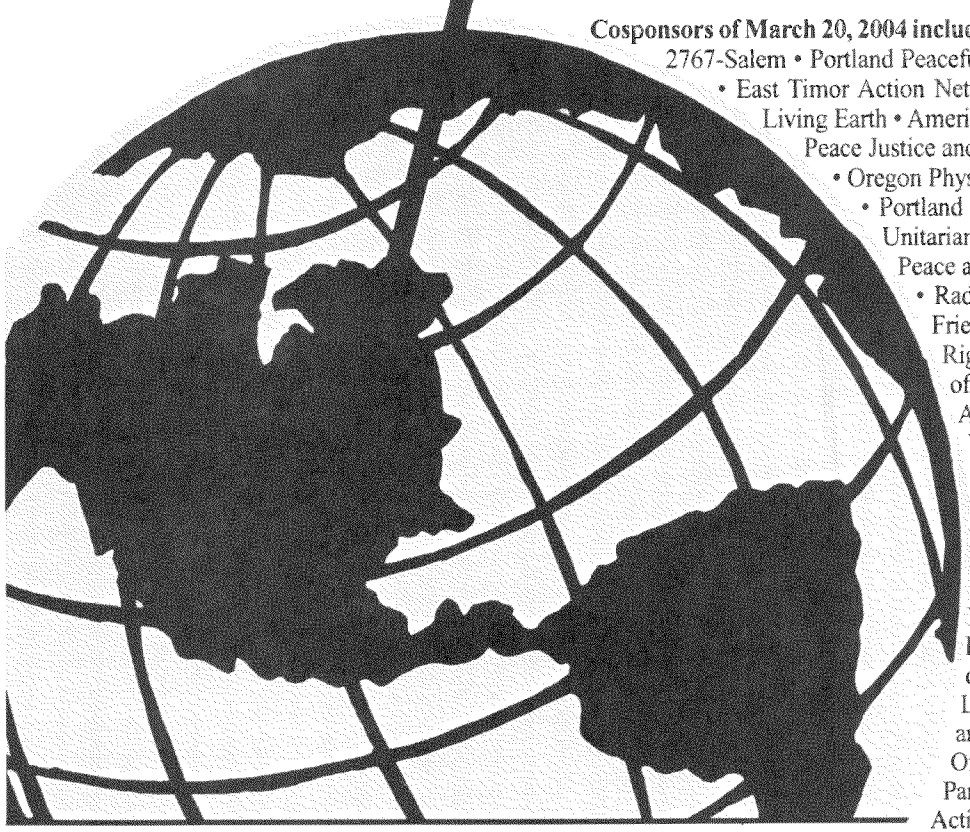
-Jeff Strang

Mar 20

Pioneer Courthouse Square

Downtown Portland • SW 6th & Yamhill

KBOO 90.7 FM COMMUNITY RADIO



Cosponsors of March 20, 2004 include Peace & Justice Works Iraq Affinity Group 503-236-3065 • Oregon PeaceWorks 503-585-2767-Salem • Portland Peaceful Response Coalition www.pprc-news.org • War Resisters League–Portland 503-238-0605 • East Timor Action Network–Portland 503-235-4986 • KBOO 90.7 FM Community Radio • Women in Black • Living Earth • American Friends Service Committee • Families for Peace • Portland Buddhist Peace Fellowship • Peace Justice and Environment Committee of the Portland Mennonite Church • St. Andrew Catholic Church • Oregon Physicians for Social Responsibility • Peace and Social Justice Center of Southwest Washington • Portland Labor for Peace and Justice • Jews for Global Justice • Peace Action Group of the First Unitarian Church • Alliance for Democracy - Portland Chapter • Women's International League for Peace and Freedom • Vancouver For Peace • Justice for Mumia Coalition • Freedom Socialist Party • Radical Women • Progressive Responses–a program of CALC of Lane County • Reedwood Friends Church • Hollywood Neighbors for Peace • Americans United for Palestinian Human Rights • Sisters of the Road • Peace and Social Concerns Committee of the Multnomah Meeting of Friends (Quakers) • street roots (media cosponsor) • Islamic Center of Portland - Masjed As-Saber (503-293-6554) • Portland Alliance (media cosponsor) • School of the Americas Watch Oregon (SOA Watch) • American Association of University Professors at PSU • Metanoia Peace Community • Christ the Healer– United Church of Christ • Sierra Club • Love Makes a Family • **Endorsers of March 20, 2004 include** Rainbow Coalition of Portland Oregon • Green Party of Clark County • Socialist Party of Oregon • In Other Words–Women's Books and Resources • PSU Progressive Student Union • Laughing Horse Books • Northwest Veterans for Peace • Board of Peace and Social Concerns of Northwest Yearly Meeting • Portland Jobs with Justice • Black Monday Committee • Oregon Fellowship of Reconciliation • Eugene Justice Not War • Yamhill Valley PeaceMakers • Peace Church of the Brethren • Oregon Wildlife Federation • Back to the WALL • PSU Green Party • Left Turn-Portland Collective • International Socialist Organization • International Longshore and Warehouse Union (ILWU) Local 8 • Student Activist Alliance for Social Justice • Rural Organizing Project • No End Run Committee • Oregon Green Energy Coalition • Teachers, Parents and Youth for Peace • Muslim Community Center of Portland • Tikkun Olam (Social Action) Committee of Congregation P'nai Or • Veterans for Peace Chapter 72 (vfpchapter72.org) • Red and Black Cafe • Friends of Sabeel • Portland Catholic Worker • Portland Campus Christian Ministry • Lower Columbia Clinic • Pax Christi Portland • National Lawyers Guild–Portland • Pride at Work Oregon • Palestine Arab–American Association • St. Francis of Assisi Catholic Church • Voz (Worker Rights Education Project) • Islamic Society of Southwest Washington • Reed Student Peace Action Network • Adelante Mujeres • Sisters in Action for Power • Shelly's Garden-Honkin' Huge Burritos • Flying Focus Video Collective (media endorser) • Campaign for Peace with Cuba • Peace Committee of West Hills Friends Meeting • Portland Central America Solidarity Committee (PCASC) • Cross Border Labor Organizing Coalition (CBLOC) • crossroads • NW RAGE—Resistance Against Genetic Engineering • IWW–Portland Industrial District Council • No War Drum Corps •East Side Democratic Club

My name is Jeff Strang. I've been a resident of District 2 for 18 years.

I'm here as a member of a kindred minority group of homosexuals: I'm an atheist and a humanist.

As a person who values reason and rationality in the governance of human society, I applaud the chair of the Multnomah County Board of Commissioners for beginning to issue same-sex marriage licenses on Mar. 3.

In my opinion, this is a milestone in social progress. Marriage as a civil contract should not be barred from a segment of our society because of sexual orientation. I am proud that the Constitution of the State of Oregon does not ban the issuance of marriage licenses to same-sex couples.

My uncles are gay and have lived together for over 50 years. They have been upstanding citizens during their life together, but they have never been able to enjoy the same privileges that I am able to enjoy simply because I have a heterosexual orientation. I am proud that Multnomah County now considers my uncles to be citizens with rights equal to those of heterosexuals.

~~e. (X if used) Training trust;~~

~~f. (X if used) Other (specify)~~

A minimum of ~~Number of Hours Required Each Year~~ 144 hours of related training shall be required during each year the apprentice is registered in the program. (See ORS 660.126 (e))

The following is a summary of related instruction including required class hours in each element of instruction. A committee may establish and submit clear objectives and outcomes in lieu of hours for each class subject. (See ORS 660.157)

Course	Hours
a. Materials	
b. Tools	
c. Equipment	
d. Science	
e. Mathematics	
f. Economics	
g. History	
h. Layout and blueprint reading	
i. Personal accident prevention; tailboard; what they consist of and how to hold one	
j. First aid hygiene	
k. Property damage and damage to work of others	
l. Information relating to other trades	
m. Rules and regulations governing the installation, manufacture, operation and/or use of electrical circuits and products	
n. Labor laws pertaining to this trade	
o. Trade terms, and	
p. Such other subjects as may from time to time be deemed necessary.	
q. Take 10 hours and/or hold a valid First Aid card	

X. ADMINISTRATIVE/DISCIPLINARY PROCEDURES:

See: ORS 660.120 OAR 839-011-0073

1. Local committee rules or policies and any employment requirement such as driver's license, drug test etc. will be located in this section.

2. The committee may include provisions for committee-imposed "disciplinary probation," which is a time assessed when the apprentice's progress is not satisfactory; a "disciplinary probation" may only be used to provide an opportunity for the apprentice to correct deficiencies and cannot affect the apprentice's appeal rights after the initial probation is completed. (See ORS 660.137 (4))

3. During disciplinary probation the committee may withhold periodic wage advancements, suspend or cancel the apprenticeship agreement, or take other disciplinary action. (See ORS 660.137 (4))

#53

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4/1/04

SUBJECT: Decision Regarding Marriage Licenses

AGENDA NUMBER OR TOPIC: R-10

FOR: ✓ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Mollie Clarke

ADDRESS: 16750 SE Tong Rd

CITY/STATE/ZIP: Clackamas OR 97015

PHONE: DAYS: 503 233 6625 EVES: 503 658 8791

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#54

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 04.01.04

SUBJECT: Marriage Equality

AGENDA NUMBER OR TOPIC: R-10

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: STEVE WAGENHOFFER

ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: DAYS: _____ EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

I'd like to go LAST to make a very brief statement - Thanks

#55

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 04.01.04

SUBJECT: Marriage

AGENDA NUMBER OR TOPIC: R-10

FOR: ✓ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Bonnie Tinkum

ADDRESS: 6243 NE 19

CITY/STATE/ZIP: Portland OR

PHONE: DAYS: 503-228-3892 EVES: _____

EMAIL: bonnie@24Family.org FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4-1-04

SUBJECT: SAME SEX MARRIAGE

AGENDA NUMBER OR TOPIC: _____

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: HERB CHOW

ADDRESS: P.O. Box 16516

CITY/STATE/ZIP: PORTLAND, OR 97292

PHONE: DAYS: _____ EVES: _____

EMAIL: herb-340@hotmail.com FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

HERE 03.31.04
COULDN'T
COME BACK

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 04.01.04

SUBJECT: Same Sex Marriage

AGENDA NUMBER OR TOPIC: R-10

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Glenn Dettwiler

ADDRESS: 455 SE 67th

CITY/STATE/ZIP: PDX

PHONE: DAYS: 503-~~444~~441-0596 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: yes - ATTACHED

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

BOGSTAD Deborah L

From: Glenn Dettwiler [grd@easystreet.com]
Sent: Thursday, April 01, 2004 9:31 AM
To: BOGSTAD Deborah L
Subject: Public Comment

Deb,

I had signed up to give my comments to the board about the same sex marriage issue on Wed, the 31st but due to the lateness of the meeting and the opportunity for comments on Thursday the 1st, I elected to have my name added to the 4-1, 10:15am session comment agenda.

Well I just wanted to notify you that I will be unable to attend the meeting on the 1st, as other issues have come up.
Please remove my name from the public comment list, but please do include and forward my written comments (that I left on the 31st) to the board members.

Thank you,

Glenn Dettwiler

FROM THE DESK
OF
GLENN DETTWILER

March 31, 2004

Multnomah County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, Oregon 97214

Dear Commissioners:

Madame Chair, Commissioners, thank you for taking the time to receive my comments. My name is Glenn Dettwiler, a life long resident of this county, and an interested and concerned citizen of the issue before you today.

Since its inception, The United States was founded on the basis of correcting the inequity of human and civil rights.

As a society we have struggled with such topics as the freedom of religion, the freedom of assembly, the freedom of expression and of course the ability to identify discrimination and oppression. We have also determined that human beings have, and maintain basic fundamental rights. Some of those include the right of life and liberty as well as the right to freedom from violence and oppression, and to have dignity and self-worth.

The phrases of equality can be found in our countries historic documents.
The preamble to the Declaration of Independence states;

DECLARATION OF INDEPENDENCE

WE hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness --

From there, the framers of the United States Constitution required that equality under the law should be unrelenting as a foundation of the newly formed republic in 1776, by writing the following;

UNITED STATES CONSTITUTION - AMENDMENT XIV

Section 1.
No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Some seventy eight years later, on February 14, 1859, a new frontier was established, and called the State of Oregon. Its people, two years earlier, had voted on, and approved the new State Constitution that carried the voice of equality within its frame.

THE OREGON CONSTITUTION

Article 1. Section. 20
No law shall be passed granting to any citizen or class of citizens privileges, or immunities, which, upon the same terms, shall not belong to all citizens.

On December 10, 1948 the General Assembly of the United Nations along with The United States, adopted and proclaimed the Universal Declaration of Human Rights. Among those rights, one seems to be of significance;

United Nations Universal Declaration of Human Rights

Article 16.
(1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

I submit that the issue before you is a civil rights issue, a civil right that transcends all boundaries, all races.

Sincerely,

Glenn R. Dettwiler

455 SE 67TH • PORTLAND, OREGON • 97215 USA
PHONE: 503.441-0596 • FAX: 240.376.5631

HERE 04.01.04 TOO - CHOSE NOT TO SPEAK

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 3-31-04

SUBJECT: Same-Sex Marriage/Commissioner Conduct

AGENDA NUMBER OR TOPIC: _____

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: Rich DUVALL

ADDRESS: 44 N.E. 44

CITY/STATE/ZIP: Port. OR. 97213

PHONE: DAYS: 503-309-0089 EVES: 503-

EMAIL: RDUVALL655@AOL.COM FAX: 503-226-6160

SPECIFIC ISSUE: Violation of open door policy

WRITTEN TESTIMONY: Yes - ATTACHED

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

Introduce yourself:

IM not here to discuss the MORALITY OF SAME SEX MARRIAGES, or the legal ramifications of the actions taken by the commissioners. IM not an attorney.

IM here to express my views regarding the conduct of the people we have elected to represent our community as a whole. With the exception of loni Robberts, our commissioners have betrayed our confidence and our trust by violating the open door and transparency rule when making decisions that effect our whole community. In particular when it has to do with changing something that effects the very fundamental fabric of our lives as we know it today, marriage.

You county commissioners new that the general public would not be in favor of your actions, and so decided to make the decision to issue marriage licenses to same-sex couples behind closed doors in order to circumvent the will of the people, to exclude the very people that elected you. This dission to underhandedly change the law without regard for the general public that you serve deepens the the mistrust the community has for its government, and in my opinion, is political suicide. Ms. Cruze, Lisa Naito, de Stafey and Dian Linn you are no longer public representatives, you have become political activists. Your pandering to a special interest group. If your representing the public it's imperative you set your personal agenda aside.There's nothing wrong with being an activist, but if your going you be an activist you have no business representing the public.

We, the public, now have to ~~get~~ Remove you out of office. Why? Because there must be consequences for officials who violate the trust of our community. If we allow your disrespect of the people to stand and to become the states quo, what message does this send to our future county commissioners? That it's OK to violate the publics trust, and do it with impunity, no consequences. NO! IM now requesting you to save the community the headache of a recall and turn in your resignations, to are no longer representing the whole of the community.

I feel I understand the joy and elation of the gay and lesbian communities, but when the dust finally settles at the end of the day we all want government for the people and by the people, and representatives that truly represent the whole community, even the gay and the lesbians recognize that it makes no sense to sacrifice representative government for a personal desire. The cost is to great.

Rich M. Duvall

9:14 pm Wed

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

NO SHOW

MEETING DATE: April 1st

SUBJECT: Same-Sex Marriage

AGENDA NUMBER OR TOPIC:

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Elena McGrath

ADDRESS: 5135 SE 41st Ave

CITY/STATE/ZIP: Portland, OR 97202

PHONE: DAYS: _____ EVES: 503-772-1830

EMAIL: Fallaway84@yahoo.com FAX: _____

SPECIFIC ISSUE:

WRITTEN TESTIMONY:

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

WRITTEN TESTIMONY only

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: April 1, 04

SUBJECT: _____

AGENDA NUMBER OR TOPIC: SAME SEX MARRIAGE

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: Cliff & Carolyn Metzenberg

ADDRESS: 6999 S.E. Norbert Drive

CITY/STATE/ZIP: Milwaukie Oregon 97222

PHONE: DAYS: (503) 653-1771 EVES: Same

EMAIL: cmetz@pacifier.com FAX: —

SPECIFIC ISSUE: Same sex marriage.

WRITTEN TESTIMONY: We say NO to same sex marriage Please Keep marriage between a man and a women as ordained by our creator. This whole process would have been best decided at the ballot box.

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: April 1st, 2004

SUBJECT: Being Gay.

AGENDA NUMBER OR TOPIC:

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Naralena Murphy

ADDRESS: Reed College MS 917

CITY/STATE/ZIP: ~~Rostraver, PA~~ Portland, OR 97202

PHONE: DAYS: 503.517.4899 EVES: same

EMAIL: Naralena.Murphy@reed.edu FAX: _____

SPECIFIC ISSUE:

WRITTEN TESTIMONY:

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

My name is Teri O'Brien. I have not often felt compelled to speak publicly. Today, it is imperative that I do so. On Monday, March 8th, I was granted the privilege of marrying the woman I have partnered with for 10 years. We have heard that we are a threat to marriage, that we threaten the very essence of its purpose. I do not understand how we, who successfully raised a child together to adulthood, and who have watched that man become a productive member of society are the tools that will destroy the sanctity of marriage. We made public and sacred vows to one another before God and the community. We are not trying to destroy marriage, indeed we celebrate the fact that we are able, because of the Oregon Constitution, to participate. We hold the very same ideals important- that we, together, try to be a positive part of the greater community, that we are stronger together than separate.

Marriage is a contract between two people. The contract we made was to care for one another in all parts of living. We are not asking for separate but equal rights. We are asking for equality. In the last century, there were movements that acknowledged the equality of skin color, and of the right of women and black Americans to vote. We as a people tried to rectify the wrongs perpetrated on all people, regardless of race, ethnicity, or beliefs. In this century we are at the door of our Constitution, firmly asserting that we, as Americans be granted the right to take our place beside the generations who had to fight for the freedoms that were of historical importance... this is a moment in the history of our State and our Nation when we can make a positive decision that will forever assert that all of us, regardless of gender, of belief, state unequivocally that we are equal.

Teri O'Brien
503 775-2435

TH

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 11/1/04

SUBJECT: Gay Marriage

AGENDA NUMBER OR TOPIC:

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Aleck Ross-Frye

ADDRESS: MS 666, Reed College, 3203 SE Woodstock

CITY/STATE/ZIP: Portland OR 97206

PHONE: DAYS: (503) 449-8250 EVES:

EMAIL: aleck.c.ross-frye@reed.edu FAX:

SPECIFIC ISSUE:

WRITTEN TESTIMONY:

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

10:20

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 4-1-04

SUBJECT: gay marriage

AGENDA NUMBER OR TOPIC: _____

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: elizabeth Samuels

ADDRESS: 1537 se elliott st.

CITY/STATE/ZIP: Portland, OR 97214

PHONE: DAYS: _____ EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
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3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

~~4/5/04~~

MEETING DATE: APRIL 1ST

SUBJECT: MARRIAGE

AGENDA NUMBER OR TOPIC: _____

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Leight Anni SPARKS

ADDRESS: 14036 SE FOSTER RD

CITY/STATE/ZIP: PORTLAND /

PHONE: DAYS: 503-762-3132 EVES: SAME

EMAIL: leightanns-99@yahoo. FAX: _____

SPECIFIC ISSUE: SUPPORT OF MARRIAGE

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

10:30 am

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
*****This form is a public record*****

MEETING DATE: 3-25-04 / 4-1-04 for meeting 7-9 pm

SUBJECT: "Same Sex" Marriage

AGENDA NUMBER OR TOPIC: Queer Marriages

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: Sherman Watson

ADDRESS: 850 NE 102nd Ave.

CITY/STATE/ZIP: Portland, OR. 97220

PHONE: DAYS: 503-262-9307 EVES: 503-314-1488

EMAIL: swrevere@aol.com FAX: 503-253-0550

SPECIFIC ISSUE: Against Illegal/immoral Sex

WRITTEN TESTIMONY: Wish to give specific reasons for why the subject matter is wrong & illegal.

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

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2. Written testimony will be entered into the official record.

not going to let you diet. Forget it! I'm in charge." The possessing entity, which had dominated her for many years, departed only when convinced she could eat all she wanted in the spirit world. The compulsion to overeat vanished with her.

RELATIONSHIP PROBLEMS

Relationships really suffer as a result of possession because there is an unsuspected ménage à trois—or more—involved. An unpleasant child may be harboring a vicious spirit whose values are different from those of the child's family. A husband could be relating to a male spirit possessing his wife. Interplay of the spirits involved between mates or partners often results in erratic sexual attraction. Even employee-employer relationships may be disturbed for the same reason, which is illustrated in the case study of Anne in chapter 8.

SEXUAL PROBLEMS

Since many spirits were old when they died, the people they possessed often experienced symptoms of aging, including a noticeable diminution of their sexual drive.

Sexual hang-ups are part of the repertory many entities bring with them. Their own problems and proclivities manifest themselves when the possessed engage in sex. At one extreme, their hosts may even be prevented from approaching their partners! This was the case with Paolo, whom you will read about in chapter 11.

One of the causes of homosexuality is possession by spirits of the opposite sex. If the possession began before puberty, heterosexual development often was disrupted and the afflicted grew up believing *they* desired sexual partners of the same sex, when it was the entities who were determining their choices. Every homosexual patient I have done a depossession on has had at least one exceedingly dominating entity of the opposite sex who was determining the sexual preference. Often these patients told of feeling they were "trapped" in bodies of the wrong sex.

Some of these people were considering irreversible transsexual operations because of the spirit's desperate attempt to make the possessee's body as much like the deceased one as possible.

I have treated a number of transvestites, *all* with possessing spirts of the opposite sex. It was they who bought the clothes and dressed up to suit their fancy, much to the confusion and embarrassment of their victims.

This chapter gave you an overview of how individuals' lives can be warped by possessing spirits. From the above categories and vignettes, you can see that the effects of possession can be disastrous and, at times, fatal.

The next five chapters—each a complete case study—give an in-depth view of not only the devastating results of possession, but how it came about originally. You will be shown how depossession therapy benefited these suffering people—the possessed, as well as their possessors.

These cases were picked from my files of hundreds of patients, to give you an understanding of the anguish that ensues from possession, from the people themselves who were—in most cases—the consciously unwilling and unsuspecting victims of spirits.

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Sexual Politics And Scientific Logic: The Issue Of Homosexuality

Charles W. Socarides
The Journal of Psychohistory, 19(3), Winter 1992

A significant portion of society today is of the belief that homosexuality is a normal form of sexual behavior different from but equal to that of heterosexuality. Many religious leaders, public officials, educators., social and mental health agencies, including those at the highest level of government, departments of psychiatry, psychology, and mental health clinics, have been taken in by a widespread sexual egalitarianism, by accusations of being "undemocratic" or "prejudiced" if they do not accept certain scientific assertions thrust upon them, as if deprived of all intellectual capacity to judge and reason. It is my contention in this paper that this threat of revolutionary change in our sexual mores and customs has been ushered in by a singular act of considerable consequence: the removal of homosexuality from the category of aberrancy by the American Psychiatric Association (December 1973). It is furthermore a fateful consequence of our disregard for psychoanalytic knowledge of human sexual behavior.

In what follows, I shall present a detailed account of social and political forces both within and without our organization responsible for this act and critically examine the spurious and pseudoscientific reasons put forth for the removal of a diagnosis from the Diagnostic and Statistical Manual.

This act was naively perceived by many psychiatrists as the "simple" elimination of a scientific diagnosis in order to correct injustices. In reality, it created injustices for the homosexual as it belied the truth that prevented the homosexual from seeking and receiving psychoanalytic help. At the social, group, and community level, it proved to be the opening phase of a two-phase sexual radicalization; the second phase being the raising of homosexuality to the level of an alternate life style, an acceptable psycho-social institution alongside heterosexuality as the prevailing norm of behavior.

POLITICAL FACTORS LEADING TO DIAGNOSTIC CHANGE

In 1963, growing concern in the press and the medical profession prompted the New York Academy of Medicine to entrust its Committee on Public Health to study the subject of homosexuality. While the Commit-tee in its report (1964) concluded that "homosexuality is indeed an illness, the homosexual is an emotionally disturbed individual who has not acquired the normal capacity to develop satisfying heterosexual rela-tions," it sounded an alarm: it warned that "some homosexuals have gone beyond the plane of defensiveness and now argue that deviancy is a 'desirable, noble, preferable way of life.'" Spokesmen for homosexual groups argued that homosexuality was not an aberration; those so oriented were merely a different kind of people living an acceptable way of life, and, for one thing, they claimed it was the perfect answer to the problem of a population explosion (!). Clearly a disturbing trend was developing, with homosexuals banding together, not to demand help from psychiatry and the medical profession and public recognition of their condition (alongside those individuals with any form of neurosis or emotional disorder) or simply to protest against legal injustices, but to proclaim their "normality" and attack all opposition to this view. Those who took this view in the past constituted a vocal but very small minority of homosexuals compared to the large number of homosexuals who desired more help, not less, or who remained silent. To my mind just as alcoholism and drug addiction has become recognized as illness over the past several decades, so was sexual deviation increasingly to be understood as an emotional disorder and, similar to other mental disorders, not to be penalized when practiced among consenting adults. Freedom from persecutory laws as well as the granting of full civil rights constituted an integral part of this approach to homosexual individuals.

As a young analyst encouraged by the therapeutic response of my homosexual patients to the freedom they found in being relieved of the yoke of their homosexuality, I decided that the moment had come to act directly on the behalf of the homosexual and anyone else suffering from a sexual disorder, with the idea of making help available on request to many. I wrote to Stanley F. Yolles, M.D., then Director of the National Institutes of Mental Health, asking to meet with him to discuss some suggestions for a national program for the prevention and treatment of homosexuality and other sexual disorders. I wrote, "Of the whole range of sexual disorders, homosexuality is the most misunderstood. Homosexuality not only causes suffering for the individual but is inimical to the preservation of the family unit. The psychological conflicts which lead to the development of homosexuality, the anguish of the homosexual himself and the damage to his family and close associates produces tragic consequences. It should be the task of psychoanalytically informed psychiatry and modern medicine to dispel the mystery that surrounds homosexuality and dissolve the fear which attends any attempt at free discussion. Homosexuality, I predicted, could well be alleviated in many instances by fresh approaches to therapy. Hope could then be offered to many who had often surrendered in despair, the very real hope that a favorable prognosis was quite possible in most cases when homosexuals

voluntarily sought help, Yolles' encouraging reply was that I meet with members of his staff with the possibility of implementing such a program, but representatives of our nation's central mental service (NIMH) dismissed it out of hand at a meeting in Washington, D.C. (February 3,1965). I went on, however, writing and publishing my findings (1968, 1978) and was invited by my colleagues to address the Adult Psychiatry branch of the NIMH on the problem and treatment of homosexuality in 1967. Shortly thereafter, NIMH appointed a Task Force on homosexuality. In October 1969, this Task Force submitted its final report in which it acknowledged at least in part the validity of my earlier proposal by recommending "the coordination of NIMH activities in the broad area of sexual behavior for the establishment of a center for the study of sexual behavior."

This task force did not by any means represent the forefront of knowledge on the issue of homosexuality. Only three psychiatrists were participants. One of them, Dr. Judd Marmor, had for years espoused the view that homosexuality was "normal." The Chairperson was psychologist Evelyn Hooker, Ph.D.,(1) who was of the same long time conviction. The Kinsey-Hopkins faction was represented by Dr. Paul Gebhardt, Ph.D., Director of the Institute for Sex at Indiana University, and John Money, Ph.D., from Johns Hopkins, an early proponent of transsexual surgery and the acceptance of homosexuality as normal. The law was represented by the Honorable David M. Bazelon, who at one point during the Task Force deliberations resigned. Psychoanalytic clinicians such as Bieber, Hadden, Bychowski, Rado, Lorand myself and others who had worked for many years in depth therapy with homosexual patients were pointedly left off the committee. On a subsequent occasion I was told by Gebhardt that this action was taken as Bieber, I and others were considered "professionally biased" because of our "Freudian approach." The NIMH report concluded: "Some of the primary goals of the NIMH service study of sexual behavior should be to develop knowledge, generate and disseminate information, mollify taboo and myths, provide rational basis for intervention, and provide data to policy makers for use in their efforts to frame social policy." The report asked for society's toleration and understanding of the homosexual condition and the gradual removal of persecutory laws against such activities between consulting adults. These positions were good and well taken, but where the report failed abysmally was that it never concluded that exclusive homosexuality was a form of emotional illness, arrested psychosexual development, or a pathological condition of any kind, thereby lending tacit approval to emerging concepts of deviancy.

Meanwhile, militant political homosexual groups continued to disrupt a number of scientific programs both at the national and local level in which findings as to the psychopathology of homosexuality, its origins, symptomatology, course, and treatment, were going to be discussed, e.g., national meetings of the American Psychiatric Association; Association for Psychoanalytic Medicine (Columbia University); Panel on Homosexuality: "A Current Controversy," New York Academy of Medicine (November 27, 1973). Psychiatrists who dared to speak of their clinical findings were "discredited" even in the pages of the official newspaper of our own

organization, e.g., "Psychiatrists Blast Colleagues' 'Prejudice' Against Homosexuals" Psychiatric News, June 7, 1972).(2) Some of these public attacks were augmented by hate-filled letters, threatening attacks over the telephone, and even threats of terrorist action against those who continued to speak of their scientific findings. Marmor, utilizing the nationwide distributing capacity of the newsletter distributed by SIECUS(3) (Scientific Information and Education Council of the U.S.), a private non-governmental organization heavily in favor of "new liberal concepts of sexuality" including homosexuality, denounced a Journal of the American Medical Association article entitled "Homosexuality and Medicine (1970) by this author as "an unfortunate potpourri of prejudice and misinformation [which] stems ... from obvious personal prejudices."

As a counter to such tactics, which tended to silence all scientific debate, I proposed to the New York County District Branch of the American Psychiatric Association that it should establish a task force as an official committee of that organization in order to shed light on the nature, meaning, and content of homosexuality to psychiatry and an increasingly bewildered public. Thus the first all-psychiatric task force on homosexuality was born. It was and has been the only such medically oriented body in the country. After two years of deliberations and sixteen meetings the task force, composed of a dozen experts affiliated with the major medical centers of New York City, attempted to submit its report on homosexuality to the Executive Council of the New York City District Branch, a report which unanimously documented the fact that exclusive homosexuality was a disorder of psychosexual development and simultaneously asked for civil rights for those suffering from the disorder. The report was "not acceptable" to the new members(4) (and some old) of the Executive Committee. Other business took its place in the Executive Committee meeting and although general statements were accepted as to its content it was not accepted into the minutes of the meeting. The message was coming through loud and clear: the only report acceptable would have. been one which was not only in favor of civil rights but one which declared homosexuality not a psychosexual disorder. The committee was then dissolved. Its members, determined that the report see the light of day, eventually published it as a "study group" report in the late Spring of 1974 (New York City District Branch APA Task Force Report).

In mid-1973, Vice President Judd Marmor of the APA and John Spiegel, President, APA, and other psychiatrists met with the Gay Activist Alliance, the Mattachine Society and its female ancillary, the Daughters of Bilities, and the Nomenclature Committee of the American Psychiatric Association at Columbia University, New York City, to discuss the deletion of "homosexuality" from the diagnostic nomenclature (New York Times, Spring 1973).

In November 1973, I was asked by a Newsweek reporter if I would care to comment on the upcoming celebration/cocktail party to take place at the APA headquarters in Washington, D.C. in December com-memorating the "greatest of gay victories"-the "purging" of homosex-uality from the realm of psychiatry. Dr.

Robert L. Spitzer, a psychiatrist at the Columbia University College of Physicians and Surgeons, and Secretary of the APA Committee on Nomenclature and Statistics, had been made chairman of the Nomenclature Task Force on Homosexuali-ty, apparently setting it apart from the Nomenclature and Statistics Committee itself. Dr. Henry Brill, a respected and dignified psychiatrist embodying the best traditions of the state hospital system, had been removed from a position of authority in respect to the issue. Spitzer, who to my knowledge had never previously published a single article on homosexuality or the sexual deviations, had composed a position paper on the meaning and content of homosexuality. It was upon his rationale that the Nomenclature Committee (or the task force part of it) had proceeded. His new definition was sent to the Council on Research and Development. The head of the group, in a telephone call I made to him soon thereafter, stated: "After all, homosexuals must be protected and this might be the best way to do it." I argued that we were all for protecting the homosexual against persecution, but this was a different matter.

Should we dismiss our scientific findings for social/political reasons? Joseph Stalin's insistence on substituting Lamarckian concepts in place of those of Mendelian inheritance for political purposes and the serious consequences to the science of genetics immediately came to my mind. We psychoanalytic clinicians had long been and continue to be in the vanguard of protecting our homosexual patients against assertions of degeneracy and unfair laws. After all, it was Freud who first admitted homosexuals and others were sexually deviant into the consultation room as respected and worthy patients on a par with till those suffering from emotional disorders of any kind. Psychoanalysis had begun to understand homosexual condition: was the homosexual to be "buried" by stating that this was a "non-condition?" Such an action would constitute a repudiation of all we have learned about sexual deviation. I said that homosexuals were individuals who out of inner necessity must engage in homosexual practices or otherwise experience anxiety. This was clearly a psychiatric disorder. We got nowhere.

From the Council on Research and Development the proposed change in the Diagnostic and Statistical Manual went to the Assembly, thence to the APA Reference Committee. "Minor changes" were made in these committees, it was later announced. These "minor changes" were hardly minor, e.g. "heterosexual orientation disturbance" was to be included along with homosexuality as a "sexual orientation disturbance" to signify those people who were "disturbed" at the knowledge that they were heterosexual(!) (Minutes, APA Council, 11/3/73). It was decided a few weeks later that this was unwise, and therefore "heterosexuality as a disorder" was deleted. The new position favoring deletion of homosex-uality was obviously clinically untenable and scientifically fallacious, even to a first-year resident in psychiatry. There was no scientific ex-planation for this deletion except the statement that the homosexual did not experience "suffering"; those who disliked being homosexual and "suffered over it" or "complained" were to be considered to have a "disorder." We persisted that respect for the tradition of open

scientific debate as well as professional ethics and morality required that we be given a hearing on this matter.

Our group of dissidents consisting of three members of the APA out of a committee of twelve received a hearing immediately preceding the Board of Trustees vote on December 14, 1973. I reviewed before the Board the serious consequences(5) of this change during an allotted five- minute presentation by stating that as a result of this position: [1] An alteration of theoretical concepts of healthy versus abnormal sexual development would have to "logically" take place; [2] Sex education in our schools would in all likelihood include homosexual sex education (this has already come to pass); [3] Despair would be created within the individual homosexual who wished help. The homosexual would forfeit his mammalian heritage, the chance to engage in the male-female design; [4] Homosexuals would not enter therapy or be dissuaded for long periods in doing so: tremendous resistances to therapy would result, injuring the patient's progress; [5] Suicides among those with gender identity disorder might well increase.(6) Where would individuals get help if they could not turn to psychiatry? The individual homosexual who wished to be helped, to rid himself of his condition, would be doomed by pronouncements of the Board of Trustees, family and friends would despair. [6] would confuse other medical disciplines such as pediatrics, to whom families and youngsters turned for advice, to say nothing of 'the rest of the medical profession; [7] Homosexuals were already giving lectures on the value of homosexuality as an alternative life style to some of our public schools and in our colleges; [8] Psychiatric residents would be reluctant to enter an area of psychiatric research where they would only receive attack, belittlement, and demeanment. Thus there would be a decrease in both our knowledge and psychiatric research in this condition. We strongly urged postponement of voting by the Board of Trustees.

The Board of Trustees voted practically unanimously against us, with two abstentions. It is interesting to note that only two thirds of the members of the Board of Trustees were present, barely enough to constitute a quorum for this important decision. Were some members simply avoiding a confrontation with the majority view already determined and adamant in their conviction? Otherwise, how could one explain their absence on such a critical issue?

A few weeks later, the "rationale" for 'the deletion of homosexuality as a psychiatric disorder was presented to the medical community. The "rationale" for this change was to be found in two items: The first was an official position paper presented by Robert F. Spitzer, Chairman, Nomenclature Task Force on Homosexuality, before the Board prior to its decision (Spitzer, R.L. [1974], "The Homosexual Decision-A Background Paper," Psychiatric News, pp 11-12). According to Psychiatric News, it was "essentially upon the rationale of Dr. Spitzer's presentation that the Board made its decision" (p. 11). This paper in essence repeated Kinsey's earlier assertion that exclusive homosexuality was a normal part of the human condition at one end of the Kinsey "homosexual -

heterosexual scale."(7) It did not meet the requirements of a psychiatric disorder since it "does not either regularly cause subjective distress or [isj regularly associated with some generalized impairment in social effectiveness or functioning" (Spitzer). The second item consisted of conclusions supplied by Drs. Marcel T. Saghir and Eli Robins in their book Male and Female Homosexuality (1973). Saghir and Robins' "scientific" evidence did not employ any psychoanalytic methodology, but was a descriptive survey from which the conclusion that homosexuality was a normal condition was derived from one structured lengthy interview with homosexuals (recruited through homophile organizations) and "unmarried heterosexual controls" (solicited by mail and paid for the interview) and coincided with the position paper above.

The term "sexual orientation disturbance (homosexuality)" was now to be substituted for homosexuality. It was defined as follows:

> This is for individuals whose sexual interests are directed primarily toward people of the same sex and who are neither disturbed by, in conflict with, or wish to change their sexual orientation. This diagnostic category is distinguished from homosexuality, which by itself does not constitute a psychiatric disorder. Homosexuality per se is one form of sexual behavior, and with other forms of sexual behavior which are not by themselves psychiatric disorders, are not listed in this nomenclature" (Diagnostic and Statistical Manual of Mental Disorders) July 1974).

This diagnostic category underwent several metamorphoses in several editions of the DSM III, including establishing a separate category of "ego-dystonic homosexuality" (for those who were "unhappy" that they were homosexual) to the ultimate elimination of the word "homosexual" from the DSM III Revised 1987 as a scientific category (APA Diagnostic Criteria DSM 'Ii; American Psychiatric Association, Washington, D.C.)

A reversal of the decision by the Board of Trustees would require two hundred members requesting a referendum. It was for this purpose that a referendum was asked for. Fortunately, the American Psychoanalytic Association was holding its midwinter meeting in New York City at the time and two hundred and forty-three signatures from psychoanalytic practitioners (members and fellows of the APA who were familiar with the clinical problems of the homosexual) petitioned for a reversal of the Board of Trustees vote. It was a credit to psychiatrists in general that in the voting of the general membership (April, 1974) that was to follow on this issue (voting marred by hidden lobbying by homosexual activists)(8) held months later, forty percent of the psychiatrists who voted (10,000) took issue with the Board of Trustees' action, asserting that there were no legitimate scientific reasons for the APA's change in fundamental psychiatric theory. It is fallacious to conclude from this vote that the ma-jority of psychiatrists in the United States were in favor of the action, for only 25% of those eligible to vote out of more than

25,000 psychiatrists sent in their ballots. Despite this fact, the decision stood.(9)

By declaring a condition a "non-condition," a group of practitioners had removed it from our list of serious psychosexual disorders. The action was all the more remarkable when one considers that it involved the out- of-hand and peremptory disregard and dismissal not only of hundreds of psychiatric and psychoanalytic research papers and reports(10) but also of a number of other serious studies by groups of psychiatrists, psychologists, and educators over the past seventy years, for example, the Report of the Committee of Cooperation with Governmental (Federal) Agencies of the Group for the Advancement of Psychiatry (1955); the New York Academy of Medicine Report (1964); the Task Force Report of the New York County District Branch of the APA done in 1970-72 (Socarides, et. al., 1973).

To the psychoanalyst, this was psychiatric folly. Psychoanalysts com-prehend the meaning of a particular act of human behavior by delving in-to the motivational state from which it issues. Obviously these decision makers had not viewed individuals in this manner. When individuals with similar behavior are analytically investigated, we then arrive at objective conclusions as to the meaning and significance of a particular phenomenon under examination. Thus is insight achieved. To form conclusions as to the specific individual meaning of an event simply because of its frequency of occurrence (the number of homosexuals was often alluded to as indicating that it was normal)(11) is to the psychoanalyst scientific idiocy only in the consultation room, using the technique of introspective reporting and free association, protected by all the laws of medicine, psychology, and psychiatry, will an individual reveal the hidden (even from himself) meaning and reasons behind his act. The meaning of a particular act of piece of behavior can only be decided on the basis of the motivational context from which it arises.

The concept of "disadvantage" was introduced as a reason for declaring homosexuality a "non-disorder" by the Nomenclature Committee two years after the deletion (1976). The view that the homosexual of the obligatory type is at "no social disadvantage" is a denial of the realities that surround us when one considers that a society governs the behavior of its members from birth to death through its laws, mores, and other institutions. A human being is born with responses that constitute his mammalian heritage (a product of evolution). He is then introduced into a web of social institutions, a product of cumulative tradition which con-stitutes his cultural heritage. The two, mammalian and cultural heritages, lead man to his sexual pattern-heterosexuality. Heterosexuality has a biological and social usefulness. It creates the family unit and allows men and women to live together under conditions where there is likely to be the least amount of fear, rage, and hate. It furthermore regulates this relationship through a series of laws, penalties, and rewards.

Additional proof of the politicization of American psychiatry was to be provided later from an unexpected source: a book by Ronald Bayer, a fellow of the Hastings Institute of New York. He stated that Spitzer was "sympathetic to the viewpoint of

the gay liberation group" (pp.130-131) and Brill was suffering from "indecision and discomfort with Spitzer's aggressive assumption of leadership on this issue." Even more important was the revelation (never previously acknowledged) that the Council on Research and Development of the APA did not officially investigate or study the issue thoroughly before it gave formal approval to the deletion of homosexuality from the DSM II.

> It was to Monroe's council, comprised of five senior psychiatrists who were responsible for providing the APA with advice on matters of policy and with information on current issues in psychiatric research, that Spitzer's proposal [for deletion] was first under consideration. Though officially coming from the Committee on Nomenclature, in fact it had never been formally approved by its members and thus presented Spitzer's own effort to resolve what many APA leaders considered "a hot potato" (Bayer, pp.130-131, emphasis added).

Bayer laid bare developments that took place in December 1973. He states that the Board of Trustees "satisfied the formal requirements of providing a fair hearing [and proceeded] to render its verdict," but he omitted the fact that the requests for such a hearing had to be aggressively pursued (there was no invitation" to appear and permission to address the Board of Trustees was granted most reluctantly by its chairman, Dr. John Spiegel). Furthermore, this "fair hearing" consisted of a five-minute allowance for each person testifying, including Drs. Irving Bieber (Clinical Professor of Psychiatry, New York Medical College), John McDevitt (Associate Clinical Professor of Psychiatry, University of Cincinnati), Armand Nicholi of the Harvard Medical School Student Health Service-and myself. The time limit was strictly adhered to and no time was allowed from discussion. The suggestion by the Ad Hoc Committee Against the Deletion of Homosexuality (the "psychiatric dissidents"), headed by myself, that a pro-civil rights statement be made but that the question of scientific merits of the diagnosis(12) be left for further study and reflection, was peremptorily dismissed. Our proposal was unacceptable. For the next 18 years, the APA decision was to serve as a Trojan horse, opening the gates to widespread psychological and social change in sexual customs and mores. The decision was to be used on numerous occasions for numerous purposes with the goal of normalizing homosexuality and elevating it to an esteemed status.

To some American psychiatrists this action remains a chilling reminder that if scientific principles are not fought for they can be lost - a disillusioning warning that unless we make no exceptions to science, we are subject to the snares of political factionalism and the propagation of untruths to an unsuspecting and uninformed public, to the rest of the medical profession, and to the behavioral sciences.

Beyond the disservice to homosexual patients and their families, the confusion in the mind of the public, and the pushing back of the fron-tiers of our knowledge,

what is the fate of society in all this? Abram Kar-diner, psychoanalyst, former Professor of Psychiatry at Columbia University, recipient of the Humanities Prize of The New York Times in 1966, warns:

> There is an epidemic form of homosexuality, which is more than the usual incidence, which generally occurs in social crises or in declining cultures when license and boundless permissiveness dulls the pain of ceaseless anxiety, universal hostility and divisiveness. Thus in the Betsileo of Madagascar the incidence of homosexuality was visibly increased at a time when the society was under a state of col-lapse. Supporting the claims of the homosexuals and regar-ding homosexuality as a normal variant of sexual activity is to deny the social significance of homosexuality. To do this is to give support to the divisive elements in the community. Above all it militates against the family and destroys the function of the latter as the last place in our society where affectivity can still be cultivated.
>
> Homosexuals cannot make a society, nor keep ours going for very long. Homosexuality operates against the cohesive elements in society in the name of fictitious freedom. It drives the opposite sex into a similar direction. And no society can long endure when either the child is neglected or when the sexes war upon each other (Kardiner, personal communication to the author, 1973).

THE PSYCHOANALYTIC POSITION

The psychoanalyst's compassion and concern as regards the external conflicts faced by the homosexual due to societal disapproval should not blind us, however, to the internal conflicts, conflicts which occur between various conscious and unconscious tendencies within the individual which are causative of this disorder. The homosexual, no matter what his or her level of adaptation and function in other areas of life, is severely handicapped in the most vital area-interpersonal relations.

A typical family constellation is that in which there is a psychologically crushing mother (in extreme cases) and an absent or abdicating father who does not assume his appropriate masculine role in relation to his son that allows the son to identify with him. In the female homosexual there is a corresponding inability to identify with what is viewed by the girl as a malevolent, malicious mother and a father who does not respect the femininity of his daughter. The female homosexual seeks femininity in the body and personality of her female partner.

Pathology, organically and psychologically, may be defined as a failure to function, with concomitant pain and/or suffering. It is this failure, its significance and manifold consequences that are so obvious in obligatory homosexuality-a failure in functioning which, if carried to its extreme, would mean the death of the species.

Beneath this obvious failure of function and the secondary external conflicts it may provoke, lie the agony, sorrow, tragedy, fear and guilt of a both conscious and un-conscious nature which pervades the homosexual's life. Psychiatrists who treat such individuals in depth know this very well. Those who do not practice depth psychotherapy or psychoanalysis often do not observe or may tend to minimize the degree of suffering the homosexual en-dures-suffering induced by internal conflicts-inasmuch as the homosexuality also provides temporary relief from severe anxiety. Fur-thermore, obligatory homosexuality (in contrast to episodic, situational, or variational homosexual behavior, which is not considered a pathological condition per se) may cause such disruption in the equilibrium of the individual that all meaningful relations in life are damaged from the outset and are peculiarly susceptible to breakdown. Attitudes toward the opposite sex are often filled with distrust and fear as to render them incapable of any relationship at all, except on the most superficial and brittle basis. The obligatory homosexual is unable to function in the most meaningful relationship in life: the male-female sex-ual union and the affective state of love, tenderness and joy with a part-ner of the opposite sex.

The homosexual engages in a compromise adaptation, "choosing" a same-sex partner for sexual gratification in order to save the self from anxiety. The ability of the homosexual to neutralize anxiety motivates the homosexual to use this as a face-saving rationalization-that is, that he or she is not suffering from an emotional disorder at all, especially if one is convinced that there is no help for changing their condition. Despite the appearance at any given time of an adequate life perfor-mance, internal conflict threatens to disrupt this fragile adjustment.

Major breakthroughs have been made in psychoanalytic knowledge leading to the conclusion that oedipal-phase conflict in certain homosexual patients is always superimposed on deeper, basic preoedipal nuclear conflicts. In certain cases of homosexuality, h is apparent that object rela-tions pathology contributes more to the development of homosexuality than the vicissitudes of the drives-in other words, that the central con-flict of the homosexual is an object relations one rather than a structural one. These views apply to relatively pronounced cases in which the perverse development is clear and definite.

The combination of infant observational studies and developmental theories in the psychoanalytic material derived from the study of adult homosexuals helps to explain that the fixation of the homosexual lies in all probability in the later phases of the separation-individuation process, producing a disturbance in self identity as well as in gender identity, persistence of a primary feminine identification with the mother (in the case of the female homosexual, an identification with the mother perceived as malevolent and hateful), separation anxiety, fears of engulfment (restor-ing the mother-child unity), and disturbance in object relations and associated ego functions.

The homosexual has no choice as regards his or her sexual object. The condition is

unconsciously determined, is differentiated from the behavior of a person who deliberately engages in same-sex sexual contact due to situational factors or a desire for variational experiences. As noted above, these constitute non-clinical forms of homosexual behavior. The nuclear core of true homosexuality is never a conscious choice, an act of will; but rather it is determined from the earliest period of childhood, in terms of origin, of course, not in practice. The homosexogenic family environment has been noted above. The presence of external conflicts which complicate the lives of homosexuals should not be allowed to obfuscate the valid clinical data secured through in-depth psychoanalytic studies, for this misinforms psychiatrists, the general reader, and, unfortunately, a vulnerable public.

Lastly, it should be stated that it is obvious to some psychoanalysts that the requirements for definitions of a condition or disorder on the basis of conscious anxiety and suffering ran counter to everything we knew dynamically about the mechanisms involved in this serious distur-bance. For example, the enactment of any sexual deviation helps to keep the individual in equilibrium and neutralize anxiety. It has been un-consciously specifically fashioned for this purpose. Therefore, the presence or absence of anxiety cannot be an adequate criterion to use when determining whether the condition is a disorder or not. Some of the most severely disturbed homosexuals have no anxiety because of their constant enactment of the homosexual act. Furthermore, Spitzer's proposal, as noted above, disregarded the following: [I] the presence of a specific need, desire, compulsion, or other symptom formation may so circumscribe pathology that a patient may appear to be functioning well in every other aspect of his life; [2] fully developed neurotic symptoms can mask illness as well as express it; and [3] the mechanism of sexual deviation results in the production of an ego-syntonic symptom, namely, one that allays and neutralizes anxiety.

The official position of the American Psychoanalytic Association is indicated by its definitions of homosexuality which appear in A Glossary of Psychoanalytic Terms and Concepts, edited by B.E. Moore, M.D. and B.D. Fine, M.D. This glossary, first published in 1968, underwent its third printing in 1983. It states:

> In the male homosexual there is, as a rule, an overly strong attachment to the mother up to and including the oedipal phase, which is not resolved by identification with the father but rather by partial identification with the mother. Object choice is narcissistic in type, i.e., the loved person must be like the self, and sexual excitation is experienced in regard to men instead of women. Due to strong castration fears, the homosexual man cannot tolerate a sexual partner without the tremendously valued male organ. Another common motive for homosexual object choice is the avoidance of rivalry with fathers and brothers.
>
> In female homosexuality (lesbianism), the woman retains a strong

> original preoedipal attachment to the mother, which is displaced onto the homosexual partner. As a result of an unsatisfactory outcome of oedipal conflicts, her identification with the mother is incomplete and she holds onto mother as an object of love [p.48].

EPILOGUE

In the material cited above, I have described a movement within the American Psychiatric Association which through social/political activism has accomplished the first phase of a two-phase radicalization of a main pillar of psychosexual life: the erosion of heterosexuality as the single acceptable sexual pattern in our culture. The motive force for this movement was the wish to protect the homosexual against injustices and persecution which could to all intents and purposes have been removed by the demand for equal rights for the homosexual, a demand that could well have been fulfilled through humanitarian motivations so deeply embedded in our humanistic science. Instead, the false step of removing homosexuality from our Diagnostic and Statistical Manual was substituted. This amounted to a full approval of homosexuality and an encouragement to aberrancy by those who should have known better, both in the scientific sense and in the sense of the social consequences of such removal. (The relationships between social approval and homosexuality as a developmental disorder will be dealt with in a subsequent paper.) The devastating clinical fallout from this decision was to follow. Those who would wish to retain homosexuality as a valid diagnosis have been practically silenced by lectures, meetings, and publications, both originating within our association and from other sources. Political par-ties and religious leaders have been utilized to reinforce this silence. The press has been influenced as well as the media;(14) television and movies promote homosexuality as an alternative life style as well as censor movies which might show homosexuality as a disorder. Homosexual sex education has entered our schools and colleges-and pro-Gay activists, homosexual or otherwise, portray their way of life as "normal as apple pie" and intimidate others with different views. In essence, this move-ment within the American Psychiatric Association has accomplished what every other society, with rare exceptions, would have trembled to tamper with, a revision of a basic code and concept of life and biology: that men and women normally mate with the opposite sex and not with each other.

Forces adamantly insisting that homosexuality is an alternative life style have not been stopped by appeals to tradition, enlightened self-interest or even the findings of psychoanalysis.(15) Threats about what would happen to society do not have much effect: nobody considers himself society's guardian. The average citizen says he doesn't quite know what these social interests are and, after all, aren't personal decisions about sex a private matter? The answer to that question, contrary to popular opinion, is NO.

Psychoanalysis reveals that sexual behavior is not an arbitrary set of rules set down by no one knows who for purposes which no one understands. Our sexual

patterns are a product of our biological past, a result of man's collective experience and his long biological and social evolutionary march. They make possible the cooperative coexistence of human beings with one another. At the individual level, they create a balance between the demands of sexual instinct and the external realities surrounding each of us. Not all cultures survive; the majority have not, and anthropologists tell us that serious flaws in sexual codes and institutions have undoubtedly played a significant role in many a culture's demise (Kardiner, A., 1939). When masses of people think similarly about previous sexual customs, their collective behavior will, in the last analysis, have a profound impact on the whole of society.

Scientists, psychologists, psychiatrists, political leaders, public officials and others with vested interests today ransack literature for bits of fact and theory which can be pieced together into a pro-homosexual or bisexual concept of nature, man and society. Some of the individuals say that homosexuals are healthy, society is sick and that science should cure society. Others raise false or outdated scientific issues in their war with traditional values. Many of our values could use change, but polemical pseudoscience is not the way. No society has accepted adult preferential homosexuality. Nowhere is homosexuality or so-called bisexuality a desired end in itself. Nowhere do parents say: "It's all the same to me if my child is heterosexual or homosexual." Nowhere are homosexuals more than a small minority at the present time. Nowhere does homosex-uality per se place one in an enviable position (Karlen, A., 1971).

Some pro-homosexual proponents within the behavioral sciences state that mental illness is simply a product of social definition and that sexual behavior considered normal in one society may be deviant in another. Examination of the facts shows that this is not true of all illness and all behaviors. Some behaviors are universally deviant, and every society thinks them disruptive. Incest, rape, psychopathic (apparently unmotivated) violence are considered taboo in all societies. So is predominant or exclusive homosexuality or even bisexuality.

The counter to such forces is the knowledge that heterosexuality has self-evident adaptive values: decades and even centuries of cultural change are not likely to undo thousands of years of evolutionary selection and programming. Man is not only a sexual animal but a care-bonding, group-bonding, and child-rearing animal. The male-female design is taught to the child from birth and culturally ingrained through the marital order. This design is anatomically determined, as it derives from cells which in the evolutionary scale underwent changes into organ systems and finally into individuals reciprocally adapted to each other. The male-female design is thus perpetually maintained and only over-whelming fear or man's false pride and misdirected individual enterprise can disturb or divert it.

APPENDIX A

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Articles & Texts

Spitzer's rationale for removing homosexuality relied heavily on the work of Alfred Kinsey and his belief in the normality of homosexuality. For that reason, it shall be commented on in some detail.

The Kinsey Report of 1948 has been likened in importance by some to man's radically altered view of himself initiated by Darwin's discoveries. His conclusions are accepted even among some well-intentioned and educated people. The Kinsey Report has had in several ways a severe and damaging delayed impact on our sexual mores, especially as they pertain to homosexuality. Alfred Kinsey, a Ph.D. in zoology, made a valuable statistical survey between 1939 and 1948 of the sexual behavior of twelve thousand American males. His figures are still widely cited as there are no others of comparable scope to contradict them. In general, there is no reason to dispute his data as to incidence. The value of the exhaustive and informative survey was that it enumerated the manifold forms taken by a force so powerful it cannot be denied expression. The enormous public curiosity about Kinsey's figures blinded most people to some of the erroneous interpretations to which some of the figures gave rise, especially in the area of homosexuality. The Kinsey conclusions and in-terpretations have become a banner under which the gay liberationists and similar pleaders have rallied, citing them as sexual gospel. Kinsey, however, erred in attempting to interpret his statistics, a fault which was perpetuated by his followers. Kinsey concluded that homosexuality is present in ten percent of all males in a persistent (obligatory) form and in thirty-five percent of all males in the transitory form. He believed this was due to the fact that homosexuality is a biological variant. Kinsey in-vented a scale based on the incidence revealed in his own studies of homosexuality-heterosexuality, representing a continuum between homosexual and heterosexual behavior. To him this connoted that ex-clusive homosexuality was a normal part of the human condition, of normal sexuality, and simply existed at one end of the "homosexual-heterosexual scale." Exclusive heterosexuality was purportedly at the other end for apparently the same reason, because it was a "biological given." Conscious and unconscious motivations in the causation and/or expression of homosexuality, whether of the exclusive (obligatory) type or not, were completely disregarded.

The statistical studies of the type Kinsey offered ignored the concepts of repression, unconscious mind, and motivation. While they supply in-cidence rates 6f certain phenomena, they do so as if behavior has no con-nection with motivation. Since neither conscious nor unconscious motivation is even acknowledged, these studies arrive at a disastrous con-clusion that the resultant composite of sexual behavior is the norm of sexual behavior. The next step was to demand that the public, the law, medicine, religion, and other social institutions unquestioningly accept this proposition. Even intelligent laymen, gulled by the false interpretation of these statistics, were taken in and continue to be so.

In contrast to the psychoanalytic method of investigating behavior (motivational analysis), the only differentiation Kinsey and his followers admitted to is a quantitative one. For example, among the various forms of homosexuality, Kinsey

was opposed to considering a man homosexual in whom the "heterosexual-homosexual balance" was only slightly or temporarily shifted to the homosexual side. Psychiatrically, this is incorrect, for the quantitative approach cannot replace the psychogenetic one.

Edmund Bergler, a psychoanalytic pioneer into understanding homosexuality, was fond of comparing this quantitative approach to the situation that would exist if someone invented the idea of subdividing headaches entirely according to quantitative principles, rating them from one to six according to severity.

Medically speaking, a headache is only a symptom indicating a variety of possibilities: from brain tumor to sinus infection, from migraine attack to uremia, from neurosis to high blood pressure, from epilepsy to suppressed fury. Instead of the causal (what causes the headache) viewpoint, we would have in this new order only quantitatively varying degrees of big, middle-sized, and small headaches (1969).

The Kinsey yardstick omits differentiation of the underlying condi-tions. Moreover, as Bergier notes, "in the previously mentioned rating of headaches, at a specific moment a headache produced by a sinus attack could be more severe than one produced in certain stages of a brain tumor." The homosexual "outlet" covers a multitude of completely dif-ferent genetic problems. Hence a causal yardstick is necessary for the dif-ferentiation and therapy of the confusion and many-faceted types of human relationships.

From the beginning, when Kinsey's figures were made known, few in-dividuals-except for Lionel Trilling in the literary arts and some emi-nent psychoanalysts, especially Bergier, Kubie, and Kardiner-cared to criticize Kinsey's findings. Still fewer treated them lightly, although H.L. Mencken in his volume Christomathy quipped: "All this humorless document really proves is: (a) that all men lie when they are asked about their adventures in amour and (b) that pedagogues are singularly naive and credulous creatures."

According to social historian Paul Robinson (1976), Kinsey's heterosexual-homosexual rating scale was a "pathetic manifestation of Kinsey's philosophical naivete . .. a hopelessly mechanical contrivance, which sought to promote a system of classification that bore little rela-tion to reality" (pp.73-74). It was a gargantuan scientific hoax promoted by Kinsey for reasons of his own. In psychoanalytic terms, it was a massive form of denial as defense. With remarkable prescience, Lionel Trilling, social and literary critic, predicted the dire consequences of this idea for the scientific community as early as 1948. He stated that in the future

> Those who most explicitly assert and wish to practice the democratic virtues [will have taken] as their assumption that all social facts-with the exception of exclusion and economic hardship-must be accepted not merely in the scientific sense but also in the social sense, in the sense,

> that is, that no judg-ment must be passed on them, that any conclusion drawn from them which perceives values and consequences will turn out to be "undemocratic" (Trilling, 1948).

And so it is today. Charges of being "undemocratic," "cruel and in-human" (Marmor, 1973), "irresponsible, homophobic and prejudiced" (Isay, 1986) are leveled at those who would question the normality of homosexuality. These accusations are then reinforced by the media, mo-tion pictures, and the press, and render the ordinary citizen who disapproves of such practices, as well as faint-hearted members of the psychiatric profession, mute before their onslaught.

APPENDIX B

Digital Archive of PSYCHOHISTORY ***Articles & Texts***

The ability to engage in variational sexual experiences and substitute them for the standard coital pattern (male-female sexual coital pairs) (Rado, 1949) is a consequence of man's evolutionary development. Evolutionary development is used by proponents of normality of homosexuality for purposes of their own: they turn to Ford and Beach, prominent ethologists, and ransack their studies on primates to support the concept that "a biological tendency for inversion of sexual behavior [homosexuality] is inherent in most if not all mammals including the human species" (Isay, 1983, p.238). Ford, however, says nothing of the sort. He states that same-sex mounting behavior is not an evidence of in-born homosexual patterns which can he generalized to humans. Beach corrected this erroneous interpretation in 1971: "1 don't know any authentic instance of male or female in the animal world preferring a homosexual partner-if by homosexual you mean complete sexual relations, including climax. It's questionable that mounting in itself can properly be called sexual" (p.399).

Ford has made stunning discoveries-discoveries which prove the op-posite. They noted that above the level of the chimpanzee, only three automatic mechanisms for orgiastic release remain: erection, pelvic thrust, and orgiastic release itself. Everything else is learned behavior. Man builds up his sexual pattern by virtue of his cerebral cortex in combination with early childhood experiences. In man, due to the tremendous development of the cerebral cortex, motivation, both conscious and unconscious, plays the crucial role in the selection of individuals and/or objects that will produce sexual arousal and orgiastic release. Furthermore, not only is man's cortex responsible for the development of heterosexual patterns and the associated social and cultural which support them, but it is the unique action of the cerebral cortex allows man to develop all the sexual deviations as partial attempted solutions to inner conflict as well as facilitating roundabout methods of sexual release in the face of insurmountable fears. Sexual. deviations are beyond the mental and motivational capacities of lower animals. Evolution has relieved us of pheromones, sexual and olfactory responses to sexual stimuli as a major factor in sexual arousal, but it has left in its wake the possibility of deviant practices as

well as other complex neurotic behavior. These deviant practices then may become the bane of one's existence when they become stereotyped and inflexible.

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NOTES

Digital Archive of PSYCHOHISTORY ***Articles & Texts***

1. Evelyn Hooker's widely quoted studies of homosexual men (1957, 1958) had been widely used by pro-normalization proponents to buttress the argument that homosex-uals differ from heterosexuals only in that they are homosexuals. They are not other-wise pathological and the adjustment of many is in the normal range, perhaps even superior to that of heterosexuals. Hooker's reports consisted of a detailed examination by clinical interviews and psychological tests of thirty male homosexuals and thirty heterosexual controls. They were not psychoanalytic interviews nor in-depth psychoanalytic studies. A careful review of her work by the Task Force on Homosexuality, New York County District Branch, American Psychiatric Association (1973) concluded that:
With regard to her major thesis, that there is no evidence to show that homosex-uals are maladjusted ... her study shows nothing of the kind. It is too full of methodological errors (particularly the spurious "controls" and confused think-ing) to warrant any such conclusion ... With regard to the "adjustment" of the homosexual, the study shows nothing, one way or the other. It was not adequately designed to do so (13 p. 471475; evaluation prepared by Ruben Fine, Ph.D., Clinical Professor of Psychology at Adelphi University, Supervisor of Psychology, Elmhurst Hospital; Vice President of the National Psychological Association for Psychoanalysis.)

2. Homosexual groups began lobbying the APA and its meetings in earnest in 1970, ac-cording to F. Charles Hite, reporter for the Psychiatric News (1/2/74, Vol.9, No.1.) Homosexual militants severely disrupted programs at the annual meeting in San Francisco in 1975.

3. The SIECUS propaganda of the normalcy of homosexuality and the advocacy of homosexual sex education is a philosophy prevailing in several university centers and medical schools and dominates several societies for the study of sex, e.g., The Scientific Study of Sex, Eastern Region, University of Pennsylvania. It has dominated the Master's Degree Program, Department of Health Education, New

York University, Human Sexuality Program to the point where heterosexual students were asked to engage in "homosexual experimentation" and students are "indoctrinated with theories of sexual orientation that are propaganda and not science" (personal com-munication, E.W. Eichel, M.A.; Sexual Education, letter to the Dean of New York University, Health Educaticin Program, 1986, quoted with permission).

4. Dr. B. Diamond, President, New York District Branch l970~l97l, who had formally authorized the task force, died in mid-1971. This was a great loss to all of us nation- wide.

5. Similar arguments with different emphases were made by Drs. I. flieber and J. McDevitt.

6. Over one-third of Harvard-Radcliffe student suicide attempts (25 out of 65, or 375) between 1965 and 1967 were made by individuals severely disturbed by homosexual conflicts (reported in a survey by the National Institutes of Mental Health, 1974) (Bunney, Melitta, Roach). More recently, The New York Times reports that "young American men from 15-24 years old are killing themselves at a rate 50% higher than at the beginning or the previous decade according to a new Federal study" (New York Times, 2/22/87). While the increasing use of drugs may play a role, disturbances in gender defined self identity, in my clinical opinion, are of crucial importance.

7. See Appendix A for a critical evaluation of Kinsey's material and conclusions.

8. The details of this lobbying effort are to be found in my paper "The Sexual Unreason" (1974, pp.180-183).

9. In late 1977, ten thousand psychiatrists, members of the American Medical Associa- tion were polled on this issue. Of twenty five hundred replies received, approximately sixty eight percent answered the question "Is homosexuality usually a pathological adaptation (as opposed to a normal variation)?" in the affirmative. This strongly sug-gested to the interpreter, Dr. Harold I. Lief, Professor of Psychiatry at the University of Pennsylvania, an authority on sexual problems and leading sex educator, that the "previous APA vote was influenced by political and social considerations [emphasis added] and that the vote was [misperceived as a step toward the denial of rights to homosexuals" (Lief, 1977, p. 110).

10. An exhaustive bibliography of these contributions can be found in my book, Homosexuality (1978).

11. The significant incidence of homosexuality (8-10% of the population) may well be due to the necessity for all human beings to undergo the separation-individuation phase of early childhood (Mahler, 1967), which is decisive for gender identification. A substan-tial proportion of children fail to successfully complete this developmental process and, therefore, are unable to form a healthy sexual identity

in accordance with their anatomical and biological capacities. This is the core of the disorder.

12. Dr. Nicholi could not appear due to illness in his family.

13. An alternative argument to homosexuality simply being an alternative life style was that it was simply a "biological variant." This argument is discussed in Appendix B.

14. The destructive effects of the mass media in this regard requires special study beyond the purpose of this paper. Such a study, however, begins with understanding the mechanism through which mass media exerts its effort. The mass media satisfy a pressing need for expression, keeps people from feeling painfully alone, and distracts individuals from their own problems. Its content arises from the prevailing social cur-rents and its aim is to relieve tension. Needs are constantly stimulated and wishes en-couraged in every way. Although we do not do something sexual or aggressive, we get a kick out of watching others do the forbidden. The knowledge that life and emotion may be thereby devalued makes no difference. There is an implied permission to do the same thing.

15. At the present time (1986-1987) pro-gay activists groups, even within the American Psychoanalytic Association, are asserting that Freudian analysts who treat homosex-uals for their disorder are "homophobic" and have been "prejudiced" by our culture.

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peace3@juno.com

Love Makes A Family, Inc.

April 1, 2004

Dear Multnomah County Commissioners,

Thank-you for holding public hearings about the County's course of action regarding same sex marriage.

Your actions were an important next step in the long struggle for family freedom and the legal recognition of families formed by lesbian and gay couples.

The struggle is built upon a long history of individual courage and community organizing. Love Makes A Family, Inc. is proud to have contributed to that history and to its documentation. Enclosed is a sample of our newsletters and news coverage about out work dating back to 1989. Please add it to the official record of your hearings.

"Love is gentle and Love is kind." Love is also courageous and bold.

We appreciate your bold, courageous action.

Yours,

Bonnie Tinker
Executive Director

LOVE MAKES A FAMILY, Inc.
PO Box 5163, Portland OR 97208
503/228-3892 fax 503/228-3970
www.LMFamily.org

Spring 199

LOVE MAKES A FAMILY INCORPORATES

Love Makes a Family began a number of years ago when Bonnie Tinker, member of Multnomah Meeting in Portland, Oregon, desired to document gay/lesbian Quaker families. On the way to making a book, she produced a video by the same name, and this has turned into a ministry of public education about sexual orientation and family values. Her video and ministry were utilized during the divisive campaign in Oregon last autumn when anti-gay religious groups sought to legally mandate discrimination against gays.

In January 1993 under the guidance of her FLGC *Love Makes a Family* Support Committee, Bonnie and five others filed to incorporate in the State of Oregon. This will qualify her to apply for support from foundations. In filing for incorporation, the new organization has two stated goals:

To bridge community differences over sexual orientation issues through dialogue and public presentations, and

To strengthen lesbian, gay and bisexual families.

During her work in Oregon last year, it became clear that those of us who have been working to open religious communities to the full inclusion of lesbians and gays, have something vital to offer the wider community as overt public attacks against homosexuals escalate.

Love Makes a Family, Inc. draws heavily on the tradition and philosophy of nonviolence central to Friends practice and beliefs. The new board believes that they can respond to the violence of the attacks spawned by the culture war with a creative, non-violent approach.

Feedback from rural Oregon suggests that the tape was particularly effective in reaching people in their community because it speaks about religion and family. They say it was the only gay informational video used in the campaign which didn't offend anyone. Urban gay political "experts" in the cities, however, were reluctant to use Bonnie's video because of its blatantly religious tone and use of the "M" word (marriage)!

The new organization will continue to be supported largely by the contributions of individuals, who are invited to become contributing members by returning the form below to: Love Makes a Family, PO Box 11694, Portland, OR 97211. This remains a ministry open to all who are called to join, there are many ways you can bring the ministry to your Friends meeting/church, or your town. I do not have space to list the goals outlined in the corporation's *1993 Plan of Action*; to receive a copy (5 pages) send to the address above or call: 503-288-4306.

AVAILABLE FROM NEWSLETTER EDITOR

Each of Us Inevitable, the keynote addresses of past FLGC Midwinter Gatherings, 96 pp., $8 U.S. post-paid.

Inclusive Minutes on Marriage by Friends, 15 pp compilatio minutes through Oct. 1990 with 5 pages additional of extract from FLGC Newsletters covering 1991/92. Invaluable for Friends meetings discussing the subject.

Back issues of the FLGC Newsletter. #45 (spring 1988), 49, 5(51, 52, 56, 57, 58, 60, 61,62, and 63.

SUBSCRIPTIONS are by donation with $8 U.S. suggested, but any amount is acceptable. Our newsletter is published quarterly, and mailed in a plain envelope; our mailing list is confidential. Send to FLGC, Box 222, Sumneytown, PA 180 Circulation: about 770 US and 50 to Canada and overseas.

NEXT ISSUE: Please send material for the next issue no late than June 1.

EDITOR: Bruce Grimes, telephone 215-234-8424.

NAMES/S: _____

ADDITIONAL FAMILY MEMBERS _____

ADDRESS _____

PHONE: _____

MEMBERSHIP CONTRIBTUION ENCLOSED (Sliding Scale $5 – $50): _____ ADDITIONAL CONTRIBUTION _____ MONTHLY PLEDGE _____

I/WE WOULD ALSO LIKE TO VOLUNTEER OR PARTICIPATE IN THE FOLLOWING WAY: _____

MAIL TO: Love Makes A Family, Inc., P.O. Box 11694, Portland, OR 97211 • (503) 288-4306

'Love Makes a Family' topic

8-16

A public forum on "A Journey From Discord to Unity" will be sponsored by the Coos County Coalition for Human Rights (CCCHR) at 7 p.m. Friday, Aug. 20, at the Coos Bay Public Library auditorium, 525 Anderson Ave., Coos Bay.

Bonnie Tinker of Portland, executive director of "Love Makes a Family Inc.," will talk about how her Quaker faith has come to accept same-sex marriages.

The local coalition is committed to the promotion of equal rights for all people. Their goal is to work toward a society in which the basic rights and human dignity of all Oregonians are ensured by asserting that all people are equal before the law, according to spokesperson Harry Viar.

The forum will include a preliminary video about Quaker lesbian and gay couples and their children. The acceptance of homosexuality — and the performance of same-sex marriage ceremonies in some Quaker meetings — has evolved over the last 20 years through a consensus process.

Widespread community interest in sexual orientation issues is gradually bridging the gap between those who believe homosexuality is normal, healthy sexual orientation and those who believe it is" wrong, immoral, and perverse."

'...her Quaker faith has come to accept same-sex marriages.'

Bonnie Tinker
Portland

When these words were used in a ballot measure in Oregon in 1992, families, co-workers, neighbors and communities found themselves painfully divided, Viar explained, and the coalition works to bridge that divide.

According to the U.S. Census Bureau Household Information Survey, 1990, one in four U.S. families is a "nuclear" family, with two married parents and one or more children; and nine percent of U.S. families consist of one homemaker parent and one parent who works outside the home.

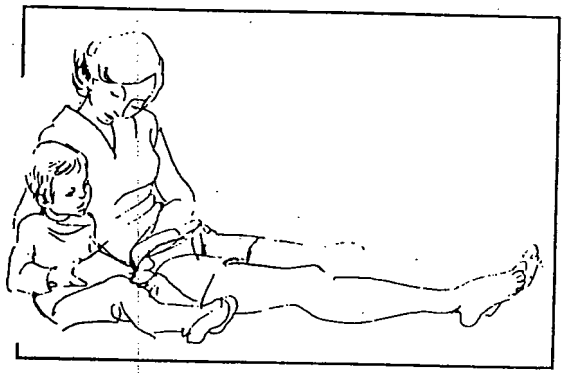
According to the National Center for Lesbian Rights there are currently four to five million lesbian and gay parents in this country who face legal obstacles to creating and nurturing their families. Some of these obstacles would include: most states prohibit or discourage adoption by gay people. Two states, Florida and New Hampshire, have laws expressly prohibiting lesbians and gay men from adopting children.

The conflict over child custody and visitation can also by an obstacle for many gay or lesbian couples. Eleven states have laws that say sexual orientation is irrelevant in custody disputes, while courts in eleven other states have based rulings on the presumption that lesbians and gay men are unfit for custody of their children solely on the basis of sexual orientation.

Trial courts in Nevada, Virginia and Kentucky have ruled that homosexuality in and of itself renders a parent unfit to have custody of his or her child. In appellate courts of other states (California, Indiana, Massachusetts and Arkansas) homosexuality is not grounds for depriving parents custody of their children.

The forum presentation is free to the public, although donations will be appreciated. For more information call 269-2333.

The World 8/16/93



One Family's Story

by Bonnie Tinker, Multnomah Meeting

This month brought two major events of joy and sorrow to my family. My daughter turned 18 years old, and, after 17 years of parenting, I will now be able to adopt her legally. My son, who is just 5 years old, suffered the first major tragedy of his young life. He lost his best friend. Both events are related to the fact that I am a lesbian and our family must contend with a homophobic world.

I "adopted" my daughter when she was 15 months old. The "adoption" consists of a verbal agreement and a written paper from her birth mother to my partner and me. Five years later, I worked up the courage to go through probate court and obtain legal guardianship papers. My lawyer, after researching the attitudes and decisions of local children's service workers and judges, advised that I not risk attempting a legal adoprion. I accepted his advice, knowing that it meant I would be a parent with no parental rights. The fear ebbed and flowed over the years, but we made it through. Now she is 18 — a day I thought would never come — and she can finally give me legal permission to be her mother. It's a great relief, as anyone who has feared losing a child will understand.

We believe it is important to teach our children that life must be lived with integrity even if this brings hardship.

Alexander's loss was sudden. The sort of thing one always fears in opening up to the straight world, but hopes will never happen. My rational mind resists accepting blame for this tragedy, but my mother's heart keeps recounting the event to think how it might have been prevented. As all mothers who yearn for the power to protect their children from harm, I look for the way I could have saved him. "It's my fault," I say to myself — knowing full well that homophobia is not my fault — "I should never have let him become friends with a child whose parents are straight and enmeshed in their [fundamentalist] church."

But it is done now. My son spent every day all day long last summer with his friend, a girl whom he has known from infancy. And now her father, a young man who grew up down the street from us and was a "friend" of my spouse's son, has decided that his daughter cannot play at our house. After all of these years of knowing we were gay, he decided to cleanse his family of our imagined sinfulness. And finally, in a burst of anger at me, he told my son that he was not welcome in their house, either. It is like a death for all of us, but there are no support groups for mourning this loss.

Of course, my spouse and I knew we were taking a risk when we dared to create our family. We knew we would not be understood nor welcomed by much of the world. We have agonized over the pain homophobia has caused our children. But, we reasoned, life may be hard, but it would be no easier if we lived in violation of the truth of our own reality. In the midst of life's many uncertainties, we knew that we loved each other; and we

(Continued on page 144)

(One Family's Story: continued from page 143)

could not respect ourselves nor abide our lives if we turned away from that fact. We believe it is important to teach our children that life must be lived with integrity, even if this brings hardship.

Now, I am deeply involved in the struggle to gain Meeting recognition of same-sex marriage. Not necessarily for myself, mind you; my daughter is nearly grown. Our family has endured 12 years without being under anyone's care. Our oldest son is grown. Alexander at 5, is beginning to cope with the complexities of life.

For our family, our children and their children, I finally spoke out at Meeting, six years ago, and said that I could no longer participate in state sanction of heterosexual marriages as long as exclusions from this institution is used to oppress lesbians and gays. My family has paid a price because we are not recognized legally nor by Meeting. We are under attack every day because of this discrimination. Oh yes, some days go by and we hardly notice. But it is always there. The fear seeps in. Did the neighbors see us touching? Will the schools try to take my daughter away from me when she has normal adolescent problems? Why won't the children bring their friends home to visit? How can we keep paying the double insurance premiums? Will the extended family, which permeates our home town, shun us if they find out?

I was raised to be a fighter, to "speak truth to power." Every time I have had to bite my tongue, I have remembered it, and vowed that in the end the world will hear more than silence from me. In the long run, I will not stand aside on this one. My children have been hurt. Every one of them has suffered (and also, I hope grown strong). If I owe them anything, it is to understand their pain, to share my own pain, and to work for a world which values and nurtures people as they are placed upon this earth by their creator.

The struggle to gain recognition for same-sex marriages may be a small one, but we have to start somewhere. We also need to go beyond this narrow question to ask, how can the Meeting support my family, your family, our community? We are listening for the answers.

A Cautionary Tale

Lesbian couple learn the hard way why it pays to be prepared

by Jim Radosta

Recovering from a coma is hard enough. Now imagine waking up to the news that, while you were under, your homophobic mother tried to sabotage your relationship and move you out of state against your will.

For Marlene Booth, this scenario wasn't a nightmare—it was her reality. Today she and her partner of two years, Melissa Mills, are trying to put the pieces of their lives back together.

Booth has Wagner's disease, a terminal illness that affects the autoimmune system by attacking vital organs. It usually starts in the lungs, then moves to the kidneys, liver, eyes and ears.

Some patients will have an episode without a recurrence. Some will be dead three months after they're diagnosed.

Booth first was hospitalized on her 40th birthday Feb. 6; within three days she was on life support. Doctors diagnosed her a week later after performing a lung biopsy.

"I remember driving to the hospital and calling people and letting them know," Booth says. "The next thing I know they're taking the ventilator tube out of me."

Booth was in the hospital for almost a month. She was either in a coma or incoherent for about 15 days altogether.

During this time Mills says the mother "made a mess of our lives." The couple had been living apart—Mills in West Linn, Booth in Hillsboro—since a fire destroyed their home last year. They say they reluctantly separated afterward because the mother had offered financial assistance on the condition that they live apart.

Mills says Booth's mother hired an attorney to obtain temporary guardianship so she could move her daughter to a rest home in California. "They...feared that I would unplug her."

Booth adds: "She would've had complete control over all my medical directives. She would've been talking to the doctors. She could've instructed the doctors not to tell me anything, so I wouldn't know what my condition is and so then she could just totally manipulate things."

Mills says the mother also tried to restrict hospital visitation, claiming the couple weren't domestic partners; fortunately, they were registered in Multnomah County. "The hospital didn't have a problem, but her mom did."

And that's not all. Mills says the mother proceeded to put a restraining order on her, accused her of breaking into Booth's house and car, and called the postal inspector to allege mail fraud.

"She turned off all of our joint accounts—our credit cards, our cell phones, our car insurance," she adds. "She figured if my name was off that I'd go away."

Mills has a son, Aedan, who turned 2 in December. She says Booth's mother even contacted Child Protective Services and tried to have his name removed from a small life insurance policy.

"I could've technically been put in jail for this, until they figured out none of this was valid. It could've gotten really ugly," says Mills, 28. "I think if Marlene wouldn't have woke up when she did, this would be a disaster. Not that it isn't already."

PHOTO BY MARTY DAVIS

Marlene Booth (left) and Melissa Mills enjoy a rare moment of peace with Aedan

Mills initially tried to protect her partner from learning about her mother's actions so she could concentrate on her recovery. But Booth was persistent in asking questions.

"Basically...it made me mad," she says. "It kind of gave me the strength, because it was like, 'No, this isn't right.' "

The couple are clients of Love Makes a Family, which advocates for sexual minority parents and helped them find attorneys to fight the temporary guardianship case. It worked.

The nonprofit agency has been a "godsend," Mills says. "We would've been, quite frankly, ruined if it wasn't for them."

Somehow, the couple have managed to keep a sense of humor during the whole ordeal. Mills recalls the questions she asked Booth after she came out of the coma.

"I'm like: 'Did you see a white light? Were you going to the other side?' " she says. "She's like, 'No, the blue Intel men were there!' "

Even though Booth is out of the coma, she isn't out of the woods yet. She suspects her mother might pursue permanent guardianship depending on her health.

"They're probably going to wait and see how I do physically," Booth says. "If I get sick again, they're going to swoop down and try and get a permanent one stating that Melissa didn't take proper care of me.... So that threat is still out there."

The couple are working to set up medical directives in the event of further hospitalization. Their attorney also is trying to retrieve Booth's assets from her mother including her income tax return, furniture, documents and artwork.

The couple also have retained a family law attorney, Booth says. "We're going to adopt [Aedan] so that if anything happens and because of my disease that I have—I could have six months, I could have 20 years, who knows—but I want to make sure that she can't step in and try this again."

The Oregonian
Metro
SATURDAY ♦ NOVEMBER 9, 2002

MARV BONDAROWICZ/THE OREGONIAN

Joe Ereneta of San Francisco listens as Betty Powell of New York City leads a workshop called "Building our House: Dismantling Institutional Racism." More than 2,000 gay, lesbian, bisexual and transgender activists from around the nation are in Portland for the annual conference of the National Gay and Lesbian Task Force.

Gay activists aim to build more diverse movement

A push to better reflect all races and classes takes center stage at a national conference in Portland

By INARA VERZEMNIEKS
THE OREGONIAN

There are all kinds of families beyond mom and dad, the group said.

They called themselves Love Makes a Family and spent the next decade speaking out in support of households headed by lesbian, gay, bisexual or transgender parents.

But if they wanted other people to recognize and embrace diverse families, it was only logical that their organization did the same, says Bonnie Tinker, executive director of Love Makes a Family.

So from the start, the people running things worked to have a board that reflected different races and classes. They crafted programs with an eye to different cultural needs.

"Our movement has got to be reflective of the changing demographics of this country. If we refuse to do that, either we will leave enormous segments of our community behind or the current movement will become so irrelevant it will go away."

DARREL CUMMINGS,
DEPUTY EXECUTIVE DIRECTOR, NATIONAL GAY AND LESBIAN TASK FORCE

♦

As a result, five of the 12 board members are people of color.

"I'm not saying we're perfect, but it's something we work very hard at," Tinker says.

The group's efforts reflect a growing push among gay, lesbian, bisexual and transgender activists to broaden a movement that has long been perceived as predominantly white and middle class. The discussion hits the national stage this weekend as more than 2,000 activists gather in Portland for the annual conference of the National Gay and Lesbian Task Force, which this year is centered on the theme of "Building an Anti-Racist Movement."

Participants at the conference, which ends Sunday, discussed topics such as "Dismantling Institutional Racism," "Responding to Hate Crimes" and "Unlearning Homophobia in the Latino Community."

For the past 15 years, the conference has been one of the largest gatherings of gay activists in the nation. But last year, organizers say they were approached by several people who said the lineup reflected a narrow reality and didn't hit on issues that concerned communities of color.

Organizers saw it as a wake-up call. They held meetings around the country to hear suggestions on how to improve the

Please see GAY, Page E2

Gay: Activists urge expanding focus

Continued from Page E1

conference, but it was clear that this was about more than the three-day event, says Darrel Cummings, deputy executive director of the National Gay and Lesbian Task Force.

"Our movement has got to be reflective of the changing demographics of this country," says Cummings, the conference director. "If we refuse to do that, either we will leave enormous segments of our community behind or the current movement will become so irrelevant it will go away."

For many minority activists, there's a feeling that it's about time, says Stephan Herrera, a community health specialist with Multnomah County and an organizer in the African American gay and bisexual community, who is on a panel at the conference.

"It's allowing us to speak — seeing as we never have had the chance before."

Stephanie Gamroth, an organizer for Oregon Action, is also on a panel at the conference. "It's taken awhile for the mainstream to catch up with what's been going on on the ground, on the grass-roots level for a long time," she says.

Activists urge the gay-rights movement to expand its focus and tackle broader issues of discrimination that affect other minorities — not only as a matter of fairness, but as a matter of strategy and survival, as initiatives challenging gay rights continue to crop up on ballots around the nation.

"We have to be building coalitions, and that forces us to look at the barriers that have been making coalition-building difficult. And one of these is racism within our own movement," says Moira Bowman, a trainer for the Dismantling Racism Project of Western States Center, a Portland-based nonprofit.

For Love Makes a Family, it's meant making sure its commitment to diversity goes "beyond words," Tinker says.

When cuts had to be made across the organization's budget, the board didn't trim from a program devoted to gay, lesbian, bisexual and transgender teens of color, Tinker says. "It's got to be in your program and in your people and in your dollars."

She was glad when she heard that Portland would be a site for a conference on racism. "If you're in a city that has a much higher racial minority population, it's easier to be aware of racism and have people who are well-trained in dealing with it. But Portland is a very comfortable, white, city, " she says.

"On election night we were sitting there watching the TV, and I was shocked when I saw that 30 percent had voted to keep the racist language in the constitution. I wonder how many people thought of that as their issue."

Any issue that touches on racial discrimination is ultimately a gay issue, she says. "Our community is not a white community."

♦

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LOVE MAKES A FAMILY
Creating a Family Voice for Lesbian, Gay, Bisexual and Transgendered People
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Lesbians, Gays and Family Values radio show offered with love

Love Makes a Family (LMF) a non-profit organization dedicated to the support and empowerment of lesbian and gay families, now hosts a weekly radio program, Lesbians, Gays and Family Values, on KKEY talk radio 1150, Tuesdays, 4–5 p.m.

Bonnie Tinker, executive director of LMF, urges people to call in, ask questions and to join in sponsoring this program. Donations over $50 will be acknowledged on the air.

Parents and Friends of Lesbians and Gays (PFLAG) and LMF are sponsoring family support groups on the fourth Wed. of each month, 7–8:30 p.m. at Augustana Lutheran Church (15th and Knott in Portland). There is a group for lesbian, gay and bisexual parents, an art group for elementary school children and rap group for teenagers. A group for 10- to 12-year-olds will start as soon as an advisor is found.

The PTA Panel, a group of gay and non-gay parents and teachers, is ready to give its panel presentation to school or community groups. Additional panel members are being sought and the group is available to speak to PTA or other community groups.

Volunteers are needed for the many LMF projects such as the newsletter, computer work, fundraising and bookkeeping.

For more information write Love Makes a Family, PO Box 11694, Portland, OR 97211 or call (503) 288-4306.

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The Oregon Peaceworker

Fair or unfair?

State Fair officials shift gay and lesbian exhibit at the last minute, while admitting their policy needs improvement

▼

by Inga Sorensen

"We're canners and gardeners. We like to do real homey things. The state fair is our kind fun," says Portland resident Pamela Pegg.

Pegg says, however, much of the fun was sucked out of her Oregon State Fair experience this year after event officials ordered her and Love Makes a Family's Bonnie Tinker to remove their lesbian- and gay-friendly exhibits from a show space in the Home Economics Building.

According to Tinker and Pegg, their exhibits, one dealing with gay and lesbian marriage and the other with family diversity, were deemed "inappropriate" by fair officials and removed from the "Collectibles" section.

"That's where Love Makes a Family had its exhibit last year and there were no problems," says Tinker. "Like last year, we filled out the appropriate forms, followed all the fair's rules, and were allowed to place the exhibit in Collectibles again this year."

"We thought everything was fine, but right before the fair opened I received a call saying we had to remove the exhibits from Collectibles," she continues. "I asked why and was told it was 'not appropriate' in that spot. They said our exhibits didn't feature collectibles. I said, 'Well these are things we collect, what's a collectible?' They couldn't give an answer and they don't define what constitutes a collectible."

According to Tinker, fair representatives suggested the display be placed in areas featuring political or commercial attractions.

"We're not doing this for political reasons," says Pegg. "Our displays have to do with our lives, our families."

Tinker adds, "When our children come to the fair, we want them to see their families represented among other family exhibits. The Freedom to Marry exhibit, which includes a collection of photos of same-sex couples at their weddings, should appear in the original Collectibles location which is appropriately located within sight of a display of wedding gowns."

Tinker says Oregon State Fair director Robert "Rusty" Vernon would not identify the individual or individuals who raised the objection. Vernon did not respond to *Just Out*'s inquiry.

"I just wanted to know who they are so we can talk about who we are and see where we can find common ground," says Pegg.

Tinker says "intense negotiations" over the exhibits' placement ensued among herself, Pegg, Vernon and a representative from the state attorney general's office the day before the fair opened. (The fair was held Aug. 22 to Sept. 2.)

During the meeting, Tinker and Pegg reiterated their preference that the exhibits be placed with other family items in the Collectibles area.

She says Vernon did not offer any specific reasons for the rejection, and simply repeated that the exhibits were "inappropriate" as "collectibles."

Tinker says Vernon conceded that event officials had not followed a good process in determining that the exhibits did not belong in the Collectibles section.

Tinker says she contacted Oregon state Rep. George Eighmey (D-Portland) to complain about the situation. Eighmey in turn called Vernon.

"I said if he was going to move the exhibit it had better be to a spot that was totally acceptable [to Tinker and Pegg]. I said it had better not be placed in a dusty corner in a cow pen," says Eighmey. "[Vernon] said he'd try to accommodate them. I said that wasn't good enough. I said he *will* accommodate them unless he wants me to scream about this on the House floor."

Tinker says Vernon offered to place the exhibits in a free, alternative and visible location. (Tinker says if she and Pegg had been forced to purchase the display space, the cost could have been as much as $700.)

The display was ultimately placed near a concession stand in an area reserved for commercial vendors.

The women say they agreed to leave their exhibits in that location "in order to avoid a prolonged court battle" and ensure that the public had an opportunity to view the displays at this year's fair.

Tinker and Pegg say they view the admission of the exhibit as a free-speech issue and vowed to pursue legal action "if any future discrimination occurs."

The two say they plan to enter displays into the 1997 Oregon State Fair's Collectibles division.

"We expect 'appropriate' to be spelled out in rules that are equally applied to all entrants," says Tinker.

Moratorium On Military Recruiting Under Fire

School board member Derry Jackson's new measure challenges the long-standing ban

By Lisa Loving
of *The Skanner*

The complete ban on military recruiters in Portland Public Schools, an issue that caused an uproar in the district throughout the 1990s, returned full force this week when board member Derry Jackson moved to weaken the district's current policy.

Jackson on March 12 introduced a proposal giving Portland Public Schools principals the right to invite recruiters into their buildings, with a variety of strings attached. The proposal was not an "action item," so was not fully discussed by the board nor voted on as yet. Board Chair Debbie Menashe indicated it will be taken up at a future time, but no definite date was set.

Public comment on the proposal is encouraged, board members said.

The issue has become increasingly debated nationwide as all branches of the military are below their hiring quotas for new recruits. While most school districts still allow recruiters on campus, the Department of Defense estimates 2,000 high schools nationwide ban them.

"I believe sincerely the proposition I have drafted is fair," Jackson said in presenting his proposal to the board. Jackson cited statistics showing 60 percent of students in the Jefferson "cluster" are dropping out.

"We have a challenge to talk about something to make education relevant to students," Jackson said.

He characterized his proposal as "the beginning of a conversation."

"What process it will go through needs to be discussed," he said.

"The idea of a modified ban is like bring a little bit pregnant," said Marc Abrams, the school board member who introduced and successfully fought for the military ban in 1995. "What Mr. Jackson suggests here this evening is nothing less than a repeal of the ban."

Abrams added, "As to the idea that this relates to achievement — I'm somewhat baffled at the idea that something that happens after graduation has anything to do with school achievement."

In its language, Jackson's proposal clearly states the fact that the U.S. armed forces' "don't ask, don't tell" policy discriminating against homosexuals is a violation of district policy.

That current rule locks out all employers recruiting for any organization, "whether private or public, who have a stated policy that they do not extend equal rights to all qualified individuals, regardless of whether that act of discrimination is based on race, creed, color, religion, nationality, gender, sexual orientation, disability, or other factors not directly related to bona fide occupational qualifications ... until such time as they cease their discriminatory activities."

In this proposed new policy, Jackson would allow the "principal and other chief administrative official" to invite in recruiters at the request of students, "as long as the arrangements do not interfere with academic progress."

In Jackson's plan, if the recruiters are invited, they must fully disclose their discriminatory practices. According to the proposal, "... it is our intention that the student have a clear understanding of both upside and downsides (to) careers in the military, including for example the fact that all benefits accrued, including their own direct contributions may be forfeited for violating policies of the United States Armed Forces, including the 'Don't ask, don't tell' policy."

Further, Jackson's suggested policy states: "A student's participation shall not come into direct contradiction with their parent's expressed interest to decline participation in military recruiting activities."

James Thorpe, Naval Fleet Reserve president for branch 55, said, "Why should we deprive our students from hearing about all opportunities awaiting them at high school? Because of the political and social agenda of the few, students are being denied opportunities."

"Unfortunately, my family couldn't afford to send me to college," Master Sgt. Ozell Johnson, a non-commissioned Army recruiter also speaking in support of Jackson's proposal, said. "We have had many who joined our Delayed Entry Program who would have dropped out of high school if we hadn't mentored them. We are taking options and opportunities away from our young people."

Bonnie Tinker, a local gay rights activist and director of the organization Love Makes a Family, testified against Jackson's proposal. "If these very fine people want to bring the military back into the schools, they should spend their time trying to make the military stop discriminating."

Tinker continued, in response to an earlier speaker, "We heard it takes courage to defend freedom ... especially when there are people who are asking you to accept a little bit of discrimination against just a little bit of the community."

Also against recruiters, Deseree Anderson testified that she also joined the military in part to get a college education. But, Anderson said, if she hadn't taken a medical discharge because of injuries, the fact she was just awakening to her woman-oriented sexuality made her realize she had no future in the service.

"I was a good soldier, a good medic," she said. "I personally know many people who lost their career that they were thriving in, that they loved ... their personal life should have nothing to do with it."

The issue of military recruiters in the Portland Public Schools first surfaced in 1993, when a coalition of peace activists first approached the school board with a proposal to ban all recruiting.

That same year Congress passed into law then-President Bill Clinton's policy of tolerating homosexuals within the military only as long as they kept their sexual orientation secret. According to the "don't ask, don't tell" rule currently in effect, any soldier who is openly gay must be terminated from the service, and any educational costs the military paid for their education must be repaid.

After two years of argument and debate the Portland Public Schools Board in 1995 voted 6-1 for a new policy banning recruitment by companies or organizations that discriminate, then followed up with a vote 5-2 finding that the U.S. military came under that classification.

In 1998, Jefferson and Roosevelt High School principals caused a sensation when they allowed military recruiters to drop off booklets and brochures on campus, although the recruiters themselves did not talk to students.

MOTHER KNOWS BEST

Lesbian parent determined to protect children in Portland middle schools

by Jack Turteltaub

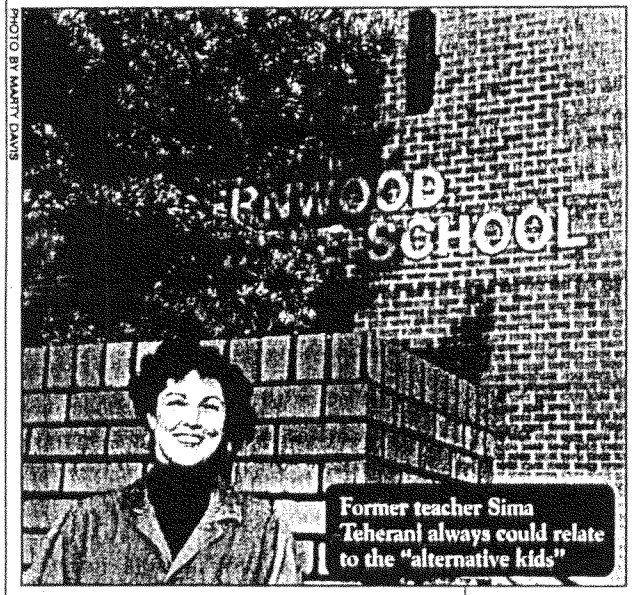


PHOTO BY MARTY DAVIS

Former teacher Sima Teherani always could relate to the "alternative kids"

During the six years Sima Teherani taught at Hidden Valley High School in southern Oregon, her classroom became a haven for the "different" kids. When she was their age, "I guess I always rooted for the underdog."

Born in San Francisco but raised in Portland, Teherani has accomplished a great deal since the late 1980s. She moved to Ashland, where she finished her undergraduate degree in English at Southern Oregon State College.

She also married, became the mother of two daughters and worked as a teacher in Grants Pass. She later completed a master's degree at Western Oregon University, taking long-distance summer classes.

It was during her stint as an educator that Teherani begin to develop a stronger sense of herself and of the priorities that now have become so integral in her work. She says she usually could recognize the gay and lesbian youths who came to her classroom to hang out.

Like kids everywhere, they were trying to escape the pervasive prejudice and the everyday hassles they encountered because they didn't fit into their peer group. She recognized these students often were ostracized simply because they were perceived as different.

On a trip to Florida, Teherani met and fell in love with a woman. She soon decided to quit teaching, separate from her husband and move back to Portland, where she hoped to work on her new identity and her new relationship.

She also wanted to address her health issues. She had developed multiple sclerosis, and "it got worse each year."

Teherani worried about how her two young daughters would feel about having a lesbian mother. She and the children started attending meetings at Love Makes a Family, a Portland-based group that helps sexual minority parents.

She later became a member of the board, then served as president until last summer. Stepping down from that post, she now works for the organization 30 hours a week through an AmeriCorps-funded position.

Teherani's most recent project at Love Makes a Family will help elementary school kids make the sometimes difficult transition to middle school, where "fitting in" and peer pressure become paramount concerns. Still in the developmental stage, the program involves working with three different middle schools in the Portland Public Schools district.

She says she is considering a number of ideas. One of these involves having middle school student mentors who would form relationships with third-graders to prepare them for the transition.

She recognizes that this is an unusual and ambitious program. She knows only a few schools and fewer districts help kids in sexual minority families combat peer prejudice and stereotypes about what constitutes a "normal" family.

Teherani also has translated her passions into intense volunteer work on a number of projects at Irvington Elementary, where her daughters are enrolled. She just finished a term as co-president of the school's PTA.

One project involves painting murals in Irvington's four main bathrooms through the volunteer recruitment of Portland artists who she hopes will work with the kids. She envisions the adults helping translate the students' ideas into something uplifting and inspiring.

Irvington's new principal says Teherani has a reputation as a facilitator and an activist. Cynthia MacLeod describes her as a "very supportive parent, eager and willing to help and get anything accomplished in the school."

And Teherani's advocacy doesn't stop just with children who come from sexual minority families. Her concern extends to others in unconventional living situations: "grandparents raising children, adopted kids, children with physical and/or emotionally handicaps, children of biracial couples."

Some are sons or daughters who will grow up to become gay or trans. Others have two daddies or a lesbian mother—like herself—at home.

So how do her daughters understand and deal with their family situation these days? Teherani says that they are accepting but that it still can be hard because "sometimes the girls just want me to be living with a man."

Does that mean her children want her to change? "I think they want me to be happy. They know about me, and when I had a lover, they accepted having two mommies and a daddy."

But Teherani would like to see a world in which her girls could grow up knowing it is OK to be different. Above all, she wants them to accept themselves as they grow up.

"I just want my girls to be comfortable in any situation they're exposed to," she says. "I want them to be free to be who they are. If they can achieve that, it would be amazing."

Portland free-lance writer, coach and psychologist JACK TURTELTAUB *may be reached at turtelta@e-z.net.*

Free Seminar for the GLBT Community

Westover Heights

THE NEXT GENERATION

Young activist turns her life around

by Patricia L. MacAodha

As a teen-ager, Des Anderson probably never thought she would be serving Portland's sexual minorities community in a leadership role.

Today, the 25-year-old activist works as youth and schools organizer for Love Makes a Family. She also coordinates a new Queer Youth of Color support group along with Stephan Herrera of Brother to Brother.

Although she boasts a heritage that includes 11 nationalities, growing up in Des Moines, Iowa, she was "pretty much whitewashed" and remembers her mother stopped making rice dishes in an effort to fit in. Anderson, seeking a way to grab onto the heritage her family was rejecting, turned to art for self-expression.

She says she led a relatively average life into her teens, entering the U.S. Army after high school. She was drawn to the military because it gave her a place to bond and connect with others.

Meanwhile, the family that had seemed so solid was falling apart. Her parents divorced, and her mother "cut all her former ties and started over with [a] new marriage."

In the military, Anderson found companionship and, eventually, a husband. She was married for about two years to a Texan whose goal was a career in police work.

"The Army is very pro-family," she says. "Military programming attempts to break you down while you try to keep part of yourself intact."

Anderson laughs lightly. "He was a great friend," she says, "but I couldn't see myself living life with a Baptist cop in Houston, Texas."

After leaving the Army in 1996, she stayed in Hawaii for a while. She lived there until 1998, when "island fever" struck and she headed to Boston because she wanted to "hang out on the East Coast."

With her parents divorced and her grandparents deceased, neither marriage nor the military had fulfilled Anderson's needs. The price for companionship had been her sense of self.

When she came to Portland, things began to change. Here, she found a new identity and a new community waiting for her.

Anderson left behind life as a soldier and a cop's wife to become an outspoken activist. She now works to maintain the Portland Public Schools ban on military recruiters and fights law enforcement abuse as part of the Police Accountability Campaign.

Through Love Makes a Family, she has become a champion for sexual minority youth. She also has discovered new skills to help her in the advocacy work.

Anderson has been effective in her efforts, winning the confidence of the youth she serves. She facilitates groups and meetings, writes for and edits a newsletter, coordinates programs and conducts fund raising—which has proven to be a constant struggle.

Until last summer she was a paid staff member of Rainbow Youth, which was discontinued when it lost the support of its sponsoring agency. She is concerned because "the need for survival is interfering with the work we [Love Makes a Family] are trying to do."

Anderson recently helped launch the Queer Youth of Color support group and was pleased with the turnout at its first meeting in November. But if funding for her work goes away, she has other plans in mind.

"I haven't gone to college yet," she says. "I hope to do that."

Anderson plans to major in something creative: technical theater, performance, movement and mime around issues such as racism and the needs of youth, music and, of course, art. She would like to develop skills in all of these areas, using them for her community, especially youth.

She worries about people who won't change and who get too comfortable being isolated. "There are all the people we need to reach," she says, "sitting in front of their TVs."

Anderson encourages the sexual minorities community to move toward addressing the issues that exclude people and urges more deliberate awareness. She sees a desperate need for involvement and unity.

She wants the community to get over the petty things that separate them and become more inclusive. She envisions an end to the "numbering and the tokenism" and hopes people will take the steps forward without fear and "be happy we're figuring things out and going to deeper levels."

One thing is certain: Des Anderson will continue to work politically for the community she loves. "I care about this work," she says, and even if the funding doesn't appear soon, "I'll stay active and volunteer."

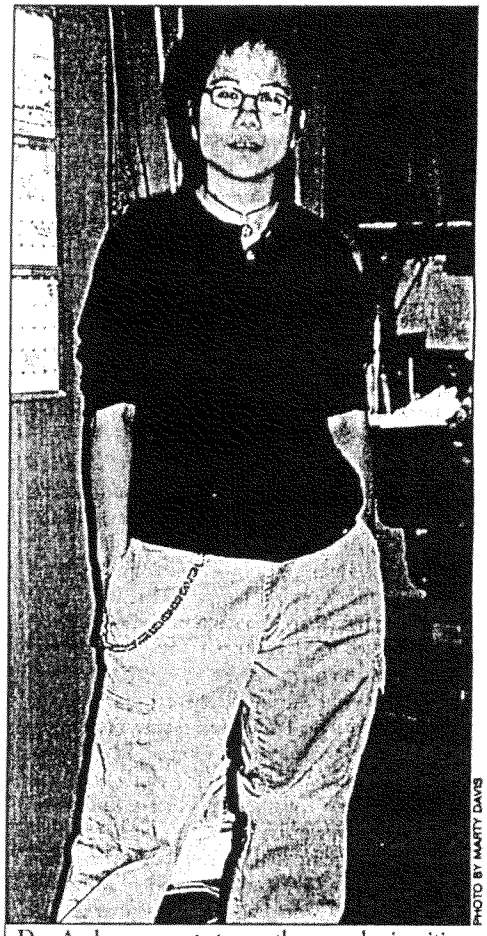


PHOTO BY MARTY DAVIS

Des Anderson wants to see the sexual minorities community promote unity and inclusion

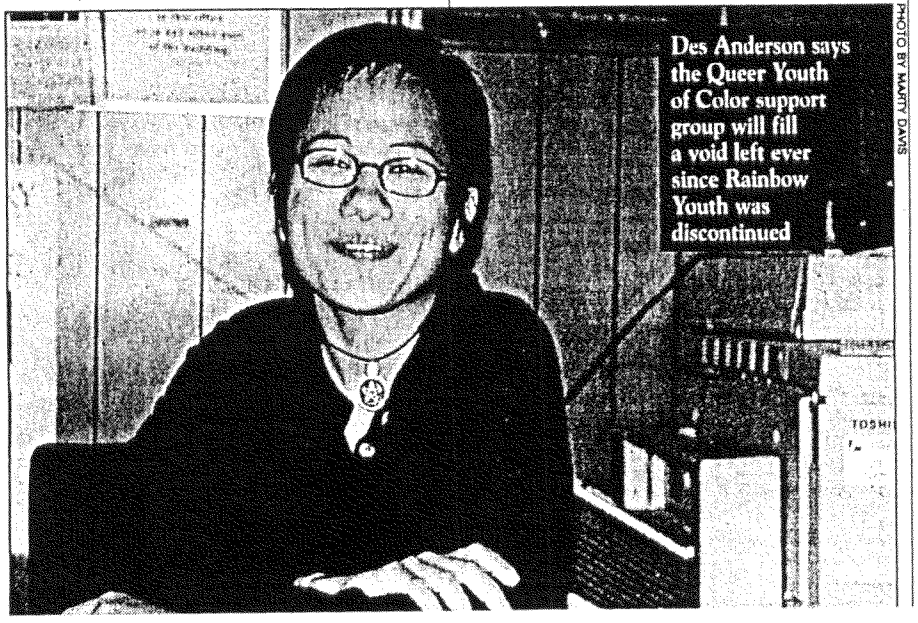
PATRICIA L. MACAODHA *is a Portland free-lance writer. E-mail her at plmacaodha1@hotmail.com.*

Youth of Color Organize

Love Makes a Family and Brother to Brother recently launched the Queer Youth of Color support group. It replaces Rainbow Youth, the only program of its kind in Multnomah County, which was discontinued at the end of the summer when it lost the support of its sponsoring agency.

Sexual minority and questioning youth of color, their allies and representatives of agencies serving them are invited to a planning meeting from 3 to 5 p.m. Nov. 10 in Room 256 at Union Station, 800 N.W. Sixth Ave. Food and drinks will be provided.

The new project will be staffed by Des Anderson, Love Makes a Family youth and schools organizer, and Stephan Herrera, Brother to Brother HIV and youth coordinator. Both worked with Rainbow Youth during the past year.



Des Anderson says the Queer Youth of Color support group will fill a void left ever since Rainbow Youth was discontinued

PHOTO BY MARTY DAVIS

"It's unacceptable to abandon these youth," Anderson says. "We were just beginning to establish a supportive, safe environment for queer and questioning youth of color. When the group was disbanded, the youth were left with no support."

The new project will support the youth in setting and carrying out their own programs. "Our job is to bring the youth back together so that their voice can be heard by the community," Herrera says.

For more information call 503-228-3892 or 503-417-7991.

Sense and civility

KKEY Radio's Love Makes a Family *may go national—can a hate-free talk show survive?*

▼

by Inga Sorensen

PHOTO BY LINDA KLEMER

Host Bonnie Tinker

Each Wednesday morning Bonnie Tinker rises early and makes her way to the studios of KKEY Radio 1150 AM, a Vancouver-based talk/sports station heard throughout Southwest Washington and the Portland metropolitan area.

From 7 to 9 am, she chats with guests and fields calls from listeners. What's so unusual about that, you ask? As host of *Love Makes a Family*, Tinker is one of just a few lesbian and gay commercial radio talk show hosts nationwide who specifically focus on gay and lesbian issues while on the air.

The program, which shifted to the coveted morning drive-time slot in 1994, celebrates its third-year anniversary this month, and Tinker recently received a $5,000 grant from the Colorado-based Gill Foundation to develop a national syndication plan designed to bolster listenership of *Love Makes a Family* on a grander scale.

"We started this program in the wake of Measure 9. Back then I would get callers who knew very little about gay and lesbian issues," explains Tinker, an openly lesbian grandmother and longtime human rights advocate. "There were lots of comments then that reflected a great deal of ignorance—comments like 'gay men spread disease.' Now there seems to be a lot more general knowledge about gay people."

For those who have never listened to *Love Makes a Family*, the show has a down-home flavor and a calculated civility aimed at fostering awareness of gay and lesbian families.

Such a format flies in the face of much of today's talk radio, which is purposely crafted to generate controversy.

Instead of publicly lambasting a caller for, let's say, being a narrow-minded bigot, Tinker will employ her calming vocal tones in an attempt to find out why a caller feels the way he or she does.

She methodically guides the caller through a maze of reasoning, until his or her argument eventually crumbles into a pile of verbal and logical gobbledygook. Vitriol is never part of the formula. Tinker simply—and subtly—encourages people to think through the issues for themselves.

"We really are trying to engage people in a constructive dialogue," says Tinker, who through her program and an organization of the same name strives to create broad understanding about lesbian and gay families.

"We still have a solid following of anti-gay callers, but many seem to be concerned with a wider spectrum of interests, such as the minimum wage issue and immigration. As the host, that change provides more of a challenge to me," she says.

Going national provides Tinker with another challenge.

"I ask myself: 'Can we sell this program nationally without ongoing on-the-air dogfights?'" she says. "We have to convince [station managers and the public] that we can."

Love Makes a Family is supported through grants and program sponsorship. "We are *always* looking for more sponsors," stresses Tinker, who says the May 8 program will address alternative insemination.

"I guess you could call it a lesbian Mother's Day show," she laughs.

Portland Metropolitan Community Church pastor Roy Cole and author Leslie Feinberg will be the featured guests on upcoming *Love Makes a Family* shows.

"I think things will heat up again as we begin to tackle the issue of same-sex marriage," she says. "Let's face it, we've come a long way, but there's still so much work to be done."

Love Makes a Family *can be heard each Wednesday from 7 to 9 am on KKEY Radio 1150 AM. Tinker encourages listeners to call in during the show. From Portland, call 222-5539; from Vancouver, call 693-5539. For more information about sponsoring* Love Makes a Family, *contact Tinker at 228-3892.*

ABCs of the PTA

This is not your parents' PTA—it's queer-friendly and ready to welcome you

PHOTO BY MARTY DAVIS

PTA promoter Bonnie Tinker

Last month I attended the Oregon PTA as the delegate from Lincoln High School in Portland and discovered a people's movement that is alive and well

BY BONNIE TINKER

My spring cleaning this year includes moving my mental categorization of the Parent Teacher Association from my "school social activities" file to my "exciting grass-roots movement" file.

Throughout our children's school careers, we've been pretty typical PTA moms: We pay our dues in the fall, attend at least one of the annual fund-raising activities, and dutifully buy a magazine subscription, a few candy bars or a bunch of plants during the school-wide sale. But last month I attended the Oregon PTA as the delegate from Lincoln High School in Portland and discovered a people's movement that is alive and well.

Back in 1994, we turned to the PTA for support when the Oregon Citizens Alliance was trying to drive us right out of our children's schools. When I attended the state convention this year, I discovered that the resolution they passed back in 1994 is not only a part of the organization's history, it remains an active part of the Oregon PTA's policies. Right there in the convention notebook, under health and welfare policies and the legislative action program for 2000-2002, it says: "The Oregon PTA supports federal and state legislation toward the following goals.... To oppose all legislative attempts to suppress information about family diversity and sexual orientation."

The 1994 resolution has not only become an active part of the PTA's ongoing policy, this commitment to safety and respect for all students and families was reflected in workshops offered at the convention. A workshop on dangers of teen suicide included information about the increased risks among lesbian, gay, bi and trans youth. The workshop on bullying and sexual harassment intervention and prevention acknowledged that children of lesbian and gay parents are at increased risk for harassment. And when I shared my concern about this issue, heads around the room nodded in support.

Katherine Firestone, president of the Oregon PTA, is clear about the organization's commitment: "The PTA has always dedicated itself to the belief that no child should suffer because a few people believe that the child isn't being raised according to a given individual's standards. Every child deserves respect, love and caring, adequate health care, and the best public education that we can provide. To single any one child out is heresy to the work of our founders 104 years ago and the mission of the PTA that remains unchanged to this day."

In advocacy workshops presented by National PTA Vice President Vicki Rafel and state Vice President Lisa Thirkill, I learned that the PTA backs this commitment with a comprehensive platform to support safety, welfare and a quality education for all children. At an April 16 meeting, the state board of directors reaffirmed its opposition to all legislation that discriminates against our families in schools—including the proposed ballot measure currently being circulated by the Oregon Citizens Alliance and the Christian Coalition.

The PTA also recognizes that school discrimination and censorship measures pushed by groups such as the OCA are only a part of a comprehensive attack on public education. The Oregon PTA is focusing on some very real threats to the already fragile funding system that is used to run Oregon's public schools. One of the threats comes from Bill Sizemore, whose proposed initiative would allow all federal tax liability to be deducted from income on state returns, drastically cutting revenue.

"While it may sound dramatic," said Thirkill, "the reality is that if this proposal were passed into law, it would essentially mean the end of the public education system in the state of Oregon. There would simply be no money."

The PTA was there for lesbian, gay, bi and trans students, teachers and parents in 1994, and they are with us again this year as we fight for equality for our students in public schools. It's time for the sexual minorities community to return this support for all children and for public schools. I hope you will all join me in taking the following actions:

1. Support local school funding measures while continuing to insist on equitable, full funding for all public schools. In Oregon this means voting for local-option levies. In Portland, join members of the Sexual Minority Parent's Advisory Group at the Support our Local Schools committee office for phone banking on May 11. Call (503) 221-7922 for more information. And remember to vote yes on 26-2 and yes on 26-1!

Although the Oregon PTA is afraid local options are part of the divide-and-conquer strategy being used by legislators who wish to abdicate their responsibility to support all schools adequately, the organization encourages a yes vote as long as you also send a strong message to your state representatives and senators that we need sufficient and stable funding for all schools, especially those in poort districts with low tax bases.

2. Oppose all efforts to undermine the public school funding base. The attack on school funding may be disguised as a tax cut for ordinary citizens. The Sizemore measure in Oregon is sold in just this way. In reality, a family of four with an adjusted gross income of $40,000 would receive a $20 tax cut, while at $60,000 the cut would be $290 and at $200,000 it would be $3,912. If the measure passes, schools would lose $323.1 million next year, forcing a 30 percent cut in programs.

3. Join the PTA in calling for common-sense gun laws to protect our children. Join the Million Mom March in Washington, D.C., or in Portland on May 14. (In Portland, gather at Southwest 12th Avenue and Salmon Street at 11 a.m.)

4. Most importantly, get involved with your neighborhood schools. Join the PTA!

Firestone says: "Anyone can join a local PTA—we have a lot of units that encourage neighbors, or local businesses, or grandparents to join and support what they do. It's a great way to get the surrounding community involved—they should receive the local school newsletter, be invited to events, and just in general be asked to be involved to whatever degree they choose."

You can also become an "acom" member through the state office. Part of the National PTA mission is "to encourage parent and public involvement in the public schools of this nation."

■ *To contact the* PARENT TEACHER ASSOCIATION *in Oregon, call (503) 234-3928. For other contact information, check out the National PTA Internet site at www.pta.org, send an e-mail to info@pta.org or call (312) 670-6782.*

BONNIE TINKER *is the executive director of Love Makes a Family Inc., an international membership organization providing a public voice for lesbian, gay, bi and trans families. To join, send a contribution to P.O. Box 5163, Portland, OR 97208, or visit www.teleport.com/~lmfamily and join using your favorite plastic. To join the group's e-mail list, send a message to lmf@diwnw.com with the word* subscribe *in the subject line. For further information, call (503) 228-3892.*

Resolution On Respect For Differing Views On Sexual Orientation

Whereas the National PTA adopted a resolution at its 1990 convention which provided, in part, that PTAs evaluate school discrimination/harassment policies already in place, work toward development of policies where none exist and encourage and ensure the consistent implementation of such policies; and

Whereas, there is public concern that students, parents, teachers, and staff should not be subjected to prejudice, harassment, discrimination or intolerance based on sexual orientation; now therefore be it

Resolved that the Oregon PTA rejects prejudice, harassment, discrimination or intolerance directed against students, parents, teachers or staff members as a result of their sexual orientation; and be it further

Resolved that the Oregon PTA opposes all legislative attempts to suppress discussion of family diversity and sexual orientation.

Parent-teacher group opposes OCA measure

The Oregon PTA has adopted a resolution opposing prejudice directed against parents, students or teachers on the grounds of sexual orientation and will oppose the latest anti-gay rights measure being circulated by the Oregon Citizens Alliance if it makes it on the November ballot.

Four hundred members attending a weekend convention in Portland approved the resolution by a large margin in a standing vote, said Jan McCaffrey, the state group's president. No exact tally was taken.

The group, which has 28,000 members in communities around the state, decided that prejudice against homosexuals — children, teachers or parents — would affect students, she said.

The OCA is now circulating a measure for the November ballot that would amend the state constitution to say government cannot approve or create classifications based on sexual orientation.

Lon T. Mabon, OCA chairman, said Tuesday that he was not surprised by the PTA resolution. "It is another example of how far this new way of looking at right and wrong has captured the establishment in this state."

GAY RIGHTS Oregon's Great Divide

Oregonian 5/4/94 — Foster Church

SANTA CRUZ SENTINEL

Turning down the volume

Lesbian radio personality prefers dialogue to confrontation

By KAREN CLARK
Sentinel staff writer

GAY-RIGHTS ACTIVIST Bonnie Tinker believes in speaking softly and ... well, you can forget about that big stick.

"If you don't want to be attacking and defending all the time, you have to start by not attacking," said Tinker in a telephone interview from Portland, Ore., where she moderates what is billed as the only morning drive-time show devoted to gay and lesbian issues on commercial radio in the nation.

"The first step is to remind yourself that this person you're talking to is a person of principles just as much as you are."

Tinker will lead a speaker-training workshop at the Quaker Center in Ben Lomond Friday through Sunday. Called "Opening Hearts and Minds: Transforming Public Dialogue Through Non-Violent Speech," the workshop is designed to teach people how to find common ground on the issue of sexual orientation.

"We all need to learn how to open ourselves up to people so they listen to what you have to say," said Tinker, who is executive director of Love Makes A Family, a Portland-based organization of families headed by gays, lesbians, bisexuals and their friends.

Walter Sullivan, director of the non-profit Quaker Center, said he hopes the workshop will create a community dialogue about sexual orientation. In addition to training people how to educate others in a non-threatening way.

"My hope is that there are individuals who are coming to the workshop from situations where a rather strained dialogue is going on ... and they can learn skills that can be carried out to build some bridges," said Sullivan. "Agreement isn't the test. Just speaking and listening in a more respectful way."

TINKER came to Portland in 1971 after spending two years in Mexico following her graduation from Grinnell College in Iowa. "I met these lesbians in Mexico ... I never knew they existed before that," said Tinker, 46.

She followed the women to Portland in February 1971 and came out as a lesbian just two months later. She and her partner of 17 years have three children and one grandchild.

Patricia Cerdell/The Oregonian

Bonnie Tinker will be bringing her message of 'non-violent speech' to several Santa Cruz forums.

Local appearances by Tinker

BONNIE TINKER will remain in the area after the "Opening Hearts and Minds" workshop at the Quaker Center in Ben Lomond.

On Jan. 23, she will be a guest on Closet-Free Radio between 7 and 9:30 p.m. on KZSC-88.1-FM.

On Jan. 24 between 7 and 9:30 p.m., Tinker will speak at the UC Santa Cruz Women's Center. Her topic will be lesbian, gay and bisexual families. For more information on this program, call 459-2169.

Sullivan said Tinker will speak privately with other groups, but her schedule would allow additional talks. Anyone who would like her to speak to a local group during the day on Jan. 23 or 24 should call Sullivan at 336-8333.

The notion that the non-violent methods Tinker learned from her minister father, Leonard, during the Civil Rights struggle in the 1950s and '60s, could work for gay-rights activists took root in 1992 during the first of two anti-gay initiative drives in Oregon.

Tinker, who recently talked about her experience successfully fighting those two initiatives on KNRY radio in Monterey, said she realized debates weren't the best way to change people's hearts and minds about sexual orientation.

"I realized that what it (the debate format) had done was set us up as adversaries," said Tinker during the radio show. "You become aware of how much we are accustomed to using speech as a form of violence. It's an attack/defend mode of interaction, even if it's just words. ... The fact is that words hurt, and they can hurt very deeply."

Tinker said gays and lesbians must not shrink from the fight, but only by truly communicating with their adversaries will change occur.

> 'The fact is that words hurt, and they can hurt very deeply.'
> — *Bonnie Tinker*

"We're under attack, and we are a small minority," she said. "So we're faced with the same situation any minority group throughout history is faced with. I think there is literally a group of people trying to annihilate us, or certainly to push us as far back into the closet as they can get us, and that basically is spiritual annihilation."

IN A PHONE interview with the Sentinel, Tinker elaborated on her assessment of the right wing's anti-homosexual agenda.

"The whole family values issue is being used against us, and the fact is that lesbian and gay families haven't always had the collective voices to speak back."

That's why she formed Love Makes A Family, which she hopes will strengthen gay and lesbian families by giving them support, as well as create a bridge for them to successfully interact with more traditional families in their communities.

Tinker's ability to deal with the attacks heaped on her during the debate over Oregon's anti-gay initiatives, as well as to moderate a lively call-in show where many callers don't support her view, stems from the work she did starting in the early 1970s at her weekly Quaker meetings.

Quaker congregations were struggling with the issue of recognizing same-sex marriages and allowing gays and lesbians to become elders.

"My ability to be ... kind and open and loving (now) comes from my being very angry with my Quaker meeting," said Tinker. "What I recognized is that when I come out of my own anger and my own fear, I trigger that in other people and it makes it difficult for them to hear my pain."

Space still is available in the "Opening Hearts and Minds" workshop. The cost for the program, including room and board, is $100. For more information, call Sullivan at 336-8333.

Love Makes a Family hits airwaves

Linda Weagant, owner of KKEY, a commercial radio station based in Vancouver, Wash., has seen how the isolation caused by homophobia can ruin people's lives. One day, she received a phone call from one of her employees — a man she had not previously known was gay. The employee told her that he had AIDS and threatened to commit suicide.

"There was an appalling lack of resources. There didn't seem to be places he could go or people he could talk to that might be able to help him. I had to go out and track this gentleman down and get help for him by myself," she explains, adding, "I don't think anyone should have to suffer from that kind of isolation because of who they are ... It made me very sensitive to the fact that we have a responsibility to expose individuals and the public to as many viewpoints and experiences as possible. There shouldn't be any closets."

Weagant took that philosophy and put it into practice. Her station, which provides talk and news, is airing what may be the first of its kind in the nation — a commercial radio program designed to encourage dialogue between lesbian/gay parents and the non-gay community. Portland resident Bonnie Tinker is hosting the one-hour program, called *Love Makes A Family: Lesbians, Gays and Family Values*, each Tuesday from 7-8 p.m. on KKEY, (1150 am). Tinker is a longtime activist, lesbian mother of three children and grandmother of one, and the executive director of Love Makes a Family, Inc., a non-profit organization representing lesbian, gay and bisexual families. Its goal is to educate the public about the diversity of families and highlight the belief that values such as love, loyalty and compassion make a family, as opposed to the more narrow notion that family structure makes a family, i.e., only heterosexual married people with children.

Ironically, Tinker's show debuted on May 18, the same day residents in Cornelius approved an anti-gay/lesbian rights measure. She says, "That vote really shows how important it is for us to go out and talk to people in a personal way. I believe using the airwaves is a good way to try and generate a dialogue between our families and the broader community. We have to address people's concerns and share our experiences with them. So many times people support initiatives like the one in Cornelius because they are ignorant. They don't think they know gays or lesbians and they're rarely given an opportunity to ask questions and simply talk with open gays and lesbians."

During the premiere show, Tinker interviewed two parents of gay sons — Donna Saffir, who chairs the local Parents and Friends of Lesbians and Gays (P-FLAG) Speakers Bureau, and P-FLAG member Don Ross. They spoke of their experiences surrounding their sons' "coming out" and the effects of that process on their families. Several callers phoned in to express their support for the parents as well as the new program. One caller, however, asked Saffir and Ross how they could condone a "scientifically-proven unhealthy lifestyle."

"People can listen to the legal arguments about gay and lesbian rights over and over, but it just doesn't touch them the way this type of discussion can," says Debra Betron, owner of Bridgetown Reality, the program's primary sponsor. "I saw Bonnie when she was out debating the OCA on Ballot Measure 9. She was really able to touch an audience. I've seen her change people's minds. She'll be great."

One such debate took place on a KKEY program. "Bonnie did the show and later came to me with the proposal about the program. We talked about it, and I agreed it was a good idea," says Weagant, adding, "It made me a little nervous, but I think it's really important we have a show like this."

After the program's debut, Weagant said the station received a number of supportive phone calls and "not one negative call."

Tinker is asking those who appreciate KKEY's decision to air the program to contact the station at (206) 693-5407. She also says the program is always seeking sponsors. For more information about Love Makes A Family — both the organization and radio show — call (503) 288-4306.

PHOTO BY BONNIE TINKER

Proud mom Bonnie Tinker snaps a shot of Asa Fager (left), a friend of her son Alex (far right) and her mother Dr. Lorena Jeanne Tinker. They journeyed to the April 25 March on Washington to show their support for lesbian, gay and bisexual civil rights.

"Love Makes A Family: Lesbians, Gays and Family Values"
KKEY (1150 am) Radio Program
Tuesdays, 7-8 PM, starting May 18, 1993

LOVE MAKES A FAMILY, inc.
PO Box 11694
Portland, OR 97211

A Printer Friendly Page From OregonLive www.oregonlive.com

Dress is student's business

Monday, March 13, 2000

By Bonnie Tinker

Just when you thought high-school administrators and newspaper editors have more than enough to deal with these days - new academic standards, alcohol and drugs, gangs, goths and guns - the school administration of Sam Barlow High school and the Oregonian editors engage in a petty spat with a nonviolent, drug-free student who meets academic standards and minds his own business.

It's all over a male student's fervent wish to be allowed the same freedom of dress that is allowed to female students. Because of this, the principal and the editor feel free to flaunt their own gender discomfort and bias.

The principal and the editors have their reasons, but they are really beside the point. What the young man is wearing is indisputably disruptive to these men's sense of their own gender identity and evidently has sexual connotations for them. Accordingly, they believe the school dress code prohibits - or ought to prohibit - such cross-dressing at school.

As a female who was prohibited from wearing pants to school under regulations that followed the same logic, however, I'm with the poor student on this.

If schools are going to make sure that, despite everything, they establish an atmosphere that is conducive to academic achievement, then students should be judged on the basis of their achievement, not on the principal's subjective judgment of the gender-appropriateness of their clothing.

If schools are going to keep students from picking on one another, keep them from harassing each other, and keep them from resorting to violence in extreme cases - violence that can turn into national headlines in the abrasion of a feeling and the click of a semiautomatic - then principals and editors should refrain from blaming such violence on the student who is targeted because of his difference.

We should, at the very least, expect from principals and editors, that they will condemn the behavior of disruptive students, and not resort to excluding the students who are the objects of attacks.

A dress code that is applied differently based on a student's sex is a tool of discrimination and cannot be applied fairly.

As a girl who was forced to wear skirts in sub-zero weather, and who suffered many skinned knees on gravel playgrounds because pants were for boys only, I will defend any boy's right to wear a dress because he wants the right to feel pretty - or for any other reason. Anyone who finds this "disruptive" or "sexual" needs to look to their own insecurity in gender expression, curb their own instinct toward physical or verbal violence, and leave the honest, courageous boy alone.

Bonnie Tinker is the executive director of Love Makes A Family Inc. Tinker's siblings were the plaintiffs in Tinker vs. the Des Moines Public School Board, the Supreme Court case that set the precedent for freedom of speech rights for students and teachers. She can lmfamily@teleport.com.

IN MY OPINION

Hate crimes just as bad when random

By BONNIE TINKER

Was the murder of a prominent lesbian couple in Medford an official "hate crime," or was it just random hatred? Does it matter? In either case, Michelle Ellis and Roxanne Abdill were not able to help usher in this New Year.

Whether he intended to or not, the man who murdered them contributed to a climate of fear that is growing in the world. Lesbians, gays, bisexuals and transgendered people are the most recent group to feel the spotlight of terrorism in Oregon.

Historically and currently this same weapon, "random" acts of violence, is directed against racial, ethnic and religious minorities and women. The message is that these people should know their place, they should "lay low," and if they don't, if they stand tall, as Ellis and Abdill did, they are likely to become targets.

These murders are a crime against society; they are also a product of a society that tolerates violence.

Violence sold as entertainment

This violence is packaged and sold as entertainment. Is it any wonder that the man who confessed to these cold-blooded murders says he feels like he is "watching a movie"? We are so accustomed to violence that we turn to the tools of violence for protection. Is it any wonder that women are taking up target practice? Are we surprised when another prominent gay leader in Southern Oregon decides to buy a gun?

A climate of fear does not arise through the evil machinations of unknown sources; fear grows when it is acceptable to target any group of people because of their differences or social standing.

It is no accident that the man who confessed to these murders found two lesbians and said that their being lesbians "just made it easier to kill them." Ballot measures spawned in Oregon and Colorado, and now hatching across the country, that seek to write into law discrimination against lesbians and gays create a climate where people are changed into objects that can be discarded.

This same tactic is used against many minority groups. The legacy of lynching, cross burnings, temple desecration and rape are a sorry testimony that many groups have never freely enjoyed the rights to life, liberty and the pursuit of happiness in this country.

Any woman would have done

The confessed murderer went looking for a target. He says he was seeking a woman, any woman (and federal law does not recognize violence against women as a hate crime). He found two women, and he also recognized the signs that they were lesbians: they co-owned a business; their cars were parked in front of the same residence all night.

Before Oregon's anti-gay rights ballot measures, he might not have noticed. Now the closets are made of glass in Oregon; we are in full view as targets for an angry, alienated man.

But all Oregonians bear a collective responsibility to address the social causes that made this tragedy predictable. Our state, a state that once was terrorized by the Ku Klux Klan riding against Catholics, a state that once prohibited blacks from owning property, is once again at a crossroads.

Let's send a clear message

Our response will be a "made in Oregon" product. Will we divide into armed camps quibbling over the definition of a "hate crime?" Or will we use all possible avenues to send a clear message that this type of violence and the multiple layers of bias it represents will not be tolerated in Oregon?

Let the response to Ellis and Abdill's murders be worthy of the courage and gentleness with which they lived their lives.

Tell your family, friends, neighbors and co-workers that you admire these women for forthrightly sharing their personal lives — whether you agreed with them or not.

The next time you hear a "queer" joke or a racial slur or a derogatory comment about women or any other group of people, challenge this form of verbal violence.

Ask your government leaders to speak out against this crime, making it clear that hate does not have to be "official" to be intolerable.

Contact local, state and federal law enforcement officials and ask them to use all available tools — including applicable hate crime statutes — to fully investigate and prosecute this crime.

Look at the toys, movies, television and video games that teach a culture of violence to our children. Boycott the sponsors of violence.

Refuse to participate in organizations or patronize businesses that discriminate. Refuse to sign ballot measure petitions that target any group, including lesbians, gays and immigrants.

And remember that a society of strangers is a society numb to compassion. Reach out to the people who are different from you and make them welcome in your community.

Above all, remember that Ellis and Abdill's family, their daughter and their granddaughter, their parents, their siblings, missed them this holiday season. Hold them in your heart during the new year.

Bonnie Tinker is executive director of Love Makes A Family Inc., P.O. Box 11694, Portland 97211. She wrote this article on behalf of the board of directors of the organization of lesbian, gay, bisexual and transgendered headed families and their friends.

Commentary

IN OUR OPINION

Bonnie Tinker

The Rev. Cecil Prescod

Same-sex marriage and justice for all . . .

We, the people, decided the issues of same-sex marriages long ago. Equal marriage rights are inherent in "liberty and justice for all."

It's true that same-sex marriage is an issue that most Americans don't want to face. It's an uncomfortable issue to debate. And it's hard to see why this should be a priority when our sons and daughters are dying in Iraq, health care costs are out of control and our schools are gasping for breath and dollars.

And it is also true that same-sex marriage is an issue we can no longer duck.

It won't go away. Four judges in Massachusetts recognize that equal means equal for all, and separate won't work. They recognize that "justice for all" includes justice for lesbian and gay couples even if some people hold deep religious and moral objections to homosexuality.

The moment of reckoning on same-sex marriage rights would have arrived without the Massachusetts Supreme Court. Remembering Langston Hughes, we can say that the freedom to enjoy legally recognized marriages is a central part of the "dream deferred" for many lesbian and gay couples and their families.

The struggle of sexual minorities is not the same as the struggle against racism, but there are many lessons to be learned from those who have gone before us in fighting for freedom and equality. One lesson is that it is the courts' job to protect minority rights.

The June 1967 Loving decision is particularly relevant. In June 1958 Mildred Jeter, a black woman, and Richard Loving, a white man, were convicted of violating Virginia's ban on interracial marriages and sentenced to one year in jail. At that time a poll found that 96 percent of whites disapproved of marriages between blacks and whites. Deuteronomy 7:3 condemns interracial marriages. The 1959 judge who convicted the Lovings declared: "Almighty God . . . did not intend for the races to mix." In June 1967, the U.S. Supreme Court overturned the conviction, stating that Virginia's law violated the Equal Protection and Due Process clauses of the 14th Amendment.

No doubt some people resisted the Loving decision, saying it was made by "activist" judges. They were right. The judges were actively protecting minority rights. This is the job of the courts, to actively uphold the Constitution.

It is with good reason that nobody really wants to amend the Constitution. It would be especially tragic to amend it to exclude one class of people from full inclusion in human rights. Democracy in a diverse society works because the majority is empowered to rule only so long as it respects and protects the rights of the minority.

It is also true that lesbian, gay, bisexual and trans people are no longer satisfied with growing tolerance. The dream of every person who has known discrimination is to move beyond tolerance to full equality. We want our rights, and we want them now.

Legally recognizing same-sex marriage is the right thing to do. Civil unions are not marriage. Separate is not equal. The right time to do the right thing is always now. Those who say "wait" usually mean "never." "Wait" and "never" are the language of discrimination. "Now" is the language of justice.

◆

Bonnie Tinker is the executive director of Love Makes A Family, a Portland-based international organization that provides a public voice for lesbian, gay, bisexual and trans-headed families. The Rev. Cecil Prescod, an ordained minister in the United Church of Christ, is director of the organization's Freedom to Marry Project.

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LOVE MAKES A FAMILY

Commentary

A day of courage, newlyweds and love

IN MY OPINION

Bonnie Tinker

There was a grand and somewhat unexpected leap in Portland on Wednesday. It was a leap of joy. A great leap forward not just for lesbian and gay families, but for all people who believe that strong families build strong communities. Multnomah County officials made no error in judgment in standing up for what is right.

My partner and I have waited 26 years to establish a legally binding commitment of our love — a civil marriage — in our hometown. We thought we were waiting for rights too long denied, for security for our children and grandchildren and a safety net for each other in old age.

What we found as guests of Multnomah County on March 3, 2004, was not just a marriage license to receive our family's rights. We found a community that understands that love and commitment are rare and treasured gifts. We found politicians, acting in the ways politicians act, who found a way to tell us and our children that we are a valued part of this community.

We watched parents with small babies stand for hours in the rain just to publicly declare their love. We heard trusting 8-year-olds innocently telling reporters how happy they are that their parents can marry because they know their parents love each other. We saw middle school kids giggling with delight as they basked in the warmth of the community accepting their parents and surrounding them with love.

We watched young newlyweds radiating the sheer delight of new love, and we saw old couples with well-worn smiles walking slowly toward the light of public recognition.

We saw long-term partners so eager to marry that they sought out clergy to perform spontaneous weddings witnessed by the friends who surrounded them. And we saw others who dared to accept the three-day waiting period, trusting that their constitutionally protected right to marry will not be snatched from them before they can gather family, friends and community to celebrate their love and legal recognition.

Four county commissioners courageously lent the full force of equal protection by the government to families such as ours — families who have walked alone for years.

They short-circuited bigotry, guaranteeing that we will all be immersed in healthy dialogues and debates around dinner tables, in churches, workplaces, schools and neighborhoods.

It is exasperating — if not entirely surprising — to see good people turn away from an honest and difficult dialogue about the state of marriage — all marriage — in our society.

It is intolerable to ask another generation to endure life as outcasts while those with privilege debate the right time for justice. The right time for justice is always now. Thank you, Multnomah County commissioners and staff, for a wedding shower gift more wonderful than we had ever imagined.

◆

Bonnie Tinker of Portland is executive director of Love Makes a Family Inc. She and her partner, Sara, were moved to the front of the line for marriage licenses Wednesday by parents and children who had waited all night for the right to marry. The couple received their license and have asked to be married by the Multnomah Monthly Meeting of the Religious Society of Friends (Quakers). They expect to have their marriage fully recognized this spring.

ENGAGING DIALOGUE

Workshop teaches queers how to discuss same-sex marriage with opponents

by Michael Burdick

Bonnie Tinker outlines an effective debating tactic to workshop participants Jan. 17

Suddenly, same-sex marriage has been propelled to the forefront of national attention. Many queers have been taken by surprise at how quickly this has happened, having lost hope that the United States would grant equal marriage rights anytime soon or that it would even seriously consider doing so.

The matter took on new life after a couple of high courts ruled on the side of justice. Things really heated up when President Bush's PR team realized the controversy might help him keep his job through the upcoming election, by energizing his core supporters and distracting everyone from his failed policies.

The established wisdom held that there is a consensus in the United States against same-sex marriage. Surveys consistently show a majority disapprove, though the number opposed has been slowly shrinking for years, falling to 53 percent in a Pew poll last July. For Bush to take up the cause against same-sex marriage would please his supporters in the religious right wing while being potentially popular with the nation at large.

Republicans are united against same-sex marriage, while Democrats are evenly split. The situation is ideal for Bush, he thinks, because it unites his base and divides his opponents. Democrats will be forced to either take a principled stand against apparent popular opinion or risk the wrath of gay rights activists and advocates for equality and justice everywhere.

For his opening salvo, Bush pleased his gay-hating supporters by expressing, with furrowed brow, his belief that limiting marriage to opposite-sex couples "ought to be codified in some way." In his State of the Union address Jan. 20, after a token nod toward respecting individuals, he declared support for an amendment to the U.S. Constitution banning same-sex marriage, saying this was necessary to stop the "activist judges" from threatening the "sanctity" of marriage.

With the White House and the makeup of Congress hanging in the balance, how the public responds to this issue in the coming months will have widespread consequences. If queer activists can help it, the ruckus Bush is raising around same-sex marriage will lead people to talk about and re-evaluate their positions. The time is ripe for a sea change in national thinking, and some believe it is our responsibility as queer U.S. citizens to participate in this dialogue.

With this in mind, Love Makes a Family played host to a workshop Jan. 17 titled "Engagement! Strategies for Talking About Same-Sex Marriage." About 15 people gathered to prepare for effectively discussing and debating the issue.

After bringing everyone up to date with the latest news about same-sex marriage, workshop leaders Bonnie Tinker and Cecil Prescod explained a debating tactic that they have found particularly effective, not just in formal debates but in any conversation where two people are discussing something they don't completely agree on. The technique is effective for a variety of reasons, not the least of which is that it helps curb the ubiquitous devolution of modern political discourse.

"We often see debates and discussions where there's one side yelling at the other side and they're talking past one another," Prescod explains. "And because they have...such distinct, separate, philosophical political religious reasons it is often difficult to have meaningful dialogue."

The four-step technique is known as LARA: listen, affirm, respond, add. First, you should listen carefully to what your "opponent" is saying and where he or she is coming from.

"We live in a culture of dominance," Tinker says. "The trick is to move it from that kind of thing where all you're trying to do is dominate."

Tinker says what we expect in a debate is that the participants will always be listening for errors or misstatements they can use to make their opponent look foolish, listening for opportunities to hijack the conversation, listening for openings to denounce the other side. With the LARA technique, you listen instead for something in your opponent's argument that you agree with, "something you might even have said yourself," she explains.

In the next step, you affirm something that your opponent said. This shows respect for your opponent and has a disarming effect because it is surprising and unexpected. It gets your opponent's attention and sets the stage for your next step—respond. Here you answer the question your opponent asked, or somehow respond to the point he or she was making. This is in contrast to debates on the evening news where it's all about ignoring your opponent's points and staying "on message."

In the final step, you add new information to the discussion. This is where you say what you really wanted to say all along.

It is a lot easier to understar power of this technique with a practice. After holding a l storming session to come up with of all the arguments against sam marriage that queers are like encounter, the meeting broke small groups to practice the L method.

In one example, the opponen "Gay relationships are an unh environment for children." Lis to that is one thing, but what ca affirm about it? One way to go is, "I want children to grow up health happy." From there you can respond opponent's point by saying somethin "There's no evidence that living in family is harmful to children," and th can add, "Besides, the love parents ha their children is a lot more importan what gender the parents are."

After practicing the method while, participants regrouped an cussed what had come up in the sions. The distinction between marriage and marriage as a sacra had been particularly thorny. Som ticipants thought that queers should religion out of these discussions and argue only for civil marriage rights, bas equality under the law. Others felt th subject can't be de-spiritualized—that people's opinions on the matter are fuse religious beliefs. Such people would agree to civil gay marriage on earthly gr and therefore the only way to reach would be to engage them in debates spiritual matters.

One surprise at the workshop came Pam, a participant who helped put the sa of marriage in a larger context. She cite historian John Boswell, "who did research at the Vatican library, and wh found is that originally heterosexual mar were legal affairs because they involved p ty and children and procreation. It wa marriages that were recognized by [Catholic] Church because they were nized as purely a matter of love and co ment. So they were a sacrament...and th dates heterosexual marriages being reco in the church."

The workshop ended with a call for v teers who would be available to hold up o of the debate at other events or to the when such opportunities arise during the ing months.

MICHAEL BURDICK *is a recent graduate of Ree College. He can be reached at mike@nibblicious*

Moratorium On Military Recruiting Under Fire

School board member Derry Jackson's new measure challenges the long-standing ban

By Lisa Loving
of *The Skanner*

The complete ban on military recruiters in Portland Public Schools, an issue that caused an uproar in the district throughout the 1990s, returned full force this week when board member Derry Jackson moved to weaken the district's current policy.

Jackson on March 12 introduced a proposal giving Portland Public Schools principals the right to invite recruiters into their buildings, with a variety of strings attached. The proposal was not an "action item," so was not fully discussed by the board nor voted on as yet. Board Chair Debbie Menashe indicated it will be taken up at a future time, but no definite date was set.

Public comment on the proposal is encouraged, board members said.

The issue has become increasingly debated nationwide as all branches of the military are below their hiring quotas for new recruits. While most school districts still allow recruiters on campus, the Department of Defense estimates 2,000 high schools nationwide ban them.

"I believe sincerely the proposition I have drafted is fair," Jackson said in presenting his proposal to the board. Jackson cited statistics showing 60 percent of students in the Jefferson "cluster" are dropping out.

"We have a challenge to talk about something to make education relevant to students," Jackson said.

He characterized his proposal as "the beginning of a conversation."

"What process it will go through needs to be discussed," he said.

"The idea of a modified ban is like bring a little bit pregnant," said Marc Abrams, the school board member who introduced and successfully fought for the military ban in 1995. "What Mr. Jackson suggests here this evening is nothing less than a repeal of the ban."

Abrams added, "As to the idea that this relates to achievement — I'm somewhat baffled at the idea that something that happens after graduation has anything to do with school achievement."

In its language, Jackson's proposal clearly states the fact that the U.S. armed forces' "don't ask, don't tell" policy discriminating against homosexuals is a violation of district policy.

That current rule locks out all employers recruiting for any organization, "whether private or public, who have a stated policy that they do not extend equal rights to all qualified individuals, regardless of whether that act of discrimination is based on race, creed, color, religion, nationality, gender, sexual orientation, disability, or other factors not directly related to bona fide occupational qualifications ... until such time as they cease their discriminatory activities."

Jackson would allow the "principal and other chief administrative official" to invite in recruiters at the request of students, "as long as the arrangements do not interfere with academic progress."

In Jackson's plan, if the recruiters are invited, they must fully disclose their discriminatory practices. According to the proposal, "... it is our intention that the student have a clear understanding of both upside and downsides (to) careers in the military, including for example the fact that all benefits accrued, including their own direct contributions may be forfeited for violating policies of the United States Armed Forces, including the 'Don't ask, don't tell' policy."

Further, Jackson's suggested policy states: "A student's participation shall not come into direct contradiction with their parent's expressed interest to decline participation in military recruiting activities."

James Thorpe, Naval Fleet Reserve president for branch 55, said, "Why should we deprive our students from hearing about all opportunities awaiting them at high school? Because of the political and social agenda of the few, students are being denied opportunities."

"Unfortunately, my family couldn't afford to send me to college," Master Sgt. Ozell Johnson, a non-commissioned Army recruiter also speaking in support of Jackson's proposal, said. "We have had many who joined our Delayed Entry Program who would have dropped out of high school if we hadn't mentored them. We are taking options and opportunities away from our young people."

Bonnie Tinker, a local gay rights activist and director of the organization Love Makes a Family, testified against Jackson's proposal. "If these very fine people want to bring the military back into the schools, they should spend their time trying to make the military stop discriminating."

Tinker continued, in response to an earlier speaker, "We heard it takes courage to defend freedom ... especially when there are people who are asking you to accept a little bit of discrimination against just a little bit of the community."

Also against recruiters, Deseree Anderson testified that she also joined the military in part to get a college education. But, Anderson said, if she hadn't taken a medical discharge because of injuries, the fact she was just awakening to her woman-oriented sexuality made her realize she had no future in the service.

"I was a good soldier, a good medic," she said. "I personally know many people who lost their career that they were thriving in, that they loved ... their personal life should have nothing to do with it."

The issue of military recruiters in the Portland Public Schools first surfaced in 1993, when a coalition of peace activists first approached the school board with a proposal to ban all recruiting.

That same year Congress passed into law then-President Bill Clinton's policy of tolerating homosexuals within the military only as long as they kept their sexual orientation secret. According to the "don't ask, don't tell" rule currently in effect, any soldier who is openly gay must be terminated from the service, and any educational costs the military paid for their education must be repaid.

After two years of argument and debate the Portland Public Schools Board in 1995 voted 6-1 for a new policy banning recruitment by companies or organizations that discriminate, then followed up with a vote 5-2 finding that the U.S. military came under that classification.

In 1998, Jefferson and Roosevelt High School principals caused a sensation when they allowed military recruiters to drop off booklets and brochures on campus, although the recruiters themselves did not talk to students.

The Detroit News

MARCH 31, 1995

DEB PRICE

Gay parents are not failures if their children turn out to be gay, too

Joyce was born, much to her mother's delight, with a head full of curls. Curly hair meant Joyce's life would be easier. At least that's what Joyce's mother — who'd suffered through hot curling irons, smelly permanent-wave treatments and the medieval torture of all-night rollers — thought she could foresee.

Parents make rotten fortune-tellers, though. Styles changed. And Joyce was mercilessly teased for being a curly head.

It's only natural for parents to hope a child avoids the particular difficulties they've had to face. Yet, there's no escaping the fact that life is a struggle for all of us, regardless of whether our hair or sexual orientation is straight.

Unfortunately, in wishing for easier lives for their children, some gay parents send the message that they'll feel like failures if their offspring turn out gay.

When 21-year-old Jennifer DiMarco of Ohio discovered she's gay, she feared her lesbian mothers would be disappointed. "One of the first things that my Heart Mom said was, 'Where did we go wrong?' And it was half joking, half serious," she recalls.

"It was just parents worrying," she explains. "Like if you decide to buy a motorcycle instead of a car, parents worry."

At the '94 convention of the Gay & Lesbian Parents Coalition International (202-583-8029), several youths in COLAGE (Children of Lesbians and Gays Everywhere, 415-861-5437) expressed frustration that their gay parents pressure them to turn out straight.

Bonnie Tinker, a gay mother whose three children include a 24-year-old lesbian, rose to say that parents should accept their children just as they are. But Tinker, director of the Oregon gay parents' group Love Makes a Family (503-228-3892), notes, "There is tremendous pressure on us as parents to demonstrate that we are good parents by producing 'normal' children. And that means they aren't supposed to come out gay."

Ever conscious of right-wing propaganda claiming that gay adults recruit children into homosexuality, some gay parents overreact by shoving their children toward heterosexuality.

Psychological studies indicate gay parents are no more likely than heterosexuals to produce gay children. Yet over the years, many gay parents have lost custody because judges feared they would somehow make their kids gay.

So, it's sad but not surprising that Dan Cherubin, founder of Second Generation for gay adults makes some gay folks nervous. As parents' groups in New York City's biggest gay-rights march last year chanted, "Ho, ho, hey, hey, we're in the PTA," Cherubin's contingent shouted, "We're here! We're queer! And so are Mom and Dad!"

"And that really upset some of the groups around us," he recalls. "They didn't want to be associated with us." The only parents marching with Second Generation were his mother, Margaret, and her partner.

"I can understand the party line of 'I can raise normal kids, too,' to appease any overeager social workers and evil judges. But we Second Generation people are there, too," says Cherubin, 29.

Cherubin's mother was upset when he came out a decade ago, about the time she acknowledged being gay. "I was worried that he'd have a hard time in life," she recalls. "He misunderstood. . . . He thought that meant I wished he was heterosexual."

Every child is different from birth. The best we adults can hope to do is teach the next generation to cherish their precious individuality. Nothing is harder than trying to be what

Kids with gay parents

As lawmakers battle gay marriages, a look at how the children fare

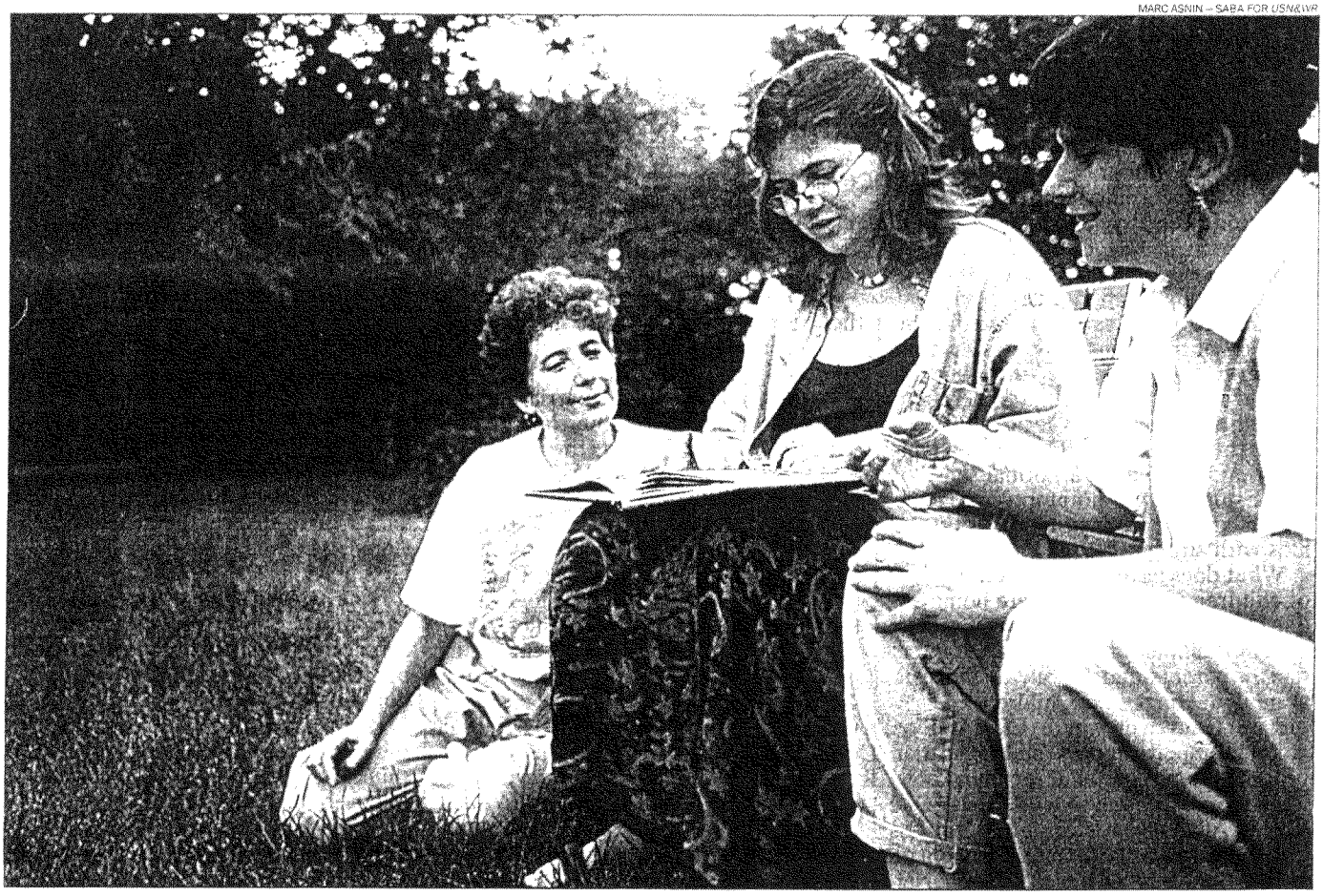
Alex Tinker knows what people say about kids like him, kids with gay or lesbian parents: You'll probably turn gay yourself. Your life is going to be a mess. But the 13-year-old is doing just fine as he steps onto the stage along with 260 other Oregon seventh graders being honored for scoring higher on the Scholastic Assessment Test than most high school seniors. As the students' names are called, Alex stands on a chair and points happily to his two proud moms. "Not to brag or anything," he says later, "but if you compared me with an average kid in a normal household, I probably get better grades; I'm probably more athletic; I'm probably equally mentally healthy."

At the heart of the debate over legalizing same-sex marriage lies the well-being of children like Alex. The Senate is expected to vote this week on the "Defense of Marriage Act" that would allow states to refuse to recognize gay marriages even if they are legal elsewhere—a measure adopted by the House and supported by President Clinton. Gay marriages may soon be sanctioned by Hawaiian courts, and 15 states already have adopted statutes barring recognition of gay unions. Critics argue gay marriages would devalue the institution of marriage and give special rights to homosexuals. But their bottom-line objection is that lesbians and gay men cannot be fit parents. Says Robert Maginnis of the Family Research Council: "Both a mom and dad are essential to a balanced upbringing."

Yet many thousands of homosexuals already are living in virtual marriages and parenting children. There are no good estimates of the number of children of gays and lesbians, but researchers are discovering

> "We do everything everybody else does. Only, I have two moms."
>
> **KATE ASMUS, 18, with Darlene Dunbar and Carol Bozena**

MARC ASNIN—SABA FOR *USN&WR*



"My family's different, so I have to conceal it. I go out of my way to keep it a secret sometimes."

ALEX TINKER, 13, (right) with mom, Bonnie, and sister, Connie

that most children of homosexual parents share Alex Tinker's confident self-assessment. According to a recent American Psychological Association survey of more than 40 research studies on gay parenting, such children are likely to be just as well adjusted as the progeny of traditional unions. The samples in many surveys are small, but the studies show that the children play with the same guns and dolls as do other boys and girls, have similar IQs, develop typical friendships, have a normal sense of well-being and are no more likely to be confused about their sexual identity than kids with straight parents.

What does have an impact on the lives of children whose parents are homosexual is society's reaction. Many are as closeted as their parents. Sons and daughters of gay parents met in July at the sixth annual meeting of the Children of Lesbians and Gays Everywhere (COLAGE), a 2,000-member support and education group. The most popular seminar: knowing whom and when to tell Mom or Dad is gay. At last year's conference in Los Angeles, Maya Jaffe met a classmate from her Maryland high school. Neither knew the other had a gay parent.

In past generations, the children of homosexual parents were likely to be the product of a heterosexual marriage. Typically, the mother or father later came out as gay and the parents divorced. Today, there's a second wave of children of gay parents, many of whom are adopted or who are the natural sons and daughters of lesbian moms.

Special delivery. Visiting Alex Tinker's family is like taking an archaeological dig through the layers of such families. Alex, a likable, straight-A student, is the youngest of three siblings living with Bonnie Tinker and her partner of 19 years, Sara Graham. Alex knows that his family is unusual, to say nothing about his conception. In 1982, a family friend bicycled an oyster jar of his own sperm over to Bonnie's house. She administered the insemination herself. Alex considers Bonnie and Sara his parents. But the father occasionally takes Alex—along with his own children—hiking or bicycling.

Though the circumstances of his life may seem complicated to outsiders, to Alex they're rather ordinary. Alex loves basketball, watergun fights and, he notes, most everything typical to any 13-year-old boy. While he has been selective in whom he tells about his family, he reports only rare cases of teasing. "I don't think there's anything wrong with being raised differently," he says.

Growing up was more difficult for Alex's older step-siblings. Josh, 28, is Sara's son from an earlier marriage. And Connie, 25, was the legal ward of Bonnie's previous lesbian partner. Josh and Connie's generation had more problems, notes University of Virginia psychology professor Charlotte Patterson, because they "were the pioneers" when homosexuality was less accepted.

It can be an especially hard adjustment for kids who start out living in what they think is a typical heterosexual family to discover suddenly that Mom or Dad is gay. That's similar to what happened to Josh. His father died when he was 10. A few years later, he was sharing his Port-

ED CARREON FOR USN&WR

land home, a converted blacksmith's shop that his late father had remodeled, with his mother and her new partner, Bonnie, who worked at a battered-women's shelter, and Connie. Josh kept his lesbian mother's existence a secret from his friends; Bonnie avoided parent-teacher conferences and Josh's sports events to protect him. "I couldn't understand it. It was out of the norm," Josh says now. "They weren't my family. Basically, I just hated them."

No visitation? A recent brush with what the family considers homophobia made them closer. Josh says his marriage fell apart over his wife's discomfort with her lesbian in-laws. Josh's wife, the first person he ever told about his gay mother, demanded that there be no contact between their baby daughter and her gay grandmothers. After the divorce, his ex-wife went to court in an unsuccessful attempt to prohibit her daughter from visiting Josh at Sara and Bonnie's house last Christmas. The rancorous battle over visitation "opened my eyes up," says Josh, to the prejudice his mother faced. "I'm older now and more mature," he says. "I don't look at people for their sexual orientation. My mom's lifestyle is her lifestyle. You have to respect that." As for his mother's partner and his stepsiblings: "I consider them family now. I'd do anything for them."

> "My dad's gay. But that has nothing to do with how he parents. He loves me like any straight parent would."
>
> **NATHANIEL SELIG, 18, with his father, John, at graduation**

Among the toughest and most universal unpleasantries kids in these families face is teasing from classmates. Kate Asmus lost track of the many confrontations with taunting West Hartford, Conn., classmates, which left her burning with tears or anger while the school janitor scrubbed KATE'S A LESBO. YOUR MOMS RECRUIT and other graffiti from her locker. Once Kate, then in the eighth grade, ignored the slurs, the harassment stopped. One study found that virtually all children of gay parents report being subjected to unwanted teasing but that nearly all children of traditional families report being bothered by teasing at some time as well.

Despite such occasional ugliness, perhaps most striking about the children of gay parents is how little they say having a homosexual parent truly upsets their lives. "I've never lost a friend because my dad is gay," says Nathaniel Selig, 18. Even his girlfriend, Tara Kelley, and her politically conservative parents are OK about it. Tara's mother, an interior decorator, has worked with gay men.

The rhythm of their lives, such teens say, is like that of any of their peers. Asmus, now 18 and starting a college filmmaking program, notes that her two lesbian mothers "make me do my homework, give me the car when I need it, complain about bills"—just like her friends' parents. "They are my Cleavers; they're my Ward and June," she says. For Nathaniel Selig, the key is that father John Selig is Dad first: "He's not my *gay* dad. He's my dad." Still, father and son tastes are distinct in the cluttered apartment they shared until Nathaniel recently left for college: It was filled with Nathaniel's soccer trophies and Dallas Cowboys memorabilia and John's gay-pride paraphernalia, rainbow flags and streamers. As for his own sexuality, Nathaniel, who proudly declares his virgini-

ty, says: "I don't think I could be taught to love a guy the way that I could love a girl. It's just not me."

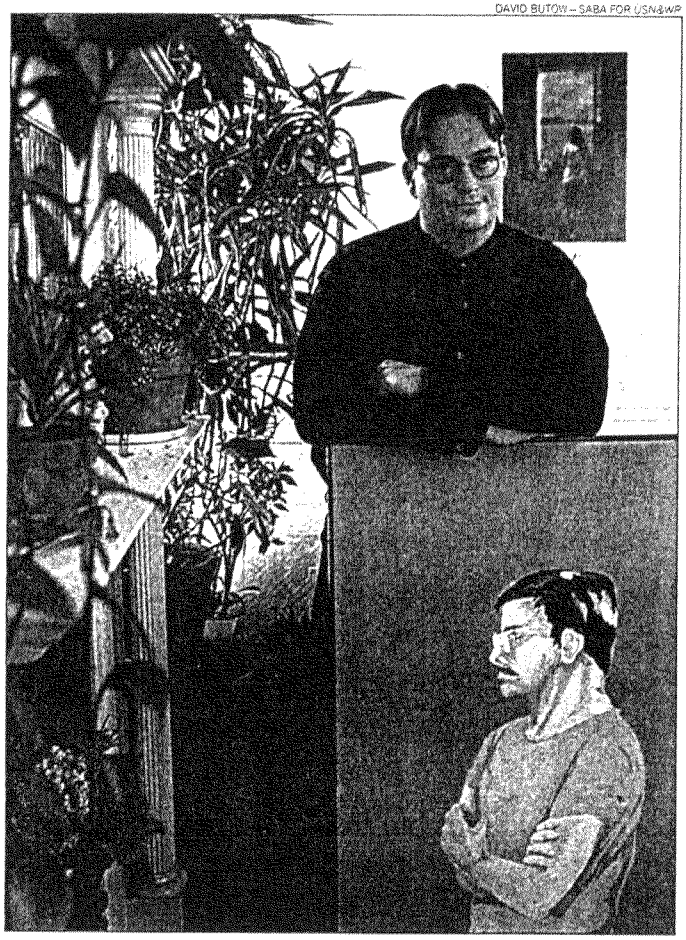
Sketchy studies. No issue is more controversial than whether gay parents produce gay children. Northwestern University psychology professor Michael Bailey, who has studied the genetics of homosexuality, says that the sketchy studies that do exist "are finding rates on the order of 10 percent of the offspring" of gay parents who turn out gay themselves, higher than the "generally accepted range between 1 and 4 percent" of the population that gays constitute.

But just because gay parents have a higher percentage of gay offspring doesn't mean that their parenting styles are responsible. If homosexuality is largely genetic—as Bailey's own groundbreaking studies of twins suggest—then it makes sense that homosexuality would run in families. Alex Tinker has an aunt, one of Bonnie's sisters, who is also a lesbian. And if being gay is at times a choice—as some homosexuals say—then it also is logical that kids with positive gay role models would be more likely to see homosexuality as an OK choice. After years of bad relationships with men—"they're bossy and controlling"—Connie Tinker started dating women. Her lesbian mothers, however, always had encouraged her dating of men.

For gay parents, having a gay child can be jarring—since it plays into antigay arguments that they "proselytize" their homosexuality. Dan Cherubin knows. He founded Second Generation, a support group for the gay children of gay parents. Cherubin was shocked when, marching in New York's gay-pride parades, his group was greeted with chilliness and even hostility by other gay marchers.

Several studies suggest offspring of gays and lesbians are rarely confused about their own sexual identity. If anything, says Maya Jaffe, 17, having a gay parent may make teens even more secure about their heterosexuality. "I'm more sure about my sexuality than my friends," says Jaffe, who lives with her two moms in Rockville, Md., "because I know it would be OK if I am a lesbian. But I'm not."

DAVID BUTOW—SABA FOR USN&WR



"I got silence when I told friends my dad had AIDS. They were scared. Some feared I was somehow infected."

STEFAN LYNCH, 24, now runs a group for children of gay parents.

And having gay parents also may foster empathy and tolerance. That is clear from Jaffe's eclectic mix of friends, which includes mostly straight kids but also gay ones (one boy came out to her before telling anyone else he is gay), and friends across race and class lines.

One specter, however, haunts some children of homosexuals: AIDS. For Stefan Lynch, 24, watching his father die five years ago was particularly lonely. The father talked about it little, already feeling guilty about "abandoning me when I was a teenager," recalls Lynch. And Lynch, now director of COLAGE, hid his own hard times at school from his dad, feeling "he had enough on his shoulders." In some families, AIDS strikes more than once. Breauna Dixon, 7, wrote a picture book about her father's death that is used in AIDS support groups. Breauna now lives with her father's partner—who became her guardian—and the man's new live-in partner (her third "dad"), who has HIV.

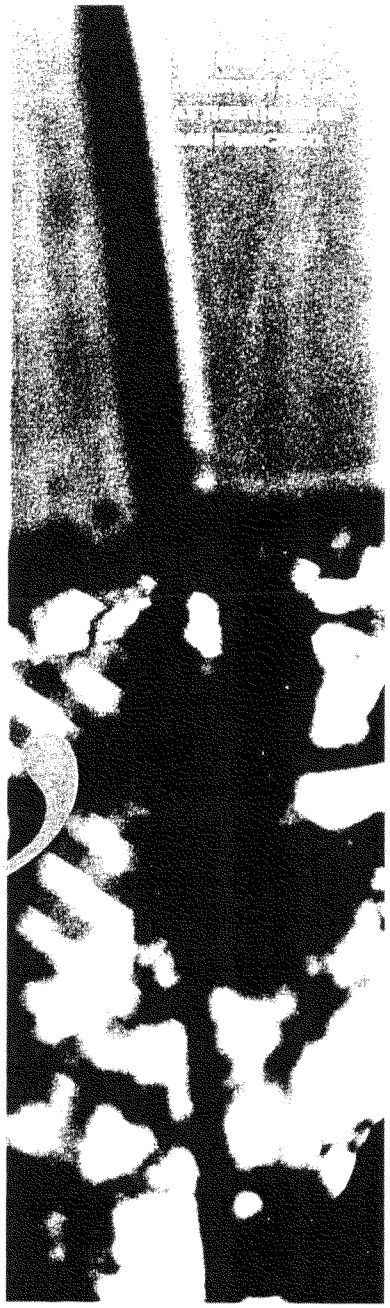
Custody decisions for Breauna would have been easier if her dads could have married. Many gay couples find that, without the sanction of law, they spend thousands of dollars for lawyers to draft papers that make clear who can make life-and-death guardianship decisions for their children. Often gay couples will keep multiple sets of these papers—at home, in the car or with them at all times—in case of emergency.

For Connie Tinker, there was a cost to such uncertain legal status. Connie's mother, Bonnie, is a lesbian activist in Oregon—but it wasn't always that way. It was Bonnie's former partner who was Connie's legal guardian. And although Bonnie has reared Connie from the time her daughter was an infant, Bonnie at first kept her own name off the guardianship papers. Bonnie, who now runs a gay-parenting network, feared Connie would be put into foster care if social workers discovered she had lesbian parents. (Courts often deny custody to gay parents. Last month, a Florida court upheld the transfer of 12-year-old Cassie Ward from her lesbian mother to her father, despite the fact that he had served eight years in prison for killing his first wife.) Once, when Connie was 7, police took her into custody, mistaking her for a 13-year-old they wanted to arrest. Despite her terror and anger, Bonnie felt she could not complain. Not until Connie turned 18—and it was no longer a judge's decision—did Bonnie formally adopt her.

Because of such problems, Connie's mothers say they would welcome the chance to get a marriage license at city hall. But even if Bonnie and Sara one day marry, their youngest son, Alex Tinker, doubts it would change his life. His moms are already in what, to him, feels like marriage and family. "It's kind of like finding a new species of life," says Alex, who hopes to go to MIT to study engineering. "It's always existed before, but now it's in the books." ■

BY JOSEPH P. SHAPIRO
WITH STEPHEN GREGORY

"MY PARENTS ARE GAY"



As **judges** across the country decide whether a parent's sexual behavior has a **harmful effect** on the child, we talk to the first generation of **adult children** raised by gay parents—and to two couples who are **fighting** for **custody** of their kids.

■ By Sharon Krum

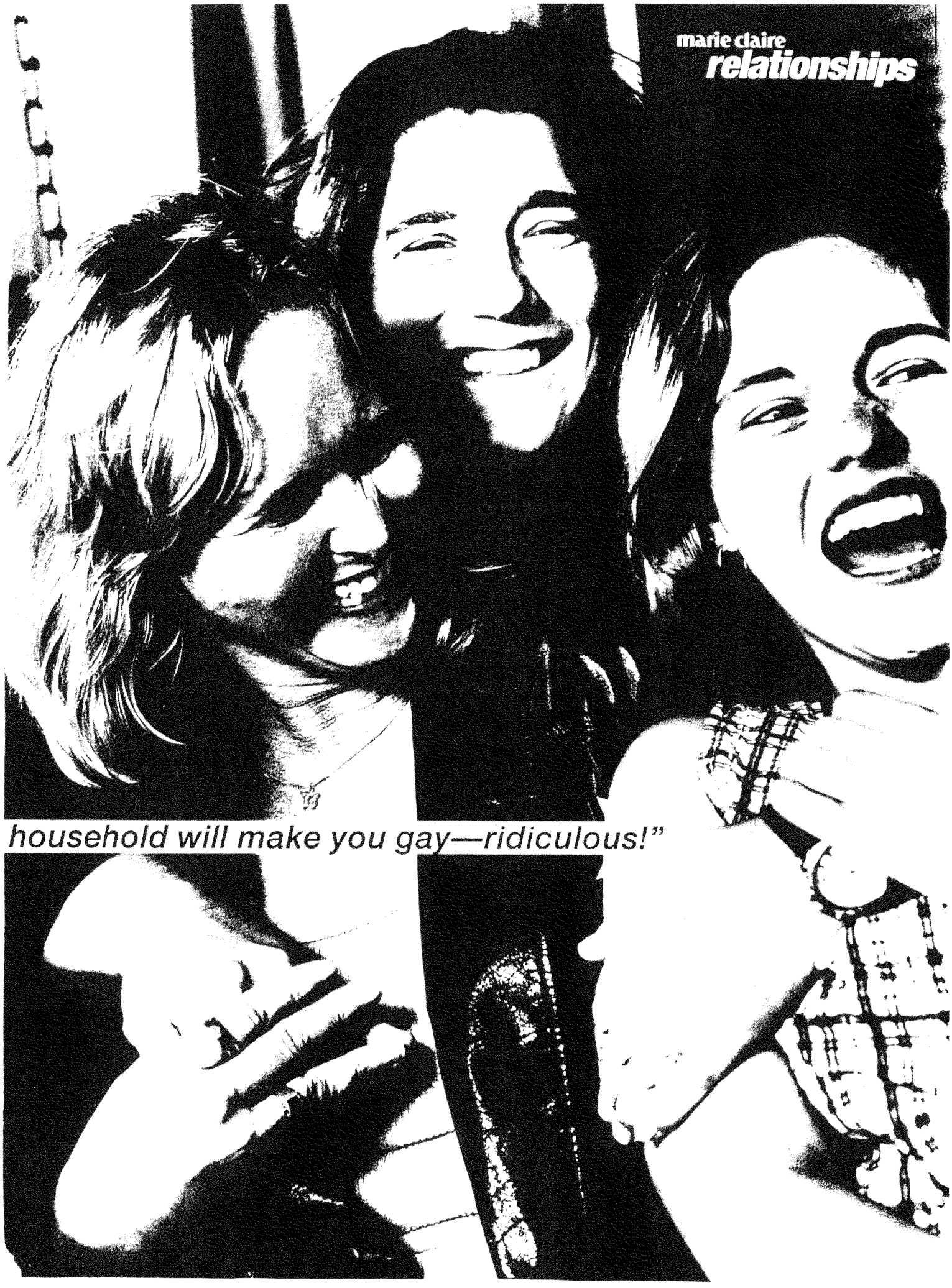
1 **Kellen Kaiser, 16,** lives in San Francisco with her mothers, Nina and Nora.

"People assume living in a ga

In elementary school I was taunted for having lesbian mothers, and as I grew older I became very sensitive to anti-gay remarks. If anyone in school even dropped anti-gay slurs, I would challenge them. When I was younger, I was sometimes embarrassed when my mothers were affectionate in public, and I'd ask them to cut it out. By the time I was a teenager, I was over that. I am incredibly proud of them and love them both madly.

My mother met Nora when I was 5, and they got married in a commitment ceremony when I was 5½. There was a lot of teasing, and people told me my parents couldn't be married, which was very traumatic because it completely invalidated who I was.

I think it is ridiculous that people think ▷



household will make you gay—ridiculous!"

"I FEEL BLESSED BECAUSE THERE IS SO MUCH LOVE IN OUR FAMILY," SAYS JOSH GRAHAM, SEEN HERE WITH SARA (CENTER) AND BONNIE.

you need a mother and a father to raise a healthy child. Biology doesn't make a family—love does. They should meet my family. There are two moms, and so much love—more than in most nuclear families. They both discipline me and argue with me, and I don't feel I lost anything by not having a father. If anything, they've been role models for a loving relationship that involves respect and compassion.

My father and I have an on-and-off relationship. He learned of my existence when I was 3, and since then I have seen him a couple of times. I'm sure when I was younger I wondered what it would be like to have a father in my life, but the support in my family is so strong. If your parents are good enough, it doesn't matter that they do not form a traditional family.

I have plenty of male role models. Both my mothers adore men, so I was raised in a house that was not anti-male. Society at large has given me male role models, and I always have male friends, teachers, and grandparents to turn to.

People assume living in a gay household will make you gay. That is ridiculous. I think these assumptions come from ignorance and prejudice. I am straight, and it came to me naturally and early on. I think my mothers give me different things in equal measure. Nina and I are incredibly similar. We look alike; we share interests. She is my best friend and she sets the rules. Nora waivers; she is more of a softie. Nora is really wise, and she has taught me a lot about people.

The hard thing for kids is that before you start school, you are not exposed to homophobia, but once you're in school, you're bombarded with it. I think schools have to play a part in this. Just as you teach that racism is wrong, you should teach that homophobia is wrong.

2 Josh Graham, 30,

lives in Portland, Oregon. He was raised by two mothers, Sara and Bonnie.

"I was aware of my own sexuality and never doubted it."

My father died when I was 5. I was 10 when my mom met Bonnie, and they moved in together. That was very difficult for me. I hid it from all my friends at school. Everybody else had had a mom and a dad, even if they were divorced. But I ▷

"The court thought my being gay would harm the girls."

Estimates suggest that anywhere from 6 to 10 million kids in the U.S. have one gay parent. And more and more often, these parents are fighting for custody of their children.

Julie Packard, 33, left her marriage of 11 years after falling in love with another woman. In court, Julie's ex-husband argued that he and his new wife could provide a "Brady Bunch" life for his two daughters. The judge agreed that Julie's lesbianism was a factor in the custody decision and that her husband provided "a more traditional family environment for the children." Julie has appealed and is awaiting a ruling.

"My daughters have said openly that they want to live with me. My oldest starts crying when I take her back from a visitation. They love my partner; they consider her a second mother. We don't influence the girls either way. We are raising them to accept everyone and not to judge. My ex-husband and his wife tell the girls that I am a sinner, that I am going to hell.

"I know we can provide a loving environment, just like a heterosexual couple. I consider myself a good mother with good morals. I don't think the girls will lose anything coming back to me. They will still see their father, but they will also have us.

"I feel that our legal system is unfair and that most judges base their decisions on ignorance and incorrect assumptions about the gay lifestyle. They think we're weird. They don't have a true idea of who we are. I don't see us as that different. Yes, we're two women, but that's it."

Photos have been omitted to protect the children.

■FACT The data does not suggest HIGHER RATES of homosexuality among children of gay parents.

taunted me, and I got into a lot of fights over it. I am a Christian, and it was hard as a child to go to church and hear the message that your mothers are sinners. For a while, I left the church because of it.

It's funny, because if you met us you would see we really are the traditional American family. As a parent, my biological mom has been more of a free spirit, always praising me, while my "heart" mom has been more authoritarian and intellectual. I call my biological mom "Mama" and my heart mom "Mumu." I just see having two mothers as double the love and caring and compassion. I've also had a wonderful male role model in my grandfather. He never had a problem with my mother being gay, and my grandparents have always accepted "Mumu" completely. Sometimes I miss my father terribly, especially around his birthday, but my grandfather fills the place my father would have.

A lot of children of gay parents keep it all a big secret, but I never did. My younger sister, however, had problems with it. She didn't bring friends home because she was worried about their reactions.

I told my mothers I was gay when I was 13, and they were horrified. They cried, asking me if I was sure. They didn't want me to suffer the way they did, but I never questioned my sexuality; I always knew. One good thing about coming out was that I didn't have to worry about getting kicked out of the family.

The comment I most often hear is that my moms "made" me gay. It's not true. My sexuality was defined, and I knew it. I am now in a committed relationship. I am really proud of my moms for being honest with us and with themselves. There was so much love in our house that my friends actually used to say they envied me.

4 Greg Eighmey, 26, lives in Portland, Oregon. He was raised by two fathers, George and Peter.

"I choose to love my wife, and my father chooses to love Peter."

I was 10 when my father told me he was gay and explained that Peter would become part of his life. They moved in together, and at 13 I came to live with them. I think that when I was that young, I didn't really have a concept of what being gay was. But when friends came by, if there were gay magazines lying around I'd turn them on their covers.

Open affection wasn't a problem for me because Dad and Peter are not like that. When I was about 15, I took a stand and told people my parents were gay. I was very sensitive to homophobic comments, and I thought nothing of getting in a guy's face and saying, "I know gay people and you are wrong," or "My father is gay." Usually they had no response.

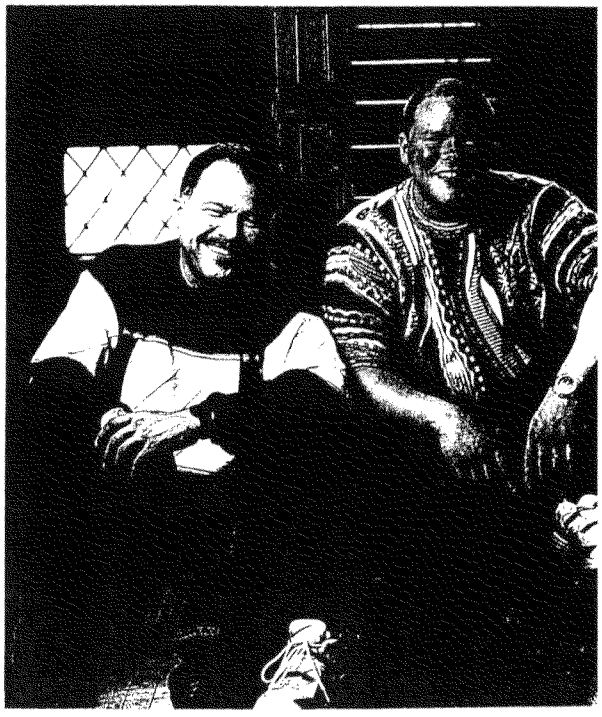
As I see it, the only difference is in who my dad chooses to love. I choose to love my wife, and my dad chooses to love Peter.

I am not very close to Peter. I think I blamed him for the upheaval after my parents got divorced and my dad came out. I certainly love and respect him; we just don't have a lot in common. But I am very close to my dad, and I see him and Peter regularly.

People think a gay father is not a good role model for a straight son. But we did plenty together sports and things. Now we shoot pool and have a beer, and I can talk to him about anything.

Even though my father got custody, I still have a relationship with my mother, and I certainly don't feel that growing up in a gay household deprived me of heterosexual role models. I was kissing girls at age 8 in school! I knew I was straight, and I could always talk to my dad about girls. I was never curious about homosexual love, ever.

Having two fathers has made me very sensitive to other people's feelings, because I saw how Dad suffered due to homophobia. I've also learned what love and commitment mean. Dad and Peter have been together for 16 years. They've been through some rocky patches, but they've stuck it out. It makes no difference that they are two men. Gay and straight parents really do want the same thing, which is to love and raise their families. □



GREG EIGHMEY (RIGHT) AND HIS FATHER GEORGE HAVE A VERY CLOSE RELATIONSHIP. "I CAN TALK TO HIM ABOUT ANYTHING," SAYS GREG.

LOVE MAKES A FAMILY, inc.

Issue #1 **Newsletter** December 1993

PO Box 11694, Portland, Or 97211 (503) 288-4306

Love Makes A Family, inc. Builds Base, Outlines Programs During First Year

Organization Incorporated, Outreach and Family Support Programs Meet With Success

Tax-exempt Status Granted

Love Makes A Family, inc. was incorporated in January, 1993 by the six members of the founding Board of Directors with the assistance of Portland Attorney Gersham Goldstein. He also provided pro bona legal services to file an application for federal tax-exempt status which was granted in July. This "501 (c) (3)" status is essential for most grant applications and also makes all individual financial contributions tax deductible.

Outreach Builds Community Support for Sexual Minority Families

Creating opportunities for lesbian, gay and bisexual families to be open and respected in society is a major part of the Love Makes A Family program. Providing information, interacting with social institutions, and empowering individuals to engage in dialogue about our differences provide the focus for three Love Makes A Family outreach programs developed this year; all are well on their way to success.

Talk Radio Program Reaches "Middle America"

Broadcast over commercial talk radio station KKEY, the *Love Makes A Family : Lesbians, Gays and Family Values* weekly talk radio program is probably the first of its kind in the nation.

The program is also a first for KKEY, the Portland area station that broadcasts a national show hosted by Pat Buchanan. Station owner Linda Weagant was willing to take a risk and put the program on the air, however, because of her own belief in fair play. When asked about the program by the *AlternativeConnection*, she said: "I don't think anyone should have to suffer from that kind of isolation becuase of who they are."

Tune in KKEY 1150am
Sundays, 6 PM

12/19 Karen Fong; Amy Valentine
12/26 Casey Baker
1/2 Bob Ralphs
1/9 Sean Najara, Jeff Mock
1/16 Fred Neal
1/23 Ann Hinds, Mark Stucker
1/30 Peggy Hackenbruck
2/6 Lee Coleman
2/13 Taffy Gleason

Knowing that her listening audience includes many people who have supported anti-gay measures did worry Weagant. "It made me a little nervous," she said, "but I think its important we have a show like this."

Since its debut May 18, 1993, thirty programs have been broadcast and taped, providing a valuable oral history library. The tapes are available on cassette .

Deborah Betron, owner of Bridgetown Realty, provided the initial backing for the program after participating in the public debate over Measure 9. "People can listen to the legal arguements about gay and lesbian rights over and over," she said, "but it just doesn't touch them the way this kind of discussion can." W.E. Oster Mortgage Services is also a major sponsor.

(First Year continued, page 2)

(First Year continued)

PTA Panel Founded by Concerned Parents and Teachers

The *PTA Panel* is a presentation created by gay, lesbian and straight parents and teachers to facilitate discussion of sexual orientation issues within school communities. The PTA Panel program committee is chaired by Frank Stovall, a Public School Teacher; the Panel is moderated by Betsy Ramsey, President of the Ainsworth LSAC (Local School Advisory Committee).

The PTA Panel was founded after defeat of Measure 9 in November, 1992. Feeling that gay school teachers were pressured to remain closeted during the campaign, Frank convened a group of gay, lesbian, and straight parents and teachers to open up discussion.

After several meetings involving over 20 people, the group decided to become a part of Love Makes A Family.

The project was named The Parent Teacher Action (or PTA) Panel.

The Panel's debut performance was at a forum jointly hosted by the Ainsworth Elementary School PTA and LSAC. in May, 1992.

This Fall the group's first "outside" invitation came from the Faculty of Mt. Tabor Middle School. The presentation on December 6, 1993 included remarks from a Mt. Tabor parent and a coming out statement from a faculty member at Mt. Tabor. The presentation was well received and the panel looks forward to many more speaking engagements as word of the panel spreads.

Speaker Training Program Teaches Dialogue Skills

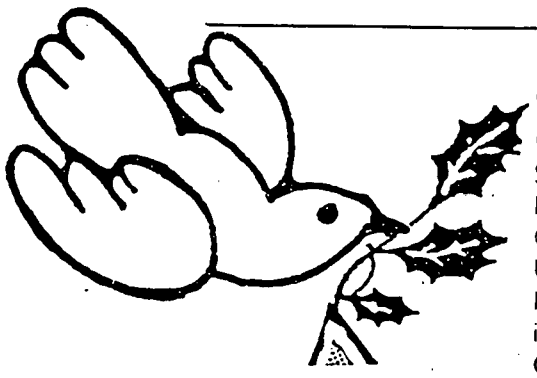
Turning verbal confrontation over sexual orientation into opportunities for dialogue is the focus of the *Opening Hearts and Minds* speaker training program developed through Love Makes A Family, inc.

Core materials for the workshops were developed by Amanda Colorado, Scott Nichols and Bonnie Tinker as they worked in cooperation with the Oregon Speak Out Project to provide workshops on speaker training and public outreach methods to about 1,000 people in six states during the past year.

This Fall the three were joined by Karen Fong, Donna Meyer and Cecil Prescod in creating and presenting a workshop that met Thursday nights for five weeks in Portland. 25 people attended at least one of the five sessions and ten completed the full course. A weekend version of the seminar is scheduled for February 25-26, 1994 in Portland. Presenters will also travel to give the workshop in other communities. Call the Love Makes A Family Office for more information.

Speaker Training Workshop:

February 25-26, Portland



Come Out for Christmas

Shalom Ministeries, Metanoia Peace Community and University United Methodist Church invite everyone to a **Christmas eve.**

Candlelight service, 11 PM, 4775 N. Lombard, Portland

No Closets Required

Council for Exceptional Children

A workshop titled *Love Makes A Family: Learning to Respect Human Rights and Family Values* will be presented by Bonnie Tinker to the National convention of the Council for Excetional Children in April. This is an opportunity to address special education teachers about sexual orientation issues. Registration for the conference has been provided by educators in Oregon who proposed the workshop; they are raising funds for transportation- *contributions are welcome!*

(First Year continued)

Support for Lesbian, Gay and Bisexual Parents and our Children

With the support of the Portland P-FLAG (Parents, Families and Friends of Lesbians and Gays), Love Makes A Family, inc. sponsors a monthly discussion group for lesbian, gay and bisexual parents along with programs for our children. There are activities for young people from elementary through high school ages. The groups meet concurrently from 7-8:30 PM (which coincides with the monthly P-FLAG rap group time). Parents are also invited to attend the monthly P-FLAG program from 8:30-9:30 PM. If you are interested in attending or in volunteering to assist with the children, please call the Love Makes A Family Office .

Groups for Parents and Children meet 4th Wednesdays, 7-8:30 PM

Love Makes A Family forms Chapter of G.L.P.C.I.

A Love Makes A Family, inc. chapter of the Gay and Lesbian Parents Coalition, International was chartered in June, 1993 with 25 members. Chapter members receive a quarterly G.L.P.C.I. newsletter and their children receive the COLAGE (Children of Lesbians and Gays Everywhere) newsletter. Love Makes A Family members can join by checking the appropriate boxes on the Love Makes A Family Membership form.

In Memory.....

Stella Douglas, President of Love Makes A Family, inc. and Vice President of the Oregon Art Therapists Association was killed in an auto accident October 15, 1993.

Woody Johnson, known as Lady Elaine Peacock when he performed, died October 27 of AIDS related causes.

Stella and Woody were guests on separate shows on the Love Makes A Family radio program in recent months. Both are dearly loved by many friends and family members and will be greatly missed by the community

Gay and Lesbian Parents Coalition International

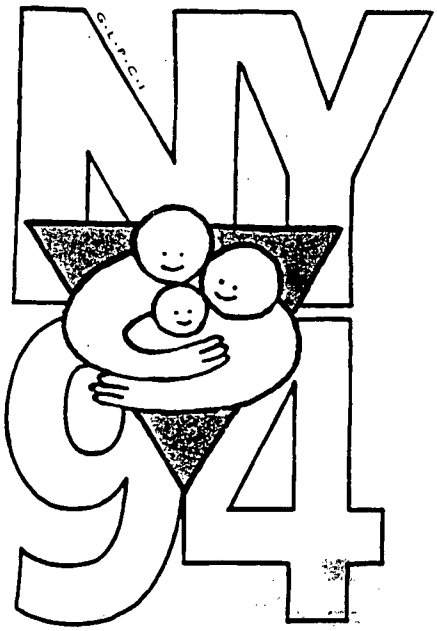
British G.L.P.C.I. "MUM" visits Pacific Northwest

Babs Greenwood, founder of "My Mums Group," a G.L.P.C.I. chapter in Devon, England visited Love Makes A Family inc. this Fall.. During her 6 week stay the seventy year old great grandmother appeared on our talk radio program, was interviewed on *Queer Planet, a cable access TV program*, and attended three conferences in Washington, the West Coast Quaker Lesbian conference in California, and P-Flag meetings in Ashland and Portland. A lifetime entertainer, she graciously provided accordion and piano music wherever she went.

15th Annual Conference

The 1994 international conference of G.L.P.C.I. is being held in New York City as a part of Stonewall 25. The conference is composed of three related sub-conferences: the Parents' Conference , The COLAGE conference for children ages 13 and older, and the Children's Conference for ages 6-12. Childcare will be available for children under age 6. Contact the Love Makes A Family, inc. office for registration information.

June 24-25, 1994



FAMILY VALUES

1993 Preliminary Financial Report

Contributions from individuals, providing 39% of the total income received as of December 10, laid the foundation for a solid funding base for Love Makes A Family, inc. during 1993. Foundation grants, including $3,250 from McKenzie River Gathering and $3,000 from the Ralph L. Smith Foundation for general support, and $500 from the Open Meadows Foundation for the radio program, provided a solid 23% of the budget. Although budgeted amounts for 1993 were not reached, this was to be expected for our first year in operation. Year end fundraising appeals are expected to increase the 1993 totals, and pending grant requests hold promise for more financial security in the coming year.

EXPENSES

Category	1993 Budgeted	1993 Actual* as of 12/10/93	% iof Total
Personnel	$32,750	15,981	57%
Office Equipment	3,200	229.99	
Office Expenses	5,040	1,135.06	
Outreach and Education	3,610	1.058.69	4%
Photo and documentation	1,640	888.45	3%
Professional expenses	850	555.17	2%
Professional, legal and insurance fees	1,200	20.00	
Reserves	2,500	0	
Scholarships	1,000	0	
Travel	3,800	2,644.97	10%
Radio Program	4,005	2,970.98	11%
Workshop		380.00	1%
Lending Library		182.63	<1%
Loan Repayment		300.00	<1%
Other		87.21	<1%
TOTAL	$59,595	27,865.60	100%

INCOME

Category	1993 Budget	1993 Actual* to 12/10/93	% of "Actual"
Individual Contributions: General Members	5500	3,811.40	14%
Individual Contributions: Major Donors ($300+)	12,000	6,960.00	25%
Memorial Contributions	0	115.00	
Educational Materials	3,000	2,540.75	9%
Churches & community groups	2,000	2,567.00	10%
Foundation Grants	25,170	6,250.00	23%
Corporate Grants	5,.000	0	
Reimbursements:	920	573.00	2%
Radio Program	4,005	3,220.00	12%
Workshop Fees	0	890.00	3%
Misc.	0	391.20	2%
TOTAL	$59,595	27,318.35	100%

* "Actual" figures include pledged contributions and liabilities (except payroll) due in 1993. Final payroll will be negotiated according to year-end fundraising results.
** Does not include special project expansion of radio program
*** Workshop budgets to be developed for January revision

Love Makes A Family, inc. General Membership Form

Name/s_____

Address:_____Phones:_____
street city state zip work home

Additional Family Members
(please list children's ages)_____

_____ Please enroll us in the Love Makes A Family Chapter of G.L.P.C.I. (Gay & Lesbian Parents Coalition, Int.)

_____ Please add our children to the COLAGE (Children of Lesbians & Gays Everywhere) *Just For Us* newsletter mailing list

Amount Enclosed: Sliding Scale, $10 - $100
(No one will be denied membership for lack of funds)_____

Please send information about:

_____the PTA Panel _____speaker training _____KKEY radio program list _____volunteer opportunities

THE COLUMBIAN

THURSDAY, OCTOBER 16, 2003

In the family way

Support group helps members of sexual-minority families see they are not alone

By NICOLE GRESS
Columbian staff writer

Jo Lukinich, 28, and her partner face a number of challenges in raising their 9- and-11-year-old daughters.

The lesbian couple have to provide legal documentation on subjects that marriage usually covers for traditional couples. Their children could be more at risk for harassment and ridicule in school.

Not to mention discrimination the women may face themselves based on their sexual orientation.

That's where Love Makes A Family comes in.

"We've been going to the group for about two years ... originally because our family needed support," said Lukinich, a Vancouver resident who is also one of the parent coordinators for the group.

GRASS roots

The international organization, started in 1992, provides support, resources, information and a public voice for lesbian, gay, bisexual and transgender-headed families and sexual minority youths. Local support groups meet monthly in Clark County and the Portland area.

"The most important thing is the opportunity for the children to know other children who have lesbian and gay parents," said Bonnie Tinker, 55, of Portland, who has three adult children with her partner of 26 years.

"Even for that brief time during the month (support group meetings or other group activities), they know kids just like them ... and that they are not alone. It's important for the parents, too," she added.

FAMILIES, *page 2*

MIKE SALSBURY/The Columbian

Andrea, left, and Cheryl Eiland enjoy a playful moment with their daughter, Alexis, 2, during a meeting of "Love Makes a Family Inc." The group offers support, information and resources for families headed by lesbian, gay, bisexual and transgendered persons.

ABOUT LOVE MAKES A FAMILY

- **MEETINGS:** 6 to 8 p.m. the third Friday of each month at Children's Home Society, 309 W. 12th St. Free child care and programs for older children. Topics include school and community issues, parenting and relationships.
- **MEMBERSHIP:** Open to all who support the group's goals. Membership fees are based on a sliding scale. Members receive newsletters and mailings about special events.
- **SERVICES:** The group provides speakers who discuss sexual minority families and related issues and offers a speaker-training workshop. The organization also offers professional referrals for issues including marriage, adoption, legal references, counseling, crisis support, nonviolent parenting, friendly churches and school advocacy.
- **COMING UP:** Benefit auction Nov. 23 at Darcelle XV in Portland.
- **Contact:** 503-228-3892; www.lmfamily.org; P.O. Box 5163, Portland, OR 97208-5163.

Families:

From page 1

The main goals of the organization are to work for social change in institutions and to persuade the public to support equality and economic justice for all people, according to the group's Web site.

Lukinich said the Vancouver group is currently working on two projects: educating school staff about issues faced by children with sexual minority parents, and teaching sexual minorities how to provide legally for their families.

"We're trying to find out what resources are available for families with children going into schools. Is it a safe and equal learning environment, or is there bullying? And if that happens, how will it be dealt with?" Lukinich said. "There are some resources parents don't realize are out there until there are problems."

Some of these resources include the group's library collection of books and videos and the Middle School Transitions Project, which aims to educate teachers and administrators on the need to recognize family diversity of all kinds.

Tinker wants teachers to be aware of prejudices they may project onto students without even knowing it. For instance, instead of saying "Take this home to your mom or dad," they can say "parents" or "adults in your household." Or teachers can suggest that children make two Mother's Day gifts in class if needed.

She also hopes to see more books in school libraries depicting couples of different sexual orientations in families, which will send a message that those families are also normal.

"There's been a great deal of resistance to this. People have gone in and stolen those books," Tinker said.

But, she added, the good news is "we are hearing from our parents now that many of them are having good experiences with the teachers."

"By being out there and being involved, we help make sure our children are getting a safe environment ... and protect children from being bullied," Lukinich added.

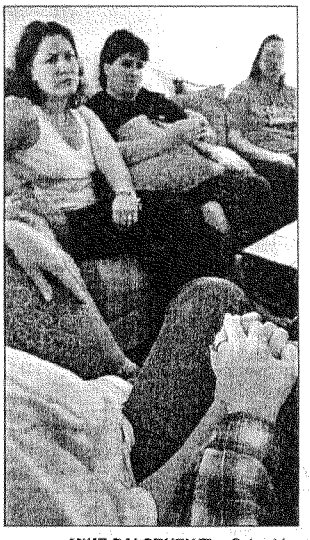
Lukinich is also working on getting lawyers to come to a meeting to discuss legal protection for families.

Some issues the families have to face are medical releases for children, wills, and fighting for rights to partners' Social Security benefits.

"It costs a good bit to get it all done. If all this stuff isn't taken care of, it spells a lot of trouble," Lukinich said.

This is related to the theme of keeping families together and dealing with outside stresses, issues often addressed at support meetings.

"We want to try to get some support systems around these kids when they are little, so when they grow up, they know the problem isn't with their parents. It's with the way society treats their parents," Tinker said.



MIKE SALSBURY/The Columbian

Jo and Deb Lukinich hold hands at a meeting of "Love Makes a Family Inc." during a discussion with members, from left, Andrea Eiland, Cheryl Eiland and Jeanne Meyer.

LOVE MAKES A FAMILY, inc.

Newsletter

Issue #2 Winter 1994

PO Box 11694, Portland, OR 97211 PH: (503) 228-3892; FAX: (503) 228-3970

OCA Threatens Families

Impact of Extreme Right Felt in Schools

Measure 13 is over. The proposed change to Oregon's constitution was defeated by a slim margin on November 8, and we can all breathe a sigh of relief. Our hard work brought the results we needed.

But the defeat of 13 does not cancel out the damage already done by the anti-gay and lesbian organizing of the Oregon Citizens Alliance. With or without future ballot measures, our families will continue to face discrimination; the work we do, every day, to end that discrimination is as vitally important now as ever.

Public education is a prime target in the "cultural war" declared by the extreme right. Beaverton teacher Larry Smith came under attack from the OCA after he led a workshop about male gender role stereotypes for eighth grade boys in May. Smith, who appeared on the Love Makes a Family radio program in August, has been accused of "promoting" homosexuality because he answered questions which arose during the workshop. Parents who had genuine concerns were overshadowed by members of the OCA who stepped in, called for Smith's dismissal, and turned the incident into a fund-raiser. To their credit, the Beaverton schools have continued to support Smith.

Unfortunately, the OCA's involvement can fuel silence and censorship in the public schools, the opposite of the open community dialogue necessary to address the moral and educational concerns of parents, teachers, and children. Beyond the danger of legislation which denies the equal rights of lesbians and gay men, our families and schools are threatened by the manipulation of community concerns into battles over morality. The extreme right has declared "cultural war," but we can respond non-violently. Members of our communities need to come together to find common ground.

Love Makes a Family works to facilitate open dialogue among families in order to bridge differences over sexual orientation. This spring, for instance, members of our Parent Teacher Panel helped pass a statewide PTA resolution supporting family diversity. (See page 2) With this programming, we may see through the threats posed by the OCA to a future of acceptance and support for all families.

Love Makes a Family Programs Growing

Radio Program Moves to Drive Time

Love Makes a Family; a Public Dialogue about Lesbians, Gays, and Family Values, the talk radio program hosted by Bonnie Tinker and aired on commercial station KKEY, moved this summer to a two hour drive time slot. Now heard every Wednesday from 7-9am, the show continues to draw more caller response. It was featured in the cover story of *The Lavender Network*'s August edition as one of only three lesbian and gay talk programs on commercial radio in the US, the only one on drive time, and the only one with a family emphasis.

Tune In
Wednesdays, 7-9am, KKEY 1150am
11/23: Child Custody -- In Whose Interest?
Coming Soon: Author Dorothy Allison

By reaching an audience who may not usually hear a positive gay and lesbian family voice, the program is filling a vital role in our communities. These efforts are made possible through sponsorships from local businesses and organizations. Thanks to our recent sponsors, It's My Pleasure bookstore, Wild & Fresh Herbal Products, Harmony Bakery, Jude Watson at Bridgetown Realty, Smart Mail, Dick Levy at Bluestone & Hockley Realty, Inc., and Warren Oster & Associates.

Parent Teacher Panel Secures Statewide Resolution

In April, the Parent Teacher Panel on Family Diversity and Sexual Orientation (formerly the Parent Teacher Action Panel) helped pass a resolution at the convention of the Oregon PTA which reads: "**Resolved that the Oregon PTA rejects prejudice, harassment, discrimination or intolerance directed against students, parents, teachers or staff members as a result of their sexual orientation; and be it further resolved that the Oregon PTA opposes all legislative attempts to suppress discussion of family diversity and sexual orientation.**"

With this success, the Panel is preparing for another year of involvement in the local schools. If your PTA needs to hear about family diversity and sexual orientation, contact the LMF office.

Opening Hearts and Minds

Love Makes a Family continues to train speakers through the Opening Hearts and Minds program. The workshops, which teach non-violent speech technique, have been held across the US and are available for any interested organization. In the Spring, Bonnie Tinker and Cecil Prescod led a training in Ann Arbor, Michigan sponsored by the American Friends Service Committee. They were happy to note that an attempted anti-gay measure failed to get on the ballot in that state. The OHM committee met over the summer to address "special rights" and affirmative action. OHM trainings were held in Portland on September 24 and October 8. These trainings were co-sponsored by the

Families P.A.C., and in conjunction with No on 13, to prepare speakers for this election season. Thank you to all who took part, and good luck in your speaking! Another training will be presented in January at the Quaker Center in Ben Lomand, California.

Support for Gay, Lesbian, Bisexual Parents and Families

Love Makes a Family sponsors a monthly discussion group for gay, lesbian and bisexual parents, with activities for children and young teens. The group, now held every second Monday at 6 pm, is a support for parents facing the special joys and concerns of being a gay, lesbian or bisexual mother or father. Marla Montgomery, chair of the Support Group Committee, hopes to see consistent attendance and more structured programming this fall.

Parent and Family Support Groups Every 2nd Monday, 6 pm

There are currently two children's groups, one for elementary schoolers, and one for young teens. In addition, LizaJane Gray, an LMF intern in Eugene, is putting together a group for young adult children of lesbians, gays and bisexuals. For more information about any of the groups call the LMF office.

New Office Downtown

In July, LMF moved into a new office at Union Station. With the help of donations from Stoel, Rives, Boley, Jones & Grey and Bridgetown Realty, we have created a functional and comfortable space. Come see us sometime! Office hours are 10am-5pm, Monday-Friday. Donations of further equipment, including a small refrigerator and microwave, are still needed.

Also, we have a new neighbor, the Families P.A.C., which campaigned against Measure 13 with a specifically family-oriented message. We wish them good luck. You can make political contributions to Families P.A.C. at PO Box 1485, Sandy, OR 97055.

LMF Library

The Love Makes a Family library, which contains books and magazines of interest to gay, lesbian and bisexual families, is as yet small and unorganized. We need more books, magazine subscriptions, and volunteer help to make it a useful tool. Please call the office to offer your time and materials.

New Interns Welcomed

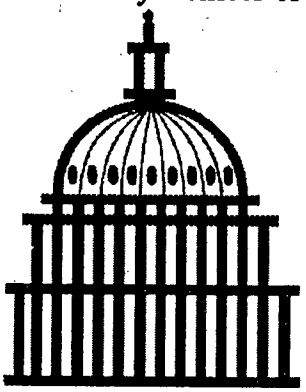
Sarah Vaughn, a student at Antioch College, joined us in July as an intern. She will be here through mid-December, working on a variety of projects. If you come visit the new office, you'll meet Sarah, as well.

LizaJane Gray is another intern, working out of Eugene. LizaJane's main focus is to start a group for the young adult children of lesbians and gay men.

Winter 1994 Newsletter edited by Sarah Vaughn. Thanks to LizaJane Gray, Inga Sorenson, Sara Graham, Bonnie Tinker, and everyone who contributed to its production.

Employment Non-Discrimination Act

The Employment Non-Discrimination Act would extend federal employment discrimination protection to sexual orientation. Introduced by Sen. Edward Kennedy and Reps. Barney Frank and Gerry Studs, the legislation is cosponsored by 32 Senators and 137 Representatives in the House, the most ever for such legislation. The 103rd Congress is coming to a close, so the bill won't be voted on until the next Congress begins. This gives you time to contact your representatives and urge them to help protect everyone from unfair job discrimination by calling or writing. To contact any member of



Congress, call the Capitol Switchboard at 202-224-3121 or write to the US House of Representatives, Washington, DC 20515 or the US Senate, Washington DC 20510.

For more information, contact the Human Rights Campaign Fund's Oregon FAN (Federal Advocacy Network) Project at PO Box 9174, Bend, OR 97708, (503)593-8718.

Portland Takes Step Forward

Love Makes a Family recently received a letter from Portland Mayor Vera Katz, announcing that, for the first time, "non-married city employees or domestic partners will be eligible for full spousal benefits," including health and life insurance, health insurance for dependent children, and parental leave benefits. The Mayor also noted the city's success in defeating two legal challenges to the Civil Rights Ordinance, and introduced Kim Roth as a volunteer liaison to the sexual minority community. You can register your appreciation of these steps, or concern about other community needs, at 823-4120.

Smith-Helms Amendment Fails

Senators Jesse Helms (R-N.C.) and Bob Smith (R-N.H.) successfully added an amendment to the Elementary and Secondary Education Act that would have denied federal funds to any school district that supports homosexuality as a positive "lifestyle." The amendment also banned counseling or referral to gay and lesbian organizations.

The Elementary and Secondary Education Act was passed in August by the Senate. In October, the amendment was finally dropped and replaced by an alternative sponsored by Sen. Kennedy, which denies funds to any district actively promoting *any* sexual activity.

Though some fear the Kennedy amendment could be used to endanger curricula concerning sexuality and AIDS education, it was hailed as a victory by most gay, lesbian and bisexual organizations.

Portland Area Resources for Gay, Lesbian & Bisexual Youth

Phoenix Rising (223-8299)
Sponsors:
Windfire, meets in downtown Portland.
Voices, for sexual minority youth not living at home. Meets at Outside In.
Awakenings, meets at Harry's Mother on the east side.
Q-Crew, meets Saturday afternoons at Harry's Mother.

The Urban League of Portland (280-2600)
Sponsors:
Rainbow, a positive peer support group, primarily for ethnic minorities ages 12-19.

P-FLAG (Parents, Family and Friends of Lesbians and Gays, Inc., 223-7676)
P-FLAG provides a comfortable atmosphere of openness where family members can share their experiences with others. P-FLAG works to correct misinformation about homosexuality.

Love Makes a Family thanks the following businesses for their donations:

Bagel Land
Bijou Cafe
Bridgetown Realty
Cup & Saucer
Darcelle XV
Helen's Pacific Costumers
Kienow's
Peace Tree Recycling
PowerBars
Prints Charming
Stoel, Rives, Boley, Jones & Grey
Wholesome and Hearty Foods

Love Makes a Family Goes To Camp

For one lovely weekend in August, the OCA was far from the minds of a group of lesbian and gay parents and their kids. Family Camp OUT took place August 25-28 at the YWCA Camp Westwind. It was an opportunity for our families to come together in a beautiful setting on the Oregon coast and realize what community is all about.

The four-day event was set up to provide a "traditional" camp experience. We hiked (a lot), canoed, played on the beach, made crafts, rode horses, and sang around the campfire. Camp Westwind is situated in a breathtaking area on the Salmon River estuary, near wide beaches and untainted forest. It was the special quality of those who attended and led the camp, however, that made the weekend so extraordinary. Rarely do our families have a chance to be together in such an atmosphere of openness and love.

This year's Family Camp OUT was the first of its kind, and we all hope it will grow into an annual tradition for many families. When the whole group congregated to say good-bye on Sunday afternoon, one parent noted that the experience renewed her faith in creating a community which is respectful, loving, and diverse, and which will redefine the meaning of family for us all.

Family Camp OUT needs your support to ensure it will continue in the future! Call the YWCA of Portland, at 223-6281, to express your appreciation and excitement about this important new program.

Love Makes a Family Picnic a Success

The Love Makes a Family picnic on August 21 drew a friendly crowd of 20 people to Irving Park for barbecue and potluck. The kids made use of the park's play equipment while older folks chatted and sampled the food. Several T-shirts and door prizes were given away in a raffle. Karen Keeney, a representative of the Equity Foundation, was also on

hand to present a grant of $1500 to LMF for computer equipment. Though a burst of rain sent the picnickers scattering a little early, it was a fun and delicious afternoon.

Many thanks to Marie Sorenson and everyone else who made the event possible.

CALLING ALL VOLUNTEERS!

Love Makes a Family needs you! Whether it's organizing the library, staffing a table at an event, or putting out a mailing, there is always a lot of work to do and fun to be had. Call or drop by the office to find out what adventurous tasks we can give you.

The next intern from Antioch College will be arriving at the beginning of January, and will need **housing** through mid-March. Please contact us if you can offer space in your home.

LMF In Brief

Amanda Colorado and Sarah Vaughn traveled to San Francisco over the Labor Day weekend for the **1994 P-FLAG convention**. Over 1,000 people came to the convention to build "Bridges to Equality." A variety of workshops, speakers, and entertainment addressed that theme.

Sarah and Amanda raised money for Love Makes a Family through button and T-shirt sales, and distributed literature to folks from all over the country.

P-FLAG is a great support for all our families. The Portland chapter meets every fourth Wednesday. (See calendar, p. 15.)

Love Makes a Family participated in a **family activities time** hosted by the Families P.A.C., prior to the No on 13 rally on October 9. We got together and had a good time while supporting our families in their fight against measure 13.

The Lesbian Community Project and the Lesbian Avengers hosted a **National Coming Out Day** march and rally on October 11, to "break the silence" and "stop the violence" of hate crimes.

The National Lesbian and Gay Law Association held this year's **Lavender Law** conference in Portland, and Love Makes a Family was there with literature and buttons. Thanks to Scott Nichols for helping us provide our information.

GLPCI Conference

The 16th annualGay and Lesbian Parents Coalition International Conference will be held June 30 - July 3, 1995 at the University of California at Los Angeles. The conference is made up of three related subconferences for parents, young adults (13 years and older), and children (ages 6-12). Child care will be available for children under age 6. Each subconference will include workshops, guest speakers, special events, and entertainment. Register early! Forms and further information are available at the LMF office.

From Secrets to Self-Awareness

One Young Woman's Experience in Rural Oregon

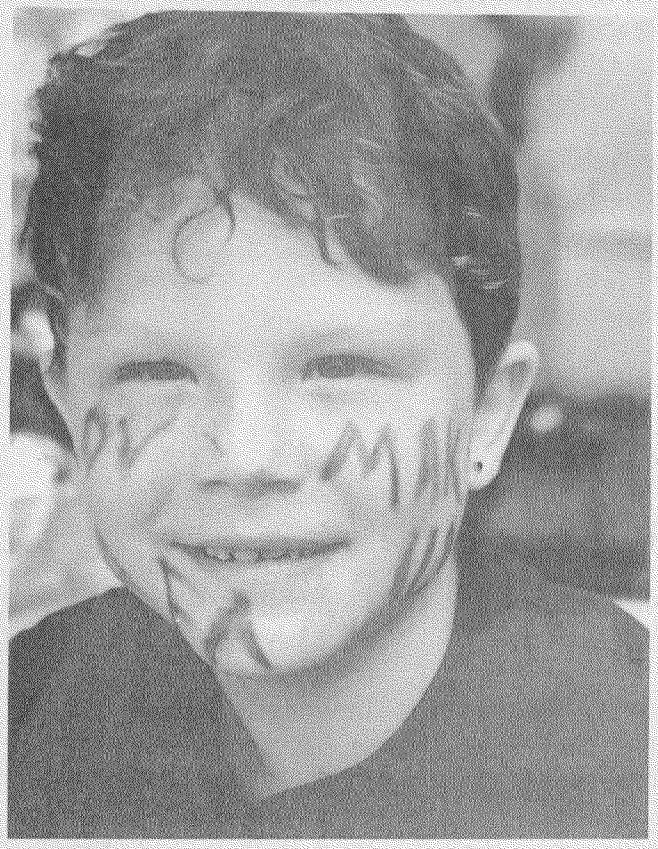
by LizaJane Gray

In my early years, I had to live with secrets -- the secret that my mother loved other women, the secret that my father had relationships with other men. These facts were not to be shared with my schoolmates or my teachers. Friends did not come over to my house after school. I did not discuss my home life with those who weren't a part of it. My life felt fractured into different worlds. Life at home included my mom and her friends, and of course this is where I felt most at ease. When I was away from home, among peers, I felt like I was hiding something, something that everyone was watching for. I was afraid that if they found out that my family was so different, they might not like me any more. I felt afraid of possible rejection because of who my mother and my family are. I was afraid of people's ignorance and cruelty; afraid of their homophobia, and afraid of what judgment they would pass on me for being related to gay people.

"I was afraid that if they found out my family was so different, they might not like me any more."

When I moved into a trailer house on land known to be lesbian, my fears of being rejected by my peers came true. I was in the sixth grade, and the town was pitifully small and isolated. The school bus stopped right in front of my house, so everyone could see for themselves where I was coming from. The first unfriendly situations may or may not have been related to the fact that I lived with lesbians, but they were related to my gender. One boy started to pester me incessantly with the same question: "Will you go out with me?" And my reply was always "no," always, "Look, I don't even know you." But from there, it escalated. Eventually, I started to get leery glances from boys all over the school. In the halls, on the bus, on the playground and in class I was groped and prodded by pre-pubescent little hands. Upon retaliation, I earned the nickname Catwoman. Kids would ask if I was a lesbian, or assume that I was, as in one incident in which a kid wrote the word "gay" on my chair. Other children expressed their learned homophobia in different ways, and most of the time I was merely ignored by them, too embarrassed and shy to approach anyone for friendship.

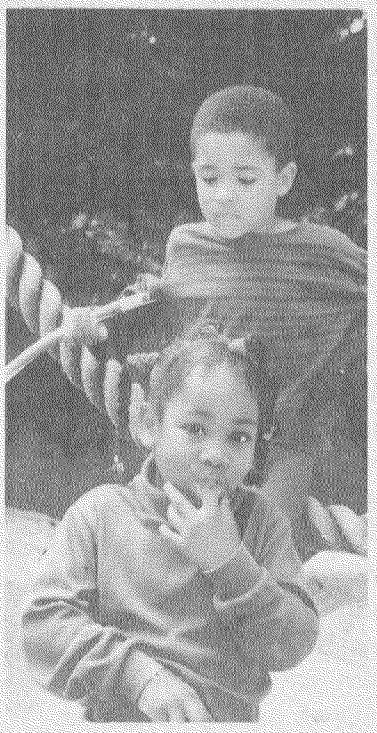
Kenny at the LMF picnic



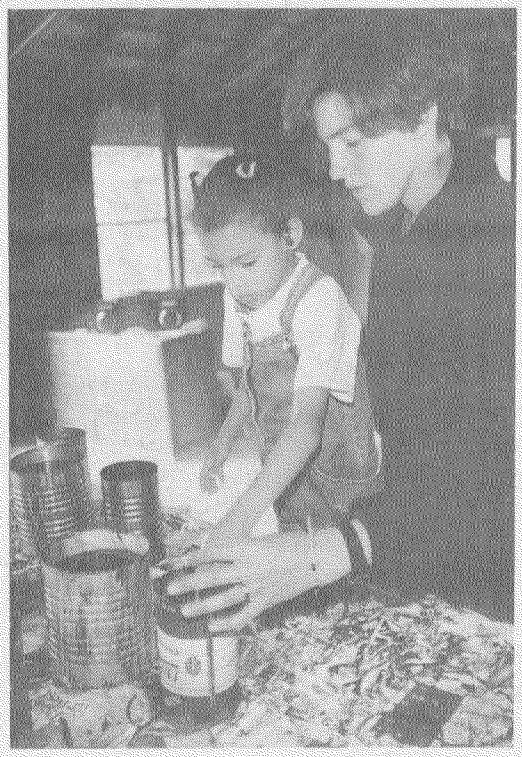
The Love Makes a Family picnic in August was a great success. See the story on page 5.

Photos by Bonnie Tinker

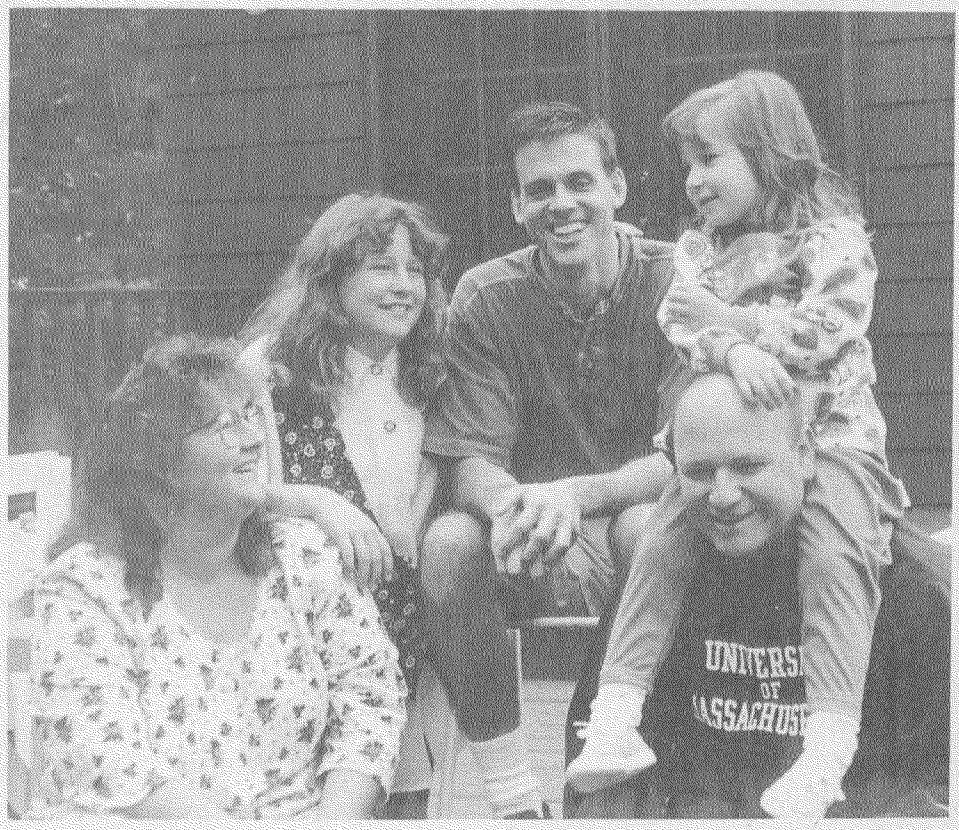
Kids and parents had a terrific time at the YWCA's Family Camp OUT. Turn to page 5 for more about the camp.



Amanda and John David at camp



Andresa and Katie making candles at camp



This photo is one of many featured in *Living in Lesbian and Gay Families*, a photo-text exhibit which will be touring soon. Turn to page 11 for further details. (Photo by Gigi Kaeser)

Lisa & Ashley Watson, Jim Hutchins, Annie & Ken Watson

(Secrets, cont.)

Fortunately, the next year I went to junior high, a new school. Some of the same kids who tormented me went there, but I eventually made friends with kids whose minds weren't closed by homophobia. I felt as if a great cancer had been removed from my being. I was able to rise above the shackles that subconsciously held my self-esteem arrested. For the first time in my life, I was able to breathe the true air of my reality and examine my potential. I no longer had to keep secrets.

Today I am trying to keep my experiences in school from happening to other kids of gay, lesbian and bisexual parents. While I know I can't erase the prejudice that these children will face, I am hopeful that by relating my experiences to them and giving them an opportunity to talk about theirs, we will be able to build a community of mutual understanding. If these children are more secure and self-aware when they face the ignorant people of the world, then there is the hope that their antagonists will begin to question their own beliefs and attitudes. This is my mission as I see it, to change attitudes on a personal level so everyone feels welcome in our small global village.

Advocacy for Youth

The **National Center for Lesbian Rights** (NCLR) provides legal and practical support to lesbian, gay, bisexual and transgendered youth involved in the mental health care system. These youth, despite the strides we have made for equal rights, remain vulnerable to homophobic therapies, unnecessary institutionalization, and other health care abuse. NCLR can provide advice, counseling and referrals about legal rights and support services. Call 1-800-528-NCLR, or write to NCLR, 870 Market Street, Suite 570, San Francisco, CA, 94102.

Children in the AIDS Epidemic

As October is AIDS Awareness Month, we thought it would be appropriate to include a list of resources in the region for children of people with AIDS. Unfortunately, after a brief search, we could find none. Cascade AIDS Project does offer family support groups, but they are geared to adults. One mother told us the only services she knows of are at the Dougy Center (775-5683), which provides services for children in mourning. Do any of you know about support systems for kids affected by this epidemic? And, if there really is such of dearth of services, what should we do about it?

Medallions Remember Those Lost to AIDS

Portland artist Ric Spence recently announced the availability of a "Memorial AIDS Medallion." The medallion portrays a loving community united in compassion to find a cure for the disease which has taken so many precious lives.

It also serves as a token of remembrance for a specific loved one, engraved with his/her name.

Fifty percent of Ric's profits will go to hospice houses, and the medallions will also be sold as a fund-raiser for interested charities, including Love Makes a Family. For further information contact Ric Spence at 503-286-2229 or 800-69CHARM, or call the LMF office.

Volunteer Spotlight

Marie Sorenson is a mother of five children, three of whom are still living at home. As a single parent, most of her time is taken up with soccer games, tae kwan do lessons, school conferences and other "mother things."

Marie has done a variety of volunteer work with Love Makes a Family. She has staffed tables, sold buttons, passed out literature, met with prospective grant providers, appeared on the radio program, and organized the family picnic. Marie has also volunteered with the Cascade AIDS Project's Speakers Bureau, with whom she speaks to women in prison about HIV prevention, and with the Families PAC fighting measure 13.

When asked her opinion about where Love Makes a Family should be heading in the future, Marie expressed her concern for children in lesbian and gay households. She would like to see more advocacy for kids in the schools, to "empower children so they feel strong as we're facing attacks from the OCA." Marie also wants to see more outreach to gay and lesbian teenagers and their entire families, who need support as they start the life-long process of coming out.

Marie Sorenson is a volunteer whose time and effort-- and entertaining sense of humor-- have helped Love Makes a Family grow and meet the needs of its members. Many of the people who run LMF in one way or another too often go unappreciated. We thank all of you.

Wendy's Old-Fashioned Hamburgers is sponsoring an art contest for adopted kids. Prizes of $1000, $500, and $250 saving bonds will be given to the winners. Entries should be sent by November 30 to A Home & A Family Adoption Art Contest, c/o Ketchum Public Relations, 142 E Ontario, Chicago, IL 60611.

Family Photo Exhibit

Love Makes a Family: Living in Lesbian and Gay Families is a photograph-text exhibit of thirty families of diverse racial and economic background with lesbian or gay members -- grandparents, parents and/or youth. (See photo, p. 9) The exhibit is designed to be used by parents, teachers, students and others interested in bringing issues of family diversity to their schools, community centers, churches and synagogues, colleges and museums. There are

"I want this exhibit in my school so kids will learn what gay really means."
-- Ashley, age 10

two age-appropriate versions of the exhibit: one for elementary school students and one for teenagers, college students and adults. Peggy Gillespie, Pam Brown, and Gigi Kaeser, the creators of the exhibit, are looking for sites to show the exhibit. This project will help confront and transform homophobic stereotypes and attitudes, celebrate the diversity of family life, and make schools safer for lesbian, gay, and bisexual youth. If you are interested in being a participant, bringing the exhibit to your community, or donating funds to the exhibit, you can contact the LMF office, or call or write to Pam Brown and Peggy Gillespie, PO Box 1216, Amherst, MA 01004-1216, 413-256-0502 or 256-0049.

Clackamas County Citizens for Fairness is sponsoring an essay contest for students in kindergarten through 12th grades who live or study in Clackamas County. The essay should address the question: **"Why is it important that we defend everyone's basic human rights?"** Winners will be awarded cash scholarships ranging from $50 to $250. Essays should be printed by hand, typewriter or computer, should be no longer than 500 words, and should include the name, address, telephone number, age, grade and school. Entries should be mailed to Clackamas County Citizens for Fairness Contest Committee at PO Box 702, Oregon City, OR 97045 no later than December 1, 1994. Contact Arthur Saffir at 557-7919 for more information.

In the latest issue of ***The Family Next Door***, Drs. Valory Mitchell and Diane Wilson reported some of the preliminary findings from their study of the planned lesbian family. Some excerpts follow.

"All the studies agree that when lesbian couples choose to become parents together, they most often strive for, and often achieve, a near 50/50 sharing of all aspects of family life: decision making, child care, household tasks."

"Our study was also consistent with the others in showing that, in most couples, both partners had not only a strong measurable involvement in parenting, but also a profound subjective sense of themselves as parents."

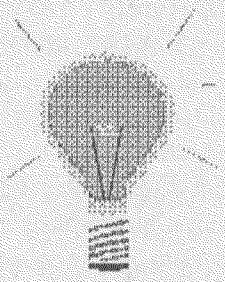
"On the basis of our data, we suggested that planned lesbian families present a viable model of an effectively functioning family in contemporary America....As one participant in our study put it, the strengths of the two-mom family are 'two incomes, two parents, and lots of love.'"

Lesbian parents are invited to join this ongoing study. Names will not be made public and participants will receive written summaries of all research. Write Dr. Valory Mitchell at the Institute for the Psychology of Women, CSPP-A, 1005 Atlantic Avenue, Alameda CA 94501.

The Family Next Door is for everyone involved with a family created by lesbian or gay parents: parents, grandparents, aunts, uncles, neighbors, and all extended family members. To subscribe, call 510-482-5778 or write to Next Door Publishing, Ltd., PO Box 21580, Oakland, CA 94620.

How to be a Grass-Roots Fund-raiser

1. Talk to your friends and family. The people who support you may want to support us too, by helping to organize a fund-raiser, volunteering some time, or giving a donation. Personal connections and resources have made Love Makes a Family what it is today.



2. Be creative. Necessity, after all, is the mother of invention. If you have an idea for a great event, do it! LMF will be happy to help make it happen, especially if it's something we haven't thought of before.

3. Host a benefit brunch, dinner or tea. You've gotta cook anyway, right? Why not invite some folks over and tell them about Love Makes a Family while you eat?

Love Makes a Family, inc. thanks the following foundations for their financial support: Mackenzie River Gathering; Astraea; A Territorial Resource; Black United Fund; Equity; Open Meadows; Out Fund; Paul Robeson Fund for Independent Media; Ralph Smith; Neighborhood Partnership Fund

4. Be aware of opportunities. Many times, publicity or fund-raising opportunities get missed by the folks in the office because we're so busy with other stuff. Everybody can do LMF a great favor by looking out for those opportunities, letting the office know about them, and making sure we don't miss them.

5. Hold a haunted house, hay ride, egg hunt, etc. Seasonal or holiday events can serve as fund-raisers and community get-togethers. Especially for kids, these are a whole lot of fun.

6. Tell everyone you know about the radio program. *Love Makes a Family; A Public Dialogue About Lesbians, Gays and Family Values* is heard every Wednesday morning from 7-9am on KKEY 1150am. The show is an excellent means of education and community dialogue -- and it's expensive. We're able to do it with the help of listener support and business sponsorships. Make sure people know about that opportunity.

7. Carry a stash of Love Makes a Family buttons wherever you go, and show off your T-shirt as much as possible. Don't be afraid to be a walking advertisement!

8. Call or write your favorite entertainers and ask them to do a benefit show for Love Makes a Family. You never know. . . k.d. might jump at the chance!

9. Hold a bake sale, garage sale, or lemonade stand. Okay, maybe these ideas aren't so creative. But they give you a chance to involve your kids in an activity that you'll probably be doing at some point anyway. And they're fun!

Buying.. Selling.. Relocating?
Call Crossroads Real Estate Referral Network
for a referral anywhere.. nationwide.
1-800-4-GAY RELO
(1-800-422-9735)

10. Never underestimate what a difference each one of you can make.

Congratulations, LMF! The Neighborhood Partnership Fund awarded a grant of $7,000 and the Needmor Fund awarded $18,000 to Love Makes a Family, inc. in November.

Upcoming Events, Winter 1994

November 14
Parent/Family Support Groups, 6pm at the Bonneville Power Administration. Call 228-3892 for more info.

November 20
Gay and Lesbian Family Swim, 4-5pm, YWCA's downtown Fitness and Swim Center, $3.75 per family. (This event will occur every third Sunday of the month.)

November 23
P-FLAG, 7pm, Augustana Lutheran Church

November 28
Roller Skating with the Rosetown Ramblers, 7:30-9:30pm, Oaks Park Roller Rink

December 4
Brother to Brother, a gay and bi African American men's group will have a core group meeting at Old Wives Tale, 4-6 pm. Call (503) 940-7600 with questions.

December 11
OSMYN Ice Cream Social, call 228-5976 for details

December 12
Parent/Family Support Groups, 6pm

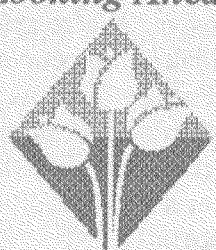
December 18
YWCA Gay and Lesbian Family Swim

December 31
Lesbian Community Project and the Portland Lesbian Choir Sponsor a New Year's Dance and Silent Auction. 8pm at Montgomery Park, $15 in advance. Call LCP at 233-0071.

Beyond the Closet asked us to let you know about their upcoming lectures, both of which start at 7:30 pm at the Central Oregon Environmental Center, 16 NW Kansas in Bend, and are free.
November 15: Kathleen Sadat from the Gay and Lesbian Alliance Against Defamation.
November 29: Scott Nakagawa from the National Gay and Lesbian Task Force.

Looking Ahead

March
Love Makes a Family and Lesbian Community Project sponsor a Families' Conference, details forthcoming



June 30-July 3
16th Annual Gay & Lesbian Parents Coalition International conference

This story originally appeared in the German paper *Staats-Zeitung*:
"Two male flamingos at the Rotterdam Zoo, having bound themselves in a loving relationship, have bred a flamingo chick. The two had repeatedly sought to steal eggs from female flamingos in order to hatch them as their own. Feeling sorry for the birds, the zoo-keepers provided them with a fertilized egg. The proud 'parents' have remained faithfully at the side of their young ever since."

Love Makes a Family, inc. General Membership Form

Name/s:_____

Address:_____Phones_____
street city state zip home work

Additional Family Members
(please list children's ages)_____

_____ Please enroll us in the Love Makes a Family Chapter of **GLPCI** (Gay & Lesbian Parents Coalition, International)

_____ Please add our children to the **COLAGE** (Children of Lesbians & Gays Everywhere) *Just For Us* newsletter mailing list.

Amount enclosed: Sliding scale, $10-$100
(No one will be denied membership for lack of funds)_____

Please send information about:
_____the PT Panel _____speaker training _____KKEY radio program list ____volunteer opportunities

Return To: PO Box 11694, Portland, OR, 97211

Love Makes a Family, inc.
PO Box 11694
Portland, OR 97211

LOVE MAKES A FAMILY, inc.

Issue #3 **Newsletter** **Spring 1995**

PO Box 11694, Portland, OR 97211 PH: (503) 228-3892; FAX: (503) 228-3970

The Same-Sex Marriage Uproar

Hawaii's Pending Court Decision Sparks Nationwide Concern

by Todd Goings

In May 1993, the Hawaii Supreme Court ruled that refusing to license the marriages of three same-sex couples violated the state Constitution's due process clause. The case was sent back to trial to determine whether preserving the same-sex marriage ban was a "compelling state interest." This is the highest level of judicial scrutiny, and one that legal experts say is rarely met unless public safety is at stake. Arguments are slated for this fall, and legal experts say Hawaii is likely to lift the ban within the next year and a half.

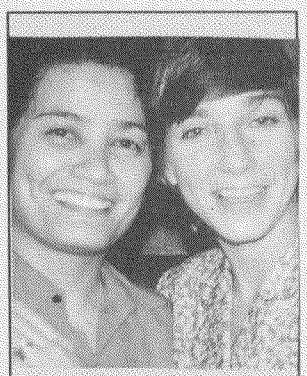
Needless to say, this likelihood has raised concern, hope, and controversy in Hawaii and throughout the nation. Fundamentalists nationwide worry about the radical redefinition of "family" that the court decision may bring about. In Hawaii, local officials are equally concerned about the court case's impact on tourism, the state's No. 1 industry. Some officials predict that allowing same-sex marriages in Hawaii will "scare off family-minded tourists" and "traditional honeymooners," while economists predict an increase in gay tourists will more than make up for the loss.

Danae Steele and Christina Uebelein at their wedding ceremony at the Honolulu Quaker Center

Citizens in other states are already feeling the backlash from the pending court decision. In South Dakota, House Bill 1184 was narrowly defeated after passing through the state legislature last February. If made into law, this bill would have banned same-sex marriage in South Dakota and declared same-sex marriages performed in other states "null and void." State Rep. Roger Hunt of Brandon, SD, was quoted in the *Rapid City Journal* as stating the measure was introduced because "The bill would prevent one partner from homosexual marriages from being added to certain health and life insurance policies," therefore reducing the "great economic expense" that same-sex marriage would bring to the state. However, during the floor debate in the House, H.B. 1184's supporters justified passage by likening the bill's policies to "making homosexuality illegal in South Dakota."

Much like Measures 9 and 13 united the sexual minority community in Oregon, H.B. 1184 brought South Dakota sexual minorities together for the first time to stop the bill in their state. South Dakota Gay, Lesbian and Bisexual

(continued on page 2)



Genora Dancel (left) and Ninia Baehr are suing for their right to marry

Marriage

(cont'd from page 1)

Federation (SDGLBF) formed in February to combat the bill, build a movement in the state, organize the sexual minority community, and create a safe environment in which sexual minorities can come out. In February, for the first time in the history of the state, gays and their allies testified openly about South Dakota's anti-gay discrimination at a hearing on H.B. 1184.

Similarly, Utah's state legislature considered H.B. 366, "Recognition of Marriages", on Feb. 9. Unfortunately, this bill, sponsored by state Rep. Norm L. Nielsen, passed into law, recognizing out-of-state marriages only if they meet the same requirements as Utah marriages.

Some legal experts are drawing comparisons between measures against same-sex marriage and former laws, struck down by the Supreme Court, prohibiting interracial marriage. As Evan Wolfson of Lambda Legal Defense and Education Fund, Inc., states, "The same language and arguments that were used against . . . interracial marriages--'unnatural' and 'by definition not a marriage'--are repeated today against lesbians and gay men seeking equal marriage rights."

Meanwhile, there has been much debate among gay rights activists about whether pursuing the right to marry is a necessary step on the road to equal rights, and if now is the appropriate time to take that step. Given the predicted outcome of the Hawaii Supreme Court case and the emerging presence of measures such as those in South Dakota and Utah, many gay rights activists are now saying it is too late to argue this issue. As Wolfson states, "The big question is not 'Will we win the right to marry?' Instead, we must ask ourselves if we have laid the groundwork necessary to permit us to keep the right once we win it." In support of this statement, Lambda has prepared the following resolution, asking lesbian, gay, and gay-friendly groups to endorse it:

"Because marriage is a fundamental right under our Constitution, and because the Constitution guarantees equal protection of the law,

"RESOLVED, the State should permit lesbian and gay couples to marry and share fully and equally in the rights and responsibilities of marriage."

For more information on this resolution, the marriage debate, and the Hawaii Supreme Court Case, contact Lambda Legal Defense and Education Fund, Inc., at (212)-995-8585, or the Hawaii Equal Rights Marriage Project (HERMP) at (808)-942-3737.

LOVE MAKES A FAMILY, INC.

June 13, 1995

Dear F.L.G.C. Friends,

Five years ago Love Makes A Family was launched as a publications project of Friends for Lesbian and Gay concerns. This year, Love Makes A Family, inc. received the *Spirit of Pride* award at the annual Gay Pride celebration in Portland..

The honor belongs to all who share in this faith journey. From our leading at the Carelton Summer Gathering, we created a video documentary and now an organization raising a family voice for lesbian, gay, bisexual and transgendered people.

The videotape continues to circulate through meetings, churches, and educational institutions. The organization is growing. Last year 166 volunteers contributed their time, turning faith into action. A team of volunteers created the *Opening Hearts and Minds* workshop to help people learn non-violent speech techniques to respond to messages of fear spread by a militaristic right wing movement.

Facilitating this work continues to be my faith journey. My ministry in now under the care of a committee from Multnomah Monthly Meeting, and my work life is under the care of the Board of Love Makes A Family, inc..

It is with great pleasure that I share this newsletter with you and invite you to join in the ongoing witness. Thank you for your support and continuing faith.

Sincerely,

Bonnie

Bonnie Tinker

PS I hope to see many of you at the F.L.G.C. summer Gathering. If you're ever in Portland, our office is in the train station - stop by and visit!

Whose best interests?
Nebraska Moves to Bar Gay and Lesbian Foster Parents

On Jan. 24, Mary Dean Harvey, Director of the Nebraska Dept. of Social Services, implemented a statewide ban on gay and lesbian foster parents, stating it is in the state's best interest to place children in the most "family like setting." Harvey's decision has families nationwide asking, "What *is* the most family like setting?"

As Tim Fisher, Executive Director of Gay and Lesbian Parents Coalition International (GLPCI), states, "The children of Nebraska deserve leaders who make laws and policies based on the facts about gay parents and not the myths and lies of the radical right." According to experts such as the American Psychological Association, the American Psychiatric Association, the Child Welfare League of America, the National Association of Social Workers, and Dr. Benjamin Spock, adoptive and foster parents should be chosen based on their abilities, and single factors such as sexual orientation should not automatically rule out a prospective parent. In 1992, *Child Development Magazine* published a review of over 30 psychological studies comparing the children of homosexual parents to those of heterosexual parents. The study showed no significant differences in the children's gender identity, gender-role behavior, social relationships or sexual orientation. Other studies by researchers such as J.S. Gottman, G.D. Green, and F.W. Bozett, show no significant differences in peer relationships, leadership ability, interpersonal flexibility, self-confidence, or self-esteem. Even greater, while the Radical Right claims 50% of child abusers are homosexual, a recent study by the Child-Protection Team of the Children's Hospital in Denver, CO, found that only 0.7% of suspected child abusers are homosexual.

Taking November's conservative nationwide shift in legislatures and state houses into account, gay parenting activists are worried that other states may attempt to enact similar laws and policies. To voice your opinion on this issue, contact:

***Mary Dean Harvey,** Director, Nebraska Dept. of Social Services, PO Box 95026, Lincoln, NE 68509-5026; phone: (402) 471-6031; fax: (402) 471-9449

***Nebraska Gov. Ben Nelson,** PO Box 94848, Lincoln, NE 68509-4848; phone: (402) 471-2244; fax: (402) 471-6031.

For more information, contact:

***GLPCI,** Box 50360, Washington, D.C. 20091; phone: (202) 583-8029

***Children Of Lesbians And Gays Everywhere (COLAGE),** 2300 Market St., Box 165, San Francisco, CA 94114; phone: (415) 861-5437.

WANTED!!!

GAY-FRIENDLY CHILDCARE

Do you provide gay-friendly childcare?
Do you know someone who does?
If so, Love Makes A Family, inc. would like to know, too! Please contact the office with any information or resources so we can pass it on to our members. As you know, nothing is more important than our children, and gay-friendly help is often hard to find. Any information or services you could provide in response to this request will be welcome and appreciated.

Announcements

Portland Gay Pride Honors Brother to Brother and Love Makes A Family, inc.

This year, Portland Gay Pride will honor Brother to Brother and Love Makes A Family, inc. with the Spirit of Pride Award. To celebrate, Love Makes A Family, inc. will march in the Pride Parade and facilitate a family activity area at Gay Pride. Activities will include face painting, T-shirt painting, and making clay sculptures and jewelry. The parade begins on the morning of Sat., June 17, at 11am at North Park Blocks (NW 8th, north of Burnside). From there, the parade will march to Waterfront Park, south of the Hawthorne Bridge. The rally begins at 2pm Saturday. Love Makes A Family, inc. invites all its members to share in the activities, to march in the parade, and to accept the award on stage at 2:30. If you wish to march, meet at North Park Blocks at 10am. Love Makes A Family, inc. will need at least five people to arrive early (9:30) to help with balloons. Throughout the day, volunteers will be needed to help with face painting, T-shirt painting, making jewelry, working with clay, handing out information, selling buttons and T-shirts, distributing refreshments, and childcare. LMF is also looking for a banner for the festivities. If you know anyone interested in donating one, please let us know. We will also need volunteers at Waterfront Park to help haul tables and set up Friday afternoon and early Saturday morning. If you are interested in volunteering for any of these activities, please let us know by contacting the office. Come share in the fun and show your spirit of pride!

Joseph Tam shows support for family diversity in schools

Congratulations!

Congratulations to Joseph Tam on being elected to the Portland Public School Board. Tam is a member of the Love Makes A Family, inc. Parent Teacher Panel, and helped carry the non-discrimination resolution to the state PTA convention. He was also a guest on the Love Makes A Family radio program on July 13, 1993, and a participant in one of the *Opening Hearts and Minds* workshops.

Tam was elected March 28 and begins his term in office on July 1. During his term, Tam plans to work with Love Makes A Family, inc., Families PAC, and Right of Privacy PAC to update curriculum in order to meet the needs of gay and lesbian students and parents. Love Makes A Family, inc. is sure Tam's election will prove to be a victory for the entire community.

Announcements

With Fond Memories, Love Makes A Family Looks Back at the Life of Bob Ralphs

Activist Bob Ralphs is fondly remembered by Love Makes A Family, inc. and the community at large for his humanity, his dedicated work, and his engaging personality. Raised in the Friends Church in Newburg, Bob served the community through his leadership in the Keystone Lowery Democratic Club, the Oregon Public Employees Union, the Rainbow Coalition, No on Hate, the 1993 March on Washington for Gay, Lesbian, Bisexual, and Transgendered People, the Progressive Queers, and Bigot Busters. Bob spoke about Bigot Busters on the Love Makes A Family radio program on Jan. 2, 1993. Bob will not only be remembered for his activist work, but for all the aspects of his personality as well, such as his work as a mental health therapist, his work with animals, his exceptional cooking skills, his knowledge of blues and jazz, and his extraordinary storytelling abilities. Bob Ralphs will be greatly missed, but will live on through the loving memories and the work of his friends and family.

Bob Ralphs, 1950-1995

Love Makes A Family, inc. Goes to China

Bonnie Tinker and Jessie Clay will represent Love Makes a Family, inc. at the International Women's Conference in Beijing this year. Thanks to the Majority People's Fund and the Needmore Fund for their help in funding the trip. Bonnie and Jessie will report on the conference on the Love Makes A Family radio program in September.

Thank You!

Thanks and appreciation go out to the Needmore Fund, Equity Foundation, A Territory Resource, and MacKenzie River Gathering for their generous financial support of Love Makes A Family, inc.. Thanks also to Old Wives' Tales and Hot Lips Pizza for their delicious food contributions.

Your Old Jeans Can Brighten The Future

What do you do with your old unwanted clothing? Give it to Love Makes A Family, inc.! 501 jeans can be sold to Worldwide, Inc. for up to $15 a pair. Denim jackets and cowboy boots are welcome as well. All clothing must be in relatively good condition (no holes, please). So don't throw your old clothes away--throw them our way, and help create a more inclusive community.

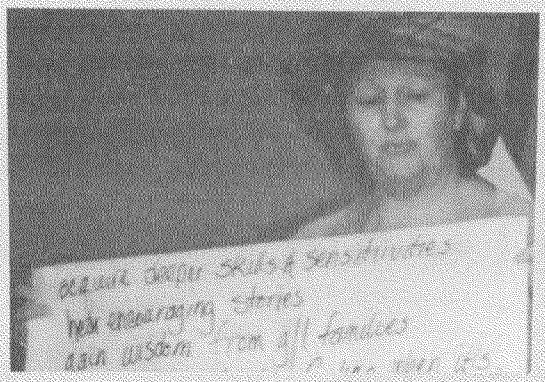
Spring 1995 Newsletter edited by Todd Goings. Thanks to Amanda Colorado, Walter Hjelt Sullivan, Evan Wolfson, Reggie Petry, and all who contributed to its production.

Photo credits: Bonnie Tinker and Reggie Petry.

Love Makes A Family, inc. Opens Hearts and Minds

In January 1995, Love Makes A Family, inc.'s *Opening Hearts and Minds* (*OHM*) workshop presenters traveled to Ben Lomand, California, and nearby Santa Cruz, to present a workshop for the Ben Lomand Quaker Center as the lead-off for the center's annual program of monthly workshops. While in there, presenters Bonnie Tinker and Amanda Colorado were interviewed on four radio talk shows: *Your Afternoon Commute* with John Sandage on KSCO, *Seeing Beyond: Talk Radio with a Vision* on KEST-AM, *Closet-Free Radio*, UC Santa Cruz's gay, lesbian, and bisexual talk radio show on KZSC, and KKUP, Cupertino public radio. In addition, they also presented "A Discussion with Bonnie Tinker and Amanda Colorado on Lesbian, Gay, and Bisexual Families" at UC Santa Cruz's Women's Center, co-sponsored by the university's departments of Women's and Feminist Studies.

Grace Hjelt Sullivan speaks her uncle Charley Sullivan, a Love Makes A Famliy, inc. Board Member



***Amanda Colorado presents a segment of* Opening Hearts and Minds**

The workshop was co-ordinated by Walter Hjelt Sullivan, Director of the Ben Lomand Quaker Center. Encouraging other organizations to sponsor *Opening Hearts and Minds,* Sullivan states, "I think *Opening Hearts and Minds* teaches crucial skills for being an effective peace-maker in the cultural war so people of diverse faiths and beliefs can get beyond the stereotypes that divide us and create a society that is safe and respectful for each individual. I hope Grace [Sullivan's daughter, who spoke on the radio with Bonnie and Amanda] can learn these skills early so she can grow to be a positive spirit for a peaceful world with greater understanding."

This fall, Love Makes A Family, inc. will bring the workshop back to the Ben Lomand Quaker Center for an encore presentation. An *Opening Hearts and Minds* interest group will be presented at the Friends general conference in Kalamazoo, Michigan, as well as an *Opening Hearts and Minds* workshop in Portland this fall for all the Love Makes A Famliy, inc. members. Thanks to the Needmore Fund for their help in funding the Portland workshop. If you would like to sponsor an *OHM* workshop in your business or community, please call the office at 228-3892 to make arrangements.

We're Here! We're Queer! We're On The Radio!

Tune in to *Love Makes A Family: A Public Dialogue About Lesbians, Gays, and Family Values* on KKEY (1150 AM) Wednesday mornings from 7am to 9am. Here is the latest schedule of guests and topics:

June 7
Guest: Susan Leo
Topic: Gay myths

June 14
Guest: Kristen Aspen of the Pride Northwest Board
Topic: Portland Gay Pride

June 21
Guest: Marcia Danab
Topic: Portland Gay and Lesbian Film Festival

June 28
Guest: Bia Lowe
Topic: Author interview about Bia's new book, *Wild Ride: Earthquakes, Sneezes, and Other Thrills,* which features a collection of essays on "Growing Up With Alcoholism", "Coming To Terms With Sexual Identity", "The Stench of Infidelity", her father's suicide, her lover's ovarian cancer, and the plague of AIDS, among others

July 5
To be announced

July 12
Guest: Lorraine Edwalds
Topic: The Woman Centered Economy

July 19
Guest: Jonathan Filin
Topic: *Sex, Death, and the Education of Children*

July 26
Guest: Reggie Petry
Topic: The life of a gay custodial father

***Bonnie Tinker, host of* Love Makes A Family: A Public Dialogue About Lesbians, Gays, and Family Values**

Upcoming programs:

*Jill Severson, Jessie Clay, and Bonnie Tinker, reporting on the International Women's Conference in Beijing

*Author Bob Bernstein, speaking about his new book, *Straight Parents, Gay Children*

*Author Dorothy Allison, speaking about her books *Trash,* and *Bastard Out of Carolina*

*A woman speaking as a lesbian living as a men in rural Oregon

*Antonia Rathbun, speaking about sexual abuse, adult virginity, and pornography

*Trevor Hailey, speaking about her award-winning historical walking tour of San Francisco's Castro Street

*Candace Steele, regional director of PFLAG

Love Makes A Family, inc., would like to thank It's My Pleasure Bookstore, W.E. Oster Mortgage Services, and Wild and Fresh Herbal Products, along with many other local sponsors and listeners for their generous support in helping to keep us on the air.

Kid's Page

Clackamas County Citizens For Fairness Student Awards

This spring, Clackamas County Citizens for Fairness conducted a contest, challenging junior high, high school, and grade school students to answer the question, "Why is it important that we defend everyone's basic rights?" The contest was open to all public, parochial, private school, home-study, and individual students. The winners, announced April 5, received cash and scholarship prizes. The winners of each age group are as follows:

7th-12th grade winners:

First place: Tracy Sherman, eighth grader, Waluga Junior High School, Lake Oswego

Second place: Sabrina Balgamwalla, eighth grader, Ogden Middle School, Ogden City

Third Place: Tania Zyryanoff, senior, Canby High School, Canby

Kindergarden-6th grade winners:

First place: Allison Polleti, fifth grader, Park Place Elementary School, Oregon City

Second place: Diana Whiteaker, sixth grader, View Acres Elementary School, Milwaukie

Third place: Ellen Arndt, sixth grader, View Acres Elementary School, Milwaukie

Love Makes A Family congratulates the above students and all who entered for promoting understanding, respect, and acceptance in their community.

A New Perspective

Young people are an important part of Love Makes A Family, inc.. We hope it is an important part of it's younger members' lives as well. This spring, Love Makes A Family, inc. asked Chantel Petry, who regularly attends our monthly meetings with her father, Reggie, for her insight on what the young people's support group means to her. Here is what she had to say:

"Hi. My name is Chantel, and what I like about Love Makes A Family is that everybody welcomes you to their new group. Its about a group of gay/ bisexual/ lesbian parents and their kids that is trying to stick together, away from discrimination and hate. Also there are activities and all sorts of things to do while the group is going. I like to be in this group because I have a lot of friends [there] and they mean a lot to me. But what I learned from the group is that no matter what race or sexuality you are, you shouldn't be discriminated against."

-Chantel Petry,
age 10 1/2

Information for Teachers of Children Whose Parents are Lesbian or Gay

Lesbian, gay, or bisexual headed families have historically been denied recognition. Within schools and child care centers we are trying to ensure that our children are not discounted or undervalued. We want to create an affirming environment for children of gay and lesbian families, and to teach respect for family diversity. Therefore, Love Makes A Family, inc., offers the following information to teachers and caregivers to help create the best environment for our children. Because of the lack of information on homophobia and gay, lesbian and bisexual issues in schools, most of this information was revised from books and presentations on racism within schools and daycare centers.

Four ways in which children are apt to be damaged by homophobia in school:

1. Direct Bigotry- When a teacher believes that the parents' lifestyle is wrong and tries to protect the child from following in the footsteps of his/her parent(s). Example: "Your family has two mommies, but real families have one mom and one dad."

2. Difference Blindness (originally Color Blindness)- "When I look at Sandy I just see a child; not a child from a homosexual household." This is inadaquate. It does not allow for the differences in children that appear from being raised in different kinds of households. It also discounts a large portion of the child's experiences.

3. Overcompensation- When a teacher acts as if a gay or lesbian lifestyle is the best type of family environment. Example: "Some families have a mom and a dad. Really good families have two mommies."
Overcompensation also occurs when teachers do not give equal feedback to lesbian and gay parents about the child because they do not want to offend the parents or deal with lesbian or gay issues.

4. Patronizing- When the teacher treats the "poor" child like he/she comes from a dysfunctional home and the teacher must try to help or save the child.

A teacher must travel more than half way to create a welcoming, supportive environment for gay and lesbian families to feel comfortable.

***All young parents question whether they are parenting correctly, or "doing a good job."**

Gay and lesbian parents may question this more because of internalized homophobia they are dealing with.

Lesbian and gay parents also deal with more scrutiny from society and people outside their family.

One or both of these reasons are good cause for a gay or lesbian parent to be especially defensive and guarded when disclosing information about the child's family.

***Hints for creating a welcoming, supportive environment:**

-A noticeable pink triangle can go a long way.

-When setting up a consultation with a parent mention that the parent may/should bring any person that interacts with the child regularly to parent conferences and family activities.

-Refer to "parents" rather than "your mom and dad."

***There is a difference between tolerating and celebrating family diversity.**

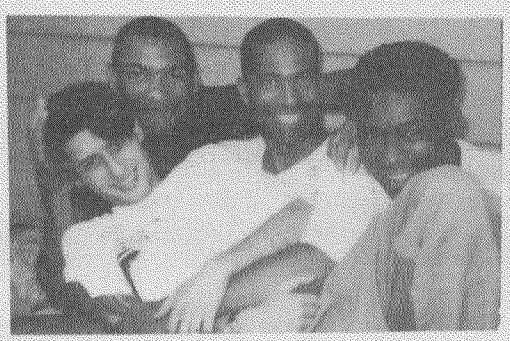
It is not enough to simply tolerate our diverse families. In order for our children to feel wanted and loved they need to see that their family is respected and appreciated as it is.

Celebrating lesbian, gay, bisexual, or transgendered headed families means openly supporting them and openly working on homophobia within the school.

This article was prepared by Colleen Struhar, with editing by Bonnie Tinker.

Brother to Brother

We are pleased to share this years' "Spirit of Pride" award with Brother to Brother and to welcome them to the Love Makes A Family office space for meetings on the first and third Sundays of each month. Brother to Brother is a social, civic, and care organization focused on empowering Black gay and bisexual men. In addition to their newsletter, which provides information about health and social and political activities, Brother to Brother is involved with MenTalks, F.R.I.E.N.D.S., and various fund-raisers to combat anti-gay initiatives.



LMF intern Todd Goings with BTB members (l-r) Jeff Dickson, Andre Pruit, and Vernon Hartwell

Issues addressed by Brother to Brother include the isolation and institutional racism that African American gay and bisexual men often experience. Through their constant struggles with being stereotyped as "'dangerous' Black men", "weak faggots", "traitors to their race", and "exotic oversexualized objects", these men often experience isolation from the Black community, mainstream society and its institutions, and from each other.

Likewise, there is often a lack of trust within the Black community of the health care system due to the institutional racism that occurs in this field. Needless to say, this institutional racism and its effects, combined with homo-phobia, are magnified in light of the AIDS epidemic. Health care messages are generally not geared toward the Black community, and when they are, they are usually not culturally appropriate. HIV residential environments generally do not reflect the Black cultural experience, and African Americans often experience unconscious racism in how they are treated, fed, included, and considered by the staff and volunteers in these facilities.

Based on their personal experiences, members of Brother to Brother offer the following suggestions to help overcome these problems:

*Make HIV/AIDS resources available which are culturally appropriate for African American gay and bisexual men--and include African American gays and bisexuals in developing these materials.
*Make offices, clinics, and residential facilities culturally diverse-; display posters, art, magazines, etc. in waiting rooms that include representations familiar to African Americans.
*Employ people of color to assist in residential care and in the delivery of services to people of color clients and patients.
*Increase education in the Black community about HIV issues, the need for early treatment, prevention education, and homophobia.
*Become educated about the issues and experiences facing Black gay and bisexual men: racism and homophobia, and how these combined prevent Black gay and bisexual men from seeking and receiving adequate medical care for HIV.
*Invite Brother to Brother to come speak to you and your staff about these concerns, and assist them in developing the capacity to provide input on policy issues which impact Black gay and bisexual men.

Love Makes A Family, inc., would like to thank the members of Brother to Brother for lending us their insight for this article. For more information about Brother to Brother, call 503-940-7600.

LMF Spotlight: Reggie Petry

by Todd Goings

This spring, Love Makes A Family, inc. would like to shine our spotlight on one of our most active and dedicated members. The person I am speaking of is Reggie Petry. Reggie has been a member of Love Makes A Family, inc. for over a year. He discovered Love Makes A Family, inc. through Board Member Cecil Prescod at a Brother to Brother meeting, and attended his first Love Makes A Family, inc. meeting in January 1993. Since then, Reggie has co-facilitated *Opening Hearts and Minds*, spoken on the Parent Teacher Panel, provided housing for our student intern for the 1995 spring quarter, represented Love Makes A Family, inc. at Advoctaes for Gay and Lesbian Equality, and presented speeches on behalf of Love Makes A Family, inc. and Brother to Brother during the No On 13 campaign, speaking about the effects of Measure 13 on the gay community and the community at large and pointing out the discriminatory language of the initiative.

Reggie Petry (right) and his partner, Ron Webb

With his committed partner Ron Webb, Reggie shares the joys and responsibilities of of being a custodial parent to his three children, ages 10, 18, and 20. In addition to volunteering for Love Makes A Family, Inc., Reggie works with Brother to Brother and MenTalk. Reggie urges gays and lesbians "to come out and fight legislation that gives them less rights than the general public. Be visible, not invisible." He would also like to see "stronger coalitions between gay and lesbian organizations, both internally and externally." Furthermore, he advocates support groups and direction for gays and lesbians and their families to help them overcome the fear they experience through the workplace and society at large.

People like Reggie are hard to come by. Love Makes A Family, inc., is glad to have him as a working volunteer, providing program support, public education, and inspiration.

Things To Do

Family CampOUT

Camp Westwind's 1995 Family CampOUT is scheduled for August 24-27. Love Makes A Family, inc. will organize a team of teen volunteers to assist at the camp. To volunteer, to register, or for more information, contact YWCA at (503) 294-7400 (Downtown, Northeast, and St. Johns), (503) 248-5480 (East County), or (503) 223-6281 (Westwind). The CampOUT provides a fun, accepting environment for gays and lesbians and their families.

Staff members at Westwind's 1994 YWCA CampOUT

Love Makes A Family Picnic

Join Love Makes A Family, inc. and Families PAC members for a potluck picnic at Bob Noble's home in Boring on June 20. Bring your favorite picnic food, your swimming suit, and a blanket and/or chairs and come picnic with us in the country. For more information, call the LMF office.

G.L.P.C.I. Conference

The Gay and Lesbian Parents Coalition International (GLPCI) will hold its 16th annual conference in Los Angeles at UCLA's Sunset Village from June 30 to July 3. The conference is composed of three subconferences: the Parents' Conference, for parents, co-parents, and those who wish to become parents; the Young Adults' Conference, for children of gays and lesbians ages 13 and up; and the Children's Conference, for children of gays and lesbians ages 6-12. Daycare is provided for children under 6. Each conference will feature workshops, speakers, special events, and entertainment. To register, or for more information, contact the Love Makes A Family office, or G.L.P.C.I. `95, 7985 Santa Monica Blvd., Box 109-346, West Hollywood, CA 90046; or call Andre Jacinto at 1-800-699-2984.

Couples' Enrichment Retreat

Partners in Reconciliation, a ministry of Metanoia Peace Community, will sponsor a Lesbian and Gay Couples' Enrichment Retreat on the weekend of Oct. 6-8. Registration is $325. Limited scholarships are available. For more information, call Joyce McManus or Sharon Bowland at 284-3426 or 284-7996 (voice mail).

Beyond the Closet

This spring, Beyond the Closet presented "Illuminating Intolerance II: A Look At Gay Culture and History." For information about on-going Beyond the Closet events, contact Beyond the Closet, PO Box 9174, Bend, OR 97708;phone: (503) 317-8966.

Community Resources

Harry's Mother

Harry's Mother, located at 3942 SE Hawthorne, is a center for runaway and displaced youth services. It offers crisis counseling, emergency shelter, information and referral, case management, family mediation, and a 24-hour crisis hotline for people aged 9-17 and their families dealing with teen parenting, drug abuse, family conflict, suicide, sexual abuse, sexually transmitted diseases, or any other problems youth may face today. For more information, call (503) 233-8111.

Phoenix Rising

Phoenix Rising, located at 620 SW 5th, suite 710, has been providing mental health services for the sexual minority communities since 1977. Its four major mental health programs are adult mental health, youth, HIV, and families. In addition to these programs, Phoenix Rising offers information and referral services and a speaker's bureau. Phoenix Rising has recently started three new support groups for women: Women's Process Group, Coming Out Support Group for Lesbian and Bisexual Women, and A Group for Lesbians Who Use Violence to Hurt and Intimidate Their Lovers. For more information on any of Phoenix Rising's services, call (503) 223-8299.

Love Makes A Family Monthly Meetings

Love Makes A Family, inc.'s monthly parent and family support groups are held on the second Monday of each month from 6-7 p.m. in the Love Makes A Family office. They are followed by Families PAC meetings from 7-8 p.m. in the nearby Families PAC office. For more information, contact the Love Makes A Family office at 228-3892.

Phoenix Rising Youth Groups

Through their youth program, Phoenix Rising sponsors a variety of youth groups in the Portland area, including Windfire, Voices, Awakenings, and Q-Crew. For more information on meeting times and places, call (503) 223-8299.

Roots and Branches

Roots and Branches, located at 2020 SE Powell Blvd., offers individual counseling, family counseling, group therapy, consultation, referral, and medical management for gay, lesbian, and bisexual youth. For more information, contact Ruth Gibian, M.S.W., at (503) 238-0780.

Rainbow

Sponsored by the Urban League of Portland, Rainbow is a positive peer support group primarily for ethnic minorities aged 12-19. For more information about meeting times and places, call (503) 280-2600.

Life at the Office

Office Wish List

The following is list of items that would greatly improve our work environment and productivity. If you can donate any of these items, or know of anyone who can, please let us know.

Furniture:
Conference table (8' in length)
Folding chairs (12)
File cabinets (2 or more)
Room dividers (2 or 3)
Bulletin boards
Dry erase board (or black board)
Chart easel

Equipment, etc.:
Computer (IBM compatible, minimum 386 SX, prefer 486 DX, needs to run windows, database)
Lap top computer (IBM compatible, 386 SX or better, needs to run windows, database)
Printer (laser or ink jet)
Fax machine
Copy machine
Small TV
VCR
Radio
Light box
Pencil sharpener
In/Out file boxes
Magazine boxes
Blank tapes (audio and video)

Library:
Relevant books to keep in library
Magazine subscriptions (*Advocate, Family Next Door, Open Hands, Washington Blade, Oregonian*)
Used books to sell, or credit at Powell's Books

Amenities:
Curtains (white, transluscent) and rods, plants

As always, money is needed.

Put your contribution in the enclosed envelope. Fill out the membership form as well if your membership is not current.

Come Visit!

Life at the office is better than ever. We have just expanded the Love Makes A Family office space, located in Union Station, to include a new conference room. Feel free to stop in the next time you are in the neighborhood to visit our new space.

Intern Update

We are pleased to welcome our new intern from Antioch College, Todd Goings, for spring quarter. We hope to welcome two new Antioch interns, Melissa Perry and Carl Ballard, if housing can be found this summer. If you or someone you know can provide housing for Melissa and/or Carl this summer, please contact the office at 228-3892.

Love Makes A Family, inc.

General Membership Form

Name(s)_____

Adress_____Phones_____
street city state zip work home

Additional Family Members
(please list children's ages)_____

_____Please enroll us in the Love Makes A Family Chapter of GLPCI (Gay & Lesbian Parents Coalition International)

_____Please add our children to the COLAGE (Children Of Lesbians And Gays Everywhere) *Just for Us* newsletter mailing list

Amount Enclosed: Sliding Scale, $10-$100
(No one will be denied membership due to lack of funds)_____

Please send information about:
___Parent-Child activities
___the Parent Teacher Panel
___KKEY radio program list
___volunteer opportunites
___speaker training

Return to: PO Box 11694, Portland, OR 97211

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Issue #4 NEWSLETTER Winter 1995/6

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Lesbians press for recognition and protection

Agence France-Presse

HUAIROU, China — Lesbian mothers attending the world's largest gathering of women activists here appealed yesterday to the United Nations for protection against discrimination and the right to form families from same-sex marriages.

Six lesbians from various countries, who have given birth through artificial insemination, told reporters at the Non-Governmental Organization (NGO) Forum on Women how they and their children were the constant targets of scorn and discrimination in their own communities.

"Like all mothers, we want to see our children treated fairly," said Bonnie Tinker, executive director of the Oregon-based "Love Makes a Family" lesbian group.

"We want to be able to protect them from injustice and bigotry," Tinker said, while urging the official UN Fourth World Conference on Women in Beijing to address the concerns of lesbians and gays around the world.

The lesbians want the NGO Forum, which ends today, to press the ongoing inter-governmental conference into including lesbian rights when it drafts its Platform for Action.

The freedom to determine one's own sexuality should be documented as an "inalienable human right" and a necessary precondition for equality, development and peace — the main theme of the conference — they said.

They also want their biological children to feel their families are accorded respect by the community, saying there was scientific evidence that children raised by same-sex "marriages" grow up to be no different from those of heterosexual parents.

"The UN has always set a standard for respect of human rights. It has to protect the human rights of all, regardless of sexual orientation," Tinker told a news conference organized by the US-based International Gay and Lesbian Human Rights Commission.

Lesbians from Australia, Britain, Canada, the Netherlands, the United States, and Zimbabwe spoke of the discrimination they had suffered under the education systems and marriage laws in their countries.

"We live in constant fear of loss of employment and social standing if our sexual orientation is exposed," one lesbian NGO delegate said.

She said many lesbian mothers were physically abused by former spouses, family members and strangers when their sexual orientation became known.

This clipping from the Bangkok Nation *(9/8/95) was sent in by Father Doug Hamil, a Love Makes A Family, inc. member now working in Thailand*

China!

The UN Fourth World Conference on Women

Lesbians from around the world were invigorated by their participation in every aspect of the NGO Forum and the official 4th World Conference on Women. While the words "sexual orientation" were deleted from the final Platform for Action, the phrase "the family, in its many forms" remained, leaving room for recognition of family diversity - including families headed by lesbian mothers.

"Lesbian Rights are Human Rights!" Chanting this slogan, over 500 women marched through the NGO (Non Governmental Organizations) Forum grounds in Huairou on September 4, 1995.

(more on "China," pages 3,4, and 12)

Lesbian Mothers in Huairou

a Personal Account by Janny Nieboer

Utrecht, The Netherlands

My Goal for participation in the Forum of the Fourth World conference on Women was to participate in the activities and work of the Lesbian Tent. I had also proposed a few workshops beforehand in the main program. Two were about lesbians and parenting.

The workshops took place in the building of the secondary school of Huairou and about 40-60 people attended each of the two workshops. In the first workshop I showed a video from the group of lesbian mothers from Utrecht about the life of lesbians who are parents in our city. I gave a short synopsis in English and wanted to stop the video and do translations in between, but the technical proceedings led me to give the speech first and show the video later. I noticed that the many English speaking participants in the workshop were not very tolerant of the Dutch in the video. They asked me to stop the video. I could not show the second video of men and their experiences about being sperm donors. The audience wanted to ask questions.

I explained the practice of self insemination practice outside of clinics and hospitals with known donors. This is very common in The Netherlands, even more common than insemination through clinics because most women who want biological children prefer to have the possibility to have their child know the donor if they choose so early or later in life. There was a long round of questions and answers about all aspects of parenting and lesbians' lives in general. The answers could also be given by lesbian parents present at the workshop. We had a mix of interested participants from all over the world and interested lesbians, both parents and would be parents. The interests of the lesbians were not so much on the agenda as the "burning questions" of the rest of the audience.

Small group discussion on artificial insemination at lesbian mothers workshop in Huairou

In the end I divided the workshop into four interest groups. One was about artificial insemination by donors; a woman from a lesbian health clinic from Los Angeles gave information. One group was about politics. One group was for interested people who wanted to know more about lesbians, and one group was for people who had come to see how they could contribute as allies to the struggles of lesbian parents.

The second workshop of the day after drew even bigger crowds to the classroom. Many of the women from India who had used the room before stayed on for a while. Some of the others just asked their questions and left after that. I told the people about my life in my neighborhood with my son, my family, my social network. It looked too ordinary and people wanted me to stop showing the slide show. It was not spectacular enough, not "hot stuff." It was a lively meeting afterwards where many women shared their stories about being lesbians and parents or grandparents now. There was a discussion about religion and the interpretation from the Bible. A church leader from Sudan and a lesbian who works in the church exchanged opinions. It was in a respectful manner that people wanted to know about each other. It was obvious that the lesbian mothers were greatly appreciated for sharing their stories with each other because this was a way to have very direct access to information that is not easily available in many countries and for many women. There was only one open attack from a woman from Spain who accused the lesbians of bringing harm to the psychological development of the children. Many people asked questions. They really seemed to think that our children are brought up to be gay or lesbian also. This seems to be so weird to me to think that. Nobody brought us up to be lesbian. We also had a woman in the workshop who told about her life as the daughter of a lesbian. She is an adult now and writes a book about the experiences of adult daughters of lesbians. She appreciated the warmth and social network that she was a part of as a young person. But she said that the male-hatred had bothered her in her childhood. I regret not having that workshop taped because I have forgotten much of what happened.

My strategy in Huairou had been to organize as much support as possible in the days before the workshop. Many women I had already met before, like Sally, Cathy and Bonnie were present. Sally is the mother of a six year old who was adopted when she started a relationship with a lesbian who was in the middle of the process. I liked her commitment and support a lot.

Photographer Cathy Cade talks with workshop participants about her slide show

Cathy has two children though artificial insemination and can tell her experience from a long-range perspective as the oldest one is 17 now. She is also a great artist who showed a group of us her slide show over the last 15-20 years. She had photographs and stories from the San Francisco Bay area where lesbians have been parenting for a long time. Bonnie was the organizer and the activist and helped us all to participate in the press conference on Thursday morning, September 7. All of us were a small strong circle who kept the work going and supported each other.

Sometimes it was difficult to come out as a lesbian all the time. The lesbian organization (ILIS, International Lesbian Information Service) was on my badge, so I had to talk about it quite a lot. What I did not like sometimes was the lack of interest in me as a person with everything and all. Being a lesbian is only a part of what I am. Being a mother is even not so very different from how other people are parents. For many people it was not possible to see me in such a perspective and sometimes that made me feel lonely.

What I liked about the Lesbians in Huairou!

I liked the strength and the experience that were present in the activism around "Lesbian Rights and Human Rights." These were women who knew what they were doing. I was very proud of us all at the first press conference Sunday morning. There were so many weird rumors about lesbians. The coordinating committee from the Lesbian Tent countered all the bad information brilliantly.

▼I liked the diversity in the organizing committee and the fact that younger women took the lead.

▼I liked it that lesbians who were active in many places and domains at the Forum dropped in from time to time and made a connection to what we in and around the Lesbian Tent were doing. Many Dutch women that I know came and showed their face, interest and support.

▼I liked the support from the Grassroots Tent and the women there. They were our neighbours.

▼I liked the ILIS delegation and the broadness of the issues we covered. More than half of the time our women were active around peace, anti-colonialism, women in armed conflict, indigenous women, supporting the Tibetan women, countering the influence of the Vatican, etc., etc.. Lesbians on the whole take on a lot and take responsibility to change the world as a whole. We don't isolate our own issues from the mainstream. This thing is not well known and mostly even invisible. The women we are meeting and dealing with often don't know that we are lesbians.

▼I liked the gay and lesbian support group from the "No Limits for Women" project that met every day and was a base for me. Some of the lesbians there were parents and I knew they were right behind me.

▼I love Bonnie and Cathy for all the love and friendship they offered and the appreciation they gave me for the role I had taken. I had proposed two workshops and in this manner had created a platform and space for lesbian mothers to meet and connect and do the outreach they wanted to do. I appreciate myself that I had this clarity and courage in April to think I would just do it and be visible in the program despite the fear the Chinese government tried to push us into. I think it is a strange fear because there is nothing to be afraid of.

▼I liked all the Chinese women and men who talked to me and asked their questions very respectfully. I even thought the security people were supportive and some Chinese journalists helped the lesbians run the press conference smoothly. I could feel the undercurrent in Chinese society. People are curious and they don't condemn us personally. I never felt any of that. They were thrilled to have us, to make friends and be close.

Janny Nieboer talking to Chinese students/journalists.

News After Beijing

A Dutch group of lesbian mothers are going to have a process around single parent adoption for the second parent in a lesbian family. In the Netherlands single people, unmarried people and gays and lesbians can't adopt children. I will let you know how things are going around this process. Don't think we have it all over here.

WASHINGTON INITIATIVE WOULD BAN ADOPTION

Initiative 167 Threatens Queer Families

by Jennifer Koogler

Christian right grass roots organizations are at it again in Washington State with the proposal of Initiative 167, which would ban homosexuals from adopting children or taking them into foster care. Scared yet?

Initiative 167, concocted by a group affiliated with the radical right in Oregon who proposed legislation last year against the rights of gays and lesbians, would seek to ban homosexuals, bisexuals, unmarried heterosexual couples, and single parents from adopting or taking children into foster care. The authors state that "in adoptive and foster care placement of minor children all consideration should be given to the well-being of the child, and that sound, natural family relationships are the most important initial consideration of that well-being." This proposed law is disquieting for several reasons. One is that it takes away the right of homosexual couples to raise children if they desire to do so. It also creates legal hassles, such as not allowing a child who's parents have died to live with a relative who is single or homosexual and not recognizing wills and other documents that state the wishes of the parents. The law could also potentially place children in homes that may not be "sound" only because the adopters are married and heterosexual, or place gay and lesbian teens in homes where their sexual orientation is deemed immoral and dangerous. All of these situations place undue and harmful stress on the children, who's interests and well-being should be the main concern.

Reprinted with permission of The Evergreen State College, Olympia, WA, Richard Pfoutf (206) 323-5191.

Initiative 167

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

{New Section} Sec. 1: This measure shall be known and cited as the **responsible adoptions act.**

{New Section} Sec. 2: A new section is added to chapter 26.33 RCW to read as follows: The people find that there is a compelling state interest in adoption and foster care of minor children, however, the people find that the state's interest in adoptive and foster care placement of minor children is limited to consideration of the well-being of minor children in need of adoption or foster care parents. Therefore, the people find that in adoptive and foster care placement of minor children all consideration must be given to the well-being of the child, and that sound, natural family relationships are the most important initial consideration of that well-being. The people further find that there is a compelling state interest in adoptive and foster care placement of minor children, if at all possible, in sound, married, male-female households. Therefore, the people establish that: neither the State of Washington nor any political subdivision nor any agency of the state shall, for the purposes of adoptive or foster care, place any child into the custody of a person who practices homosexuality, or who is participating in a same-gender marriage or domestic partnership. Placement of minor children made prior to the effective date of this act is not affected by this section.

(1) Nothing in this section shall be construed to permit the state or any agency of the state to take or remove any child from the custody of the child's natural parent; and

(2) nothing in this section shall be construed to permit the state or any agency of the state to initiate inquiries into or undertake investigations of parents, or to otherwise violate the privacy of families, except as otherwise provided by law to monitor the continued well-being of children placed by the state for purposes of adoptive or foster care.

{New Section} Sec.3. A new section is added to chapter 26.33 RCW to read as follows: For purposes of section 2 of this act: (1) "Person who practices Homosexuality" means any person who engages in sexual activity with individuals of the same gender or has sexual desire for a person of the same genders, as determined by the individual's willingness to be openly self-identified with those desires. (2) "Gender" means the natural gender that was known at or before birth.

(3) "Domestic Partnership" means any cohabitive arrangement between two persons who have not committed themselves to each other through marriage.

{New Section} Sec.4. The people intend that this act be liberally construed to provide the greatest possible assurance that all adoptive and foster care placements of minor children are made in the best interest of the child with the well-being of the child being of primary concern.

{New Section} Sec.5. This act shall in all parts be self-executing. A person residing in the state of Washington or a nonprofit entity doing business in this state has standing to enforce the provisions of this act.

{New Section} Sec.6. The people intend that, if any part of this act is declared unconstitutional by a court of competent jurisdiction, the remaining parts survive in full force and effect; and, if the application of this act to any particular person or circumstance is ruled unconstitutional by a court of competent jurisdiction, its application to other person and other circumstances shall not be affected.

{New Section} Sec. 7. In the event that conflict arises between this act and any other provision of law, the policies and purposes of this act shall govern.

Provided by Washington Citizens for Fairness.

OREGON INITIATIVES THREATEN OUR FAMILIES

They Are At It Again!

By Tim Wilson

The OCA (Oregon Citizen's Alliance) is once again attacking the Basic Rights of Gays and Lesbians in Oregon. They are gathering signatures for their third attempt to pass a statewide ballot measure that would amend the state Constitution, writing the special right to discriminate into law.

The OCA sponsored ballot Measure claims to protect children, but these initiatives have nothing to do with protecting our kids. The Oregon Pediatric Association says, "We condemn the fallacies, distortions and fear underlying these measures. These lies hurt children and do nothing to protect them. The OCA is using children to disguise their intent to write discrimination permanently into our state constitution." Much of the OCA's language is meant to deceive voters with confusing, legalistic language. However, the OCA knows exactly what this language really means. For example, the measure appears to protect gays by stating that "no licenses, permits , services or other benefits shall be denied any person that are otherwise due *under existing statute*." Unfortunately, existing local statues providing protection based on sexual orientation would be eliminated if this ballot measure passes. It also appears to protect against job discrimination stating: "The very next clause takes this protection away by stating "provided such consideration does not violate any provision of this Act." It could be argued that retaining any openly gay employee "expresses approval of homosexuality." Thus, openly gay employees could be fired.

Public libraries would have to pull all books dealing with any form or nature of homosexuality off the shelves and only make them available to teens with parental supervision and then they must meet local standards per review process.

Who is the real target of this agenda? Everyone is, not just gays and lesbians. These measures sound like they offer protections against discrimination, but in reality they insure that discrimination would continue and become permanent! The "Right of Conscience" clause would essentially put the OCA's narrow religious beliefs into law, allowing them the special right to discriminate. The clause itself allows discrimination against a certain group of people as long as those doing the discriminating feel it is the right thing to do! With this kind of language, who would be next? Everyone is at risk.

The following is the actual wording of the 1996 OCA ballot measure.

AN ACT

The People of the State of Oregon do enact as follows: The Constitution of the State of Oregon is amended by creating a new section to be added to and made a part of Article 1. The new section shall be known as **"The Minority Status and Child Protection Act of 1996,"** and will read as follows:

Section 41: MINORITY STATUS BASED ON SEXUAL BEHAVIOR PROHIBITED

1. Minority status shall not be based on sexual behavior or desires: therefore,

(a) Children, students and employees shall not be advised, instructed or taught by any government agency, department or political subdivision that a person's sexual behavior or desire is the legal or social equivalent to existing minority civil rights classifications.

(b) The People find that to be morally opposed to certain sexual behaviors such as homosexuality, when based upon a person's convictions, is a Right of Conscience in accord with Article 1 Section 2 and 3 of this constitution. Such objection produced by one's moral standards and values is therefore not discrimination relating to civil rights, nor shall it be considered so by any unit of state or local government; therefore,

(1) Public funds shall not be expended in a manner that has the purpose or effect of expressing approval of homosexuality.

(2) Marital status shall not be recognized or spousal benefits awarded on the basis of homosexuality.

2. Though subsection one is established and in effect, no licenses, permits, services or benefits shall be denied any person otherwise due under existing statute: nor shall the holding or exercise of any rights guaranteed by the Constitution of the State of Oregon or of the United States of America be deprived, nullified, or diminished.

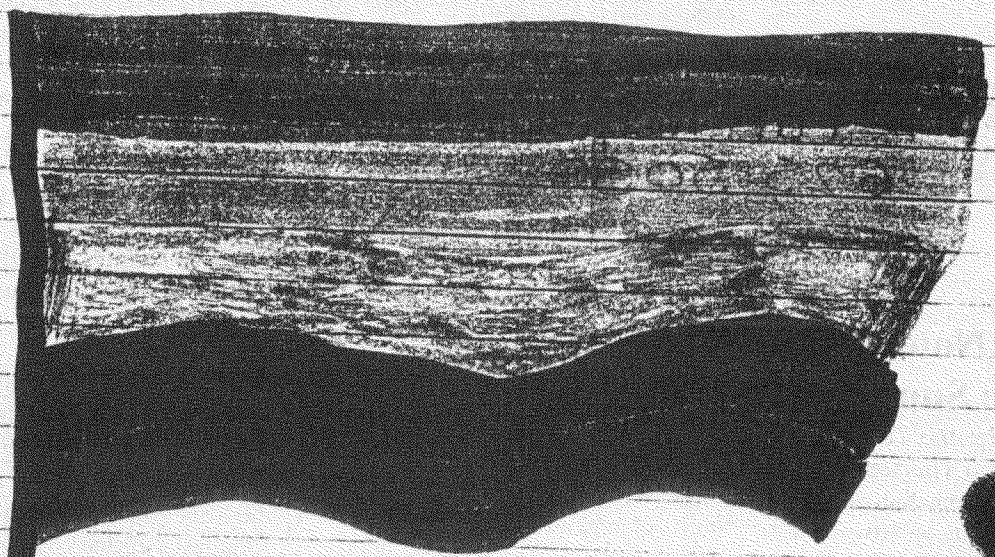
3. Though subsection one is established and in effect, with regard to public employees, it shall be generally considered that a person's private lawful sexual behavior is a non-job related factor, provided such consideration does not violate any provision of this Act or of the Constitution of the United States.

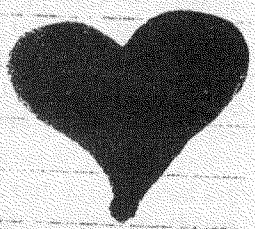
4. Though subsection one is established and in effect, books and literature in public libraries which promote or express approval of homosexuality shall be kept from minors: access made available only under parental supervision. Such material must meet local community standards established through the existing library review process.

5. The term minority status shall refer to any class or category of individuals created in the law as a special civil rights classification such as race, religion, gender, national origin, etc.

6. The PEOPLE INTEND that if any part of this enactment be found unconstitutional, the remaining parts shall survive in full force and effect. This Act shall be in all parts self-executing. For the purposes of this Act, every Oregon resident and non-profit entity doing business in the State of Oregon has standing.

*provided by **BASIC RIGHTS OREGON**. (503) 222-6151*





Dear love Makes a family inc.,
I just wanted to write to you to let you know how cool I think you are! I'm a sixteen year old girl with heterosexual parents but, I found out about you through the CAMP OUT at westwind. I read your newsletter and kids stuff. What I loved was it was all nice. the emphasis wasn't on how mean other people are or how awful the discrimentant world is, but rather just info and fun stuff. I really admire every person involved. Thanks for being so posative and great.

♡ Charlotte

over →

From The Notebooks of Melanin Sun

A book review by Alex Tinker

This book is about a thirteen year old boy who lives in Manhattan. His mother and he are the only two living members of their family. It's summer and Melanin Sun and his friends, Sean and Ralph, are out of school. He writes what he wants to say in his notebooks.

He leads a pretty normal life; has a crush on a girl, hangs out with his friends, until his mother, EC, 'comes out' to him. This tears him apart, he stops talking to his mother for awhile, and develops a hatred for his mom's girlfriend, Kristin. He always worries that his friends will find out that his mom is a dyke, and one day they do. He and Sean get in a big fight about it and Sean's mom makes him stay away from him. Ralph and Melanin remain friends.

In the end, he stops hating his mother and her girlfriend and realizes that he loves his mother too much to hate her.

141 Pgs, Author: Jacqueline Woodson, Early to Late Teen.

Sudden Strangers

A book review by Tim Wilson

Sudden Strangers tells of a journey a gay son and his father take when the son's being gay comes between them. Take a father who is very homophobic and wants his son to grow up, go to college, get married and have children. Add a son who has struggled to accept his sexuality and only wants acceptance from his father, but doesn't feel he gets it. Then put them in a situation where they are trying to write a book together, and you have *Sudden Strangers*.

I would recommend this book to any person who is attempting to 'come out' to their parents or children.

115 Pgs., Authors: Aaron & Walter Fricke, Teens to Adults.

COLAGE Comes To The NW

Mike Bebee, National Chairperson of COLAGE (Children of Lesbian & Gays Everywhere) has relocated to Seattle. He's made several visits to Portland. Mike was a guest on our radio program in September, and has attended the Opening Hearts and Minds Speaker Empowerment Training held in Portland in November.

Portland COLAGE

COLAGE is a group for kids and teens of gay and lesbian parents who would like to meet others with G/L parents. The group meets monthly at the Love Makes A Family, inc. office to discuss issues important to them, make new friends, and to have fun. The new COLAGE advisor is Natasha Fritts. For more information call the Love Makes A Family, inc office (228-3892).

Upcoming Events:

COLAGE Holiday Party:

Strengthening old friendships and making new friends is the theme. Bring a snack to share and a game to play with others. Monday, December 11, from 6 p.m. to 7:30 p.m. at the Love Makes A Family, inc. office.

Winter Hawks Hockey Night:

If you like to hang out with your friends and want to see a hockey game too, here's your chance! We'll be meeting in front of the Coliseum at 7:10, the game starts at 7:30. There are a limited number of free tickets available so call the Love Makes A Family, inc. office now to reserve your seat -- 228-3892.

We'll meet at the Memorial Coliseum Saturday January 6, 1996, at 7:10 p.m. We would also like to **THANK** the Portland Winter Hawks for the tickets.

Guest Speaker:

We will be having a guest speaker, Mike Bebee, National Chairperson of COLAGE, visiting with us for our January meeting. Mike will be talking to the group about issues that are important to us, especially as kids and teens of gay and lesbian parents. Snacks will be provided. At the Love Makes A Family, inc. Office Monday, January 8, from 6 p.m. to 7:30 p.m.

Movie Night:

We will be watching a video called Not All Parents Are Straight. Afterwards we will be discussing what it means for us to have gay or lesbian parents. Snacks will be provided. At the Love Makes A Family, inc. Office, Monday, February 12, from 6 p.m. to 7:30 p.m.

Welcome New Intern

Kara Ford, our new intern from Antioch College has a personal investment in the work she will do. Kara, the daughter of Barbara Ford, grew up in Portland. In her letter of interest about the job, she wrote: "Being the daughter of a lesbian, I have experienced the stigma surrounding Gay/Lesbian/Bisexual families firsthand. I understand the different issues that can come up specifically for the children of Gay/Lesbian/Bisexual parents. It has become very important to me, to speak of my experience, to support my mother, and other Gay/Lesbian/Bisexual families."

The next issue of our newsletter will be produced by Kara and will focus on the experience of children raised in lesbian/gay/bisexual headed families. If you would like to contribute your story please contact the office at 228-3892.

Our Current Intern

Tim Wilson, our current intern, worked many long hours to produce this issue of the newsletter. Tim comes to Love Makes a Family, inc. From a class in American Family Values at Evergreen State College in Olympia, Washington where he is a full time student. Many thanks, Tim.

NATIONAL FREEDOM TO MARRY COALITION

Love Makes A Family, inc has formally signed on to The Marriage Project initiated by Lambda Legal Defense Fund by signing the following resolution:

THE MARRIAGE RESOLUTION

Because marriage is a basic human right and an individual personal choice, RESOLVED, the State should not interfere with same-gender couples who choose to marry and share fully and equally in the rights, responsibilities, and commitment of civil marriage.

BE IT RESOLVED THAT
LOVE MAKES A FAMILY, inc
Endorses the **MARRIAGE RESOLUTION**.

The Marriage Project was initiated by Lambda Legal Defense Fund as an organizing tool to provide public education in anticipation of a legal victory allowing same sex marriages under the law in Hawaii. The Hawaiian suit, Baehr vs. Lewian, may be resolved as early as the end of 1996. Evon Wolfson from the Lambda legal defense fund emphasizes that this victory would allow legal marriage, which is different from the spiritual celebrations now offered to same sex couples by some religious groups. Although called "marriages," these spiritual celebrations do not give couples the legal protections, privileges and responsibilities of legal marriage. Other supportive organizations are encouraged to sign the Marriage Resolution, and to join the Freedom to Marry coalition. Love Makes A Family inc. sponsors a member chapter of the Gay and Lesbian Parents Coalition International, one of the founding organizations of the National Freedom to Marry Coalition. For further information contact the Love Makes A Family office at 228-3892.

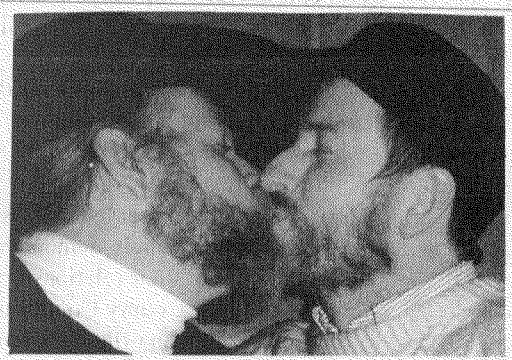
Speaking Out

Love Makes A Family, inc is looking for couples and singles to 'Speak Out' to the media about this matter. If you are interested in speaking to the media or know of anyone who is willing to do so, please contact our office.

Forum on Same Sex Marriage

Love Makes A Family, inc. facilitated a community forum on same sex marriage that was held Sunday, December 3 at Multnomah Meeting House, 4312 SE Stark. The forum kicked off local organizing efforts around non-discrimination in marriage. A prohibition against same sex marriages is included in the anti-gay ballot measure petitions currently being circulated by the OCA that is an attempt to preempt rights to equality in marriage which are sought in litigation currently under way in Hawaii. With this issue moving into the spotlight of public debate, gay and lesbian activists were invited to a public forum which laid the groundwork for local organizing efforts. A panel discussion presented equality in marriage as a lesbian and gay organizing issue from spiritual, family, legal, and political perspectives. Panelists included Jon Terry, Rev. Joyce McManus, and a recently married lesbian couple, Lauren and Terri Gevurtz. The panel discussion was preceded by two videos: *Love Makes a Family, Lesbian and Gay Families in* the Religious society of Friends and *Love Knows No Boarders,* a recently released film about discrimination in immigration because of marital status.

NEXT STEP: Interested in working on this issue? Come to a meeting at **noon, January 5**. Call 228-3892 for details.



Will Strickland and David Michner were married under the care of Ann Arbor Monthly Meeting of the Religious Society of Friends (Quakers) in August, 1995. If same sex marriage becomes legal in Hawaii couples such as Will and David would be able to seek legal recognition of their marriage.

REGISTRY FOR GAYS OFFERS COUPLES 'ACKNOWLEDGEMENT'

By Linda Cornett, Daily Camera [Boulder, CO], Nov. 9, 1995

It's a small idea really, just a list maintained by the Boulder city clerk's office with virtually no legal effect. But for the committed homosexual couples who could register on the list, the psychological effect could be immense.

"One of the reasons Amendment 2 (the Colorado ban on legal protection for homosexuals, now before the U.S. Supreme Court) was such a sting and such a blow to our community was it was an official slap. It carried the weight of being voted on in an election and approved by the community."

The Domestic Partnership Registry is not yet a reality. A draft of the ordinance will go to the Boulder Human Relations Commission on Nov. 20. If the commission recommends the ordinance, it could go to the City Council for action, probably early next year.

The registry ordinance was written by Boulder gay activist Rick Cendo, who based it on a registry established in Madison, Wis., in 1990. Only about half a dozen cities around the country have registries, and so far there is none in Colorado, although a group in Denver is working to establish one there.

Practically speaking, the registry's main function would be to certify to employers that extend benefits to same-sex partners of employees that a registered couple is indeed a committed couple.

Cendo said his main purpose in trying to establish a registry in Boulder is to get information to committed couples about the steps they can legally take to support their relationship.

Cendo and his partner of 3 ½ years, Gary Hamner, got an attorney's help in creating a 10-page power of attorney to establish the kinds of mutual responsibility and authority that married heterosexual couples automatically receive -- the right to be with a hospitalized partner, to make medical decisions, to share in financial decisions.

Cendo would like to have a packet of information on the legal rights of homosexual couples and on community resources handed out whenever a couple is registered.

There is more to it than the practical, however.

"For me, the registry is a small but necessary step," Osborn said, "a way that people who want to publicly demonstrate the reality and the wonderful nature of their relationship can do that at city hall. We can't go to the County Courthouse and get a certificate to be married, we can't file a tax return together, but we could register as a couple."

"It is important to me," Hamner said, "being able to record our commitment, our lives together."

Hamner and Cendo said they hope for a time when they can be legally married, and believe that time will inevitably come.

"It's like a step in that direction for me," Hamner said. "We think of real relationships being ones in which people declare officially that they are married and are seen as more established and legitimate."

RIGHT of PASSAGE

By Lauren & Terri Gevurtz

On the evening of Sept. 16, we experienced the most magical event of our lives. One hundred and twenty friends, relatives and colleagues joined us on the cruise ship, Portland Spirit, to share in our wedding. What made this event so miraculous is that it looked like the weddings of any of our siblings. Our parents escorted us down the aisle. Our siblings participated in the service. And as we looked out over the congregation, we saw grade school friends and friends of our parents. We saw older individuals and younger. Gay friends and straight - in fact probably two thirds were straight!

While to some this may seem utopian at best, it's reality came out of a journey of love. Not only the love we feel for one another, but the love felt for us by those willing to grow - in love. There were folks there who wouldn't have been a few years ago. And there were those who chose not to come. But of those who traveled the farthest on their heart journey, we found ourselves blessed by their support and acceptance. For some the journey began years ago, when we each first came out. But there were also those whom we watched travel light years just in the course of our engagement.

Getting married is a right of passage. Not only for the two individuals making that commitment, but also for those who honestly witness to that commitment. We each saw siblings and parents go from references such as "Terri's friend" or "Lauren's roommate" to "**my sister-in-law**" and "**my girls**."

Lauren and Terri Gevurtz

As with any wedding there were myriad details to be contended with. The majority of tradesfolk, from caterers, florists and photographers, to the hotel and the carriage driver all knew it was a wedding of two women. We were treated completely professionally. With love, creativity and professionalism we were able to create a ceremony which celebrated and combined Jewish and Catholic traditions, our families of origin and of friendship, and the reality of honoring a spiritual covenant while being deprived of state sanction.

While the state may not yet recognize our marriage. It was made very real to us, and those who share our lives, in the exchange of rings; the taking of the same last name; and in the witness of our community.

GAY & LESBIAN PARENTS COALITION INTERNATIONAL

Love Makes A Family, inc Attends 1995 Conference

Seven Portland members of Love Makes A Family, inc attended the 1995 International Conference of GLPCI, held in Los Angeles, CA, this summer. The following reports on workshops were compiled by Dana Penilton.

Overcoming Homophobia in the Elementary Classroom

Presented by Dusty Ara'ujo and Sally Golden of LGPA.

This workshop included viewing the video, "Both My Moms' Names Are Judy." The instructors encouraged participants to utilize the video and training materials to go into the schools to speak to teachers, principals, and school counselors. These materials are available through "Love Makes A Family, inc." of Portland.

The panel speakers pointed out that whether or not we as parents come out in school, our children are already dealing with these issues. For instance, many children don't know what gay and lesbian means, but most of our children do know. Children of gay and lesbian parents have said that it is easier for them in the classroom if their teachers acknowledge their family structure and allow discussion without negative labeling. It is the teacher's responsibility to treat every child equally, and provide a safe learning environment. Children don't feel safe if they can't talk about their family. As parents we have a lot of clout, and can push for all children to feel safe in school.

"Kids teased me a lot because of my lesbian parents. They said I was a lesbian because my parents were lesbian -- and the teachers didn't do anything about it."
Crystal, age 10

One of the first issues faced when attempting to bring this training to schools is how to deal with parents who don't want these issues discussed in the classroom. The presenters suggested reminding these concerned parents that this information is not sex education (instructors are NOT teaching 'homo-sex') and fits into curriculum requirements because the topic is families, and everyone has a family. It has also been successful to let people know that the presenters are not asking for agreement, but are teaching tolerance, acceptance, and diversity. Every child can benefit from learning about and accepting many configurations of people and families. If concerned parents persist, instructors have pointed out that if the concerned parent's child had a problem they would expect support and protection for their child. When a child doesn't feel they and their family are ok, they aren't safe.

Other important concepts discussed:

- When teachers use words such as gay, bisexual and lesbian in a positive way, the power behind name calling is diminished.
- Put downs are not accepted in school.
- Ignoring is condoning.
- Anticipate "teachable moments." For example, ask a name caller if she/he knows what the term "faggot" means. The child usually doesn't know the definition, therefore, a teachable moment has occurred.

If you are interested in viewing the video, "Both My Moms' Names Are Judy" and/or participating in the training available, contact Love Makes A Family, inc. office for training times and details.

Communicating With Your Child

Presented by Zev Nathan, MD

Dr. Nathan made suggestions about talking with your children. He warned that the trust developed by modeling the concepts discussed takes time to develop. Parents may not realize that few issues are settled by talking to a child once. Dr. Nathan stated, "you and your child may need to re-visit 'issues' at each stage in the child's development." Dr. Nathan articulated that as a child enters a new stage in development the child may need you to be different, because they are different. The example he used was that families may need to go through the 'coming out process' at each stage in a child's development since the issues become new again.

The full text of this presentation is available through Love Makes A Family, inc.

Research Participation Opportunity

Tara Rose, a USC student currently completing research on families with Gay, Lesbian, or Bisexual parents was at the GLPCI Conference seeking subjects for her project. Her research is patterned after a multi generational family study that has been in progress over the last 24 years involving over 350 three-generation families with self-identified heterosexual parents. It is Tara's goal to compare USC's findings with her own to determine what is similar and different in families with Gay, Lesbian, and Bisexual parents.

The purpose of her study is to better understand relationships in families with Gay, Lesbian, and Bisexual parents. She is interested in exploring opinions, values, interests, thoughts and feelings about different topics. She anticipates finding some similarities and differences among

generations of families with self-identified Gay, Lesbian, and Bisexual parents.

Participation in this study is important because it will provide a unique perspective to the researcher. This type of research has not previously been completed.

If you are interested in participating, please contact Tara Rose at the following address: GLPCI Survey: New USC Study of Multi-generational Families Dept.t of Psychology, University of Southern California, Los Angeles, CA 90089-1061
1-(213) 740-2210 1-(800) 303-1323

Interview with A Dad from Paris

Christian, a Gay Dad from Paris, France, learned about the Los Angeles GLPCI conference when he was asked to translate the conference brochure. He thought the ideas presented sounded bold, and was interested in attending.

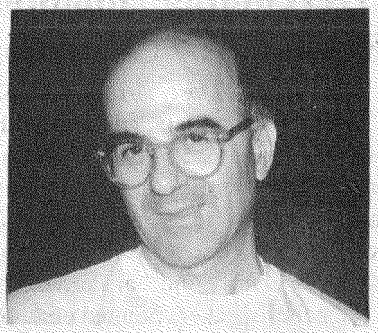
It seemed all of us parents attending the conference without our families proudly and frequently shared family photographs. Christian not only displayed pictures of his family, including his 11 month old son Maxence, but he let Love Makes A Family, inc borrow them for our newsletter.

Christian notes that in France, being a gay man is not easy. For example, neither Christian's partner nor Maxence's mother's partner have legal parental rights; adoption is not an option. As a teacher of English, Christian can't be fired for being gay, but life can be made so difficult that people feel forced to change jobs. "It gets around, students know, parents are suspicious. Some boys especially don't deal with it, girls are more tolerant, parents are the worst by belittling and insinuating." Despite difficulty, Christian points out that it is "impossible to discriminate in France because by law no one can be discriminated against on the basis of 'private life.'" Christian was once slapped in public by a student. He successfully sued with the support of his union and won a public apology and a Franc award for pain and suffering. Christian noted that he could have asked for a much larger monetary award but his goal was public acknowledgment of the error rather than compensation. Like in America, France's legal system is slow and expensive, but if a Gay or Lesbian person is bashed public pressure is intense and attackers are apprehended with severe prison sentences imposed.

Christian has been instrumental in starting an APG (Association of Gay Parents and Future Gay Parents) group which is approximately 200 members strong. The APG newsletter is read by about 800 people and is regularly sent to members of Parliament. About 50 people attend monthly meetings. Members meet informally in homes and share potluck dinners and champagne. People from the provinces come into Paris for the meetings with members putting them up for the night. Discussions include issues such as alternative insemination, adoption, and school. The children play as the adults get to know each other.

Paris boasts a large Gay and Lesbian Center where multiple services are available for anyone. For example, job search assistance, location of a place to stay, and a resource referral system is available.

Paris has a 14 year old Act Up organization that is visible; marching in Gay Pride parades and recently walking into Notre Dame during mass with placards exclaiming, "We are happy to be Gay." This caused quite a scandal and the demonstrators were asked to leave. Despite progress in areas of referral, assistance, and apprehension of people guilty of discriminating against Gay and Lesbian people, Christian reports that many in the French Gay and Lesbian community attempt to remain invisible. People don't feel comfortable holding hands or telling their friends.



Christian, a founding member of the French Association of Gay Parents and Future Gay Parents.

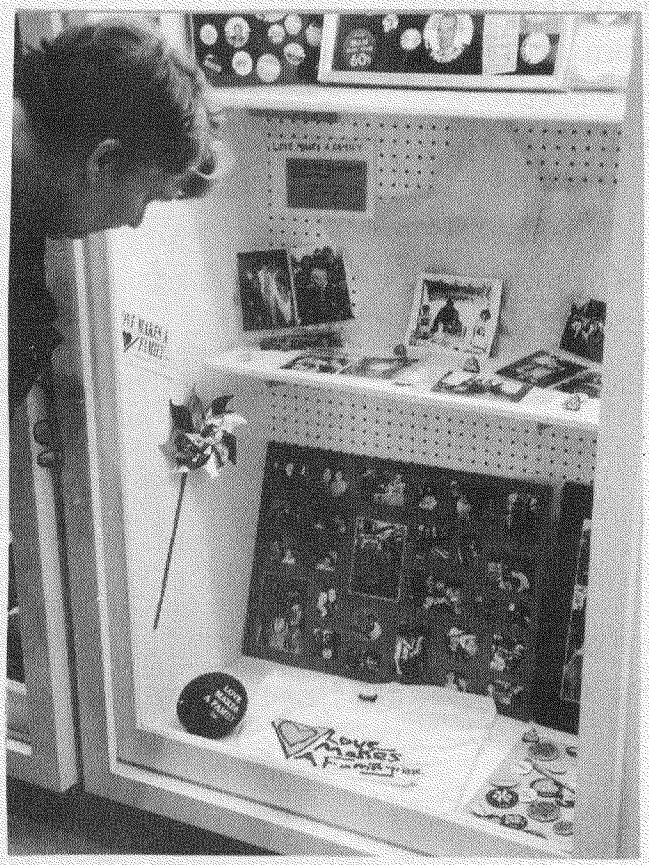
1996 GLPCI Conference

The 1996 GLPCI Conference will be held at the Regal Hotel Minneapolis in downtown Minneapolis, July 4th - 7th. The conference will be composed of three related sub-conferences: The Parent's Conference, The Young Adult Conference, The Children's Conference. Childcare will be available for children under the age of 6. All inquiries should go to: Minnesota Families GLPCI 96, P.O. Box 11970, St. Paul, MN 55111-0970. Or call (612) 924-3049.

1997 GLPCI Portland Conference

The committee has started coming together to make plans for this conference. The committee is headed by Dana Penilton and they now have six members with other positions available. The dates for this conference are tentatively set for August 9, 10th, and 11th, and they are hoping to coordinate this conference with the YWCA Gay and Lesbian CampOUT. The site for this conference has been narrowed down to three places, but still undecided, with a goal of housing and meals available for those attending. The theme for this conference is still in the process stage and suggestions or ideas are appreciated. The committee would also appreciate any ideas or suggestions for speakers. If anyone would like to take a position on the committee or become a member please contact: Dana Penilton at 244-3118 or Merry-Lynn Amsbury at 284-0214. They can also be contacted for information regarding upcoming meetings.

Family Photo Album Project Goes to the Fair



An exhibit of family photos, buttons, and other Love Makes A Family, inc. memorabilia was exhibited at the Oregon State Fair last summer. The exhibit was entered in the "collectibles" section, which is open to collections of just about anything. The exhibit was coordinated by Sara Graham and Pamela Pegg. Three Love Makes A Family, inc. photos were also exhibited in the juried photography show.

Next year Love Makes A Family, inc. plans to enter another "collection" in the State Fair and photos in several County Fairs and the State Fair. Most County Fairs that exhibit photography will display all photos that are entered, making this a very accessible (and free!) way to display our photos to the public.

SHARE YOUR PHOTOS

If you would like to enter any of your family photos in the fair, or would like to contribute to a "collection" please contact the Love Makes A Family, inc. office, 228-3892.

This project is part of the Love Makes A Family, inc. Parent/Child Services program and is funded through a grant from the Neighborhood Partnership Fund. Additional organizational funding comes from Astraea, A Territory Resource, The Black United Fund, Chicago Resource Center, Equity Foundation, The Funding Exchange, McKenzie River Gathering, The Needmor Fund, Ralph Smith Foundation, and many individual members and contributors..

Family Photos Win Friends in China

At the lesbian mothers' press conference held at the NGO Forum in China several mothers passed around albums of their family photos, generating great interest from women who had never seen lesbian mothers and their families.

When Love Makes A Family, inc. representative Bonnie Tinker was invited to talk to the Muslim women caucus at the Fourth World Conference on Women in Beijing, her photo album was passed around and led to the opportunity to talk with the women after the meeting .

Although the personal and political differences between the muslim caucus and the lesbian caucus were tremendous, the photos provided a direct human connection. When Bonnie challenged an international panel of right wing organizers, one of the Muslim women who had viewed the family photos earlier gave Bonnie the thumbs up signal and said, "good job."

Chinese students look at a family photo album shared at the lesbian mothers press conference in Huairou.

Love Makes A Family:
A Public Dialogue About Lesbians, Gays and Family Values
KKEY Talk Radio 1150 am
7-9 AM Wednesdays

Authors on the Air

Authors of new lesbian and gay books are now appearing regularly on the Love Makes A Family talk radio program. Ruthann Robson, author of *Another Mother*, will be the guest on December 20. Blythe Druess, a teenage author featured in *All the Ways Home* will be interviewed during Winter Break, December 27. Urvashi Vaid, author of *Virtual Equality*, has agreed to do an interview early in the new year, but a date has not yet been set.

Name the Guest

Diversity is the name of the game with lesbian, gay, bisexual and transgendered headed families. This diversity is reflected in the diversity of guests invited to appear on the program. The program features YOUR family values. If you would like to be a guest, or suggest a guest for the program, please call the Love Makes A Family, inc. office, 228-3892.

You Too Can Call In: 222-5539

The Love Makes A Family, inc. talk show is directed to an audience that may not be familiar with lesbians and gays (that's putting it mildly - some are downright opposed). That's who we want to talk to. This audience also includes lesbians, gays, bisexual, and transgendered people who have been completely closeted. Some have come out on the air even though they have never been out to anyone else. It's a good audience to talk to - and YOU are invited to give a call and have your say. The number is 222-5539 from Portland or 693-5539 from Vancouver. If the Portland line is busy, you can call in long distance on the Vancouver line.

Help keep the program on the air - send a contribution to Love Makes A Family, inc., P.O. Box 11694, Portland, OR 97211. Business sponsorship slots are also available. Call the office, 228-3892 for more information.

Opening Hearts and Minds

Seeks Funding for Rural Outreach

A grant proposal to the McKenzie River Gathering seeking funding to present The Opening Hearts and Minds Speaker Empowerment Training in rural Oregon communities has passed a first round of screening. The proposal will be heard by MRG Board at their Winter community presentation in December. Rural community groups who would like to host the workshop can contact Amanda Colorado through the Love Makes A Family, inc. office. The Opening Hearts and Minds Workshop Committee will meet in January to plan their workshop schedule for 1996. They have been invited to present a five session version of the workshop at the Friends General Conference Gathering in Ontario next summer. The workshop is available to any community and it will be offered regularly in the Portland area. Contact the office if you would like to receive information about Opening Hearts and Minds Workshops.

Gay Friendly Childcare

by Children's Programs Chair, Merry-Lynn Amsbury

At a recent OAEYC (Oregon Association for the Education of oung Children) conference, the following child caretakers self-identified as being gay-positive:

Laurie Todd is a lesbian who does infant care. She has three infants at a time in her program and she keeps them until they are three years old. Her present group of three will graduate in September of 1996. Two of her new slots will be filled by current families and she has an opening for one more infant. Call her at 236-3940. She is located at 3756 SE Stephens.

Chrysalis Home School for 2½ to 5 year olds. Call Colleen Strahm at 287-8481.

Sunflower School at 2816 NE 11th, Portland 97212. Call Liz Bowers at 281-3219.

Helen Gordon CDC at PSU, 725-3092.

Kids House Pre-School at 231 Gresham St. Ashland, OR. All day care for 1½ to 6 year olds, 482-4418.

Metro Family YMCA at 3030 SW 2nd, Portland 97201. Call Charlotte O'Donnell at 294-3399.

Deena Barrett at 2334 22nd Ave., Forest Grove 97116. Phone 357-3533.

Town Carousell Day School at 86 Centennial Loop, Eugene, OR 97404, 2 months to 6 years all day, 6 to 12 years before and after care. Call Lydia Beckett at 342-2461.

Volunteer Opportunities

Love Makes A Family, inc.: Seeks Phone Crews

Contact: 503-228-3892

Portland –Love Makes A Family, inc. seeks a Volunteer Coordinator and volunteers to assist with phone banking. Telephone membership solicitation will take place on Tuesday evenings from the Love Makes A Family, inc office and will be coordinated through the fundraising committee. Volunteer positions to be filled are:

- **Volunteer Coordinator** - duties ; contact persons who have indicated interest in volunteering in all aspects of Love Makes A Family, inc. programming, schedule and supervise. Estimated time commitment: 2-3 hours. per week
- **Phone Coordinator**- meet with the fundraising committee (monthly); coordinate phone crew leaders to provide weekly phone banking. Estimated time commitment: 5 hours. per month
- **Phone Crew Leaders** (4) - duties: organize a phone crew of at least three people to work one Tuesday per month. Estimated time commitment: 5 hours per month (3 on designated Tuesday, 2 as needed to schedule, check in with crew).
- **Phone bank volunteers** - duties: to be part of a crew working out of the Love Makes A Family office soliciting memberships and contributions by phone. Estimated time commitment: 3 hours per month (one Tuesday evening).
- **Childcare Coordinator** - duties: arrange for Childcare (as needed) Tuesdays, 6:30-9:00. Estimated time commitment: 2 hrs/ month.

Love Makes A Family, inc is online at:
lmfamily@teleport.com

Thanks to Ron Braithwaite!

Love Makes A Family, inc Monthly Meetings

Love Makes A Family, inc's monthly parent and family support groups are held on the second Monday of each month from 6-7 p.m. in the Love Makes A Family, inc office. For more information, contact Love Makes A Family at 228-3892.

More Volunteer Opportunities!

Love Makes A Family, inc is continually looking for volunteers in the following areas:

Library: Development and Tracking

Office: Management: Database, Information, and Fundraising

Public relations: Press Releases, Events, and Photo Exhibits

Correspondence: Mailing Team members, and Letter generator

Radio Show: Guest, Sponsorss

Your Old Jeans Can Brighten The Future

What do you do with your old unwanted LEVIS? Give them to Love Makes A Family, inc.! 501 LEVIS can be sold to Worldwide, Inc. for up to $15 a pair. LEVI jackets and cowboy boots are welcome as well. All must be in relatively good condition (no holes, please). So don't throw your old LEVIS away--throw them our way, and help create a more inclusive community. (Only LEVI brand jeans and jackets. Please.)

WELCOME NEW BOARD MEMBER

We would like to welcome our newly elected board member, Dana Penilton. Let's give her a big round of applause for the work she has done and the work we know she will continue to do.

CREDITS:
Tim Wilson, Janny Nieboer, Dana Penilton, Natasha Fritts, Terri and Lauren Gevurtz, Alex Tinker, Merry-Lynn Amsbury, Jennifer Koogler, Sara Graham
Pictures Provided by:
Adams & Faith Photography
Camo & Bonnie Tinker.

Pride Bingo!

7-11 PM (doors open 6:30 pm)

Holiday Craft Bazaar and Bake Sale
(Vendor space available)
Visit with Mother Winter and the Solstice Elves

Friday, December 15th

Northwest Service Center, 1819 NW Everett
(a non-smoking space)
Childcare provided, FFI: 223-0071

PROGRESSIVE BINGO!
$
BLACKOUT GAMES!

Sponsored by:
The Lesbian Community Project
and
Love Makes a Family, Inc.

JOIN US
FOR FAMILY FUN
& SUPPORT OUR ORGANIZATIONS!

Love Makes A Family, inc.

General Membership and Contribution Form

Name(s)_____

Adress_____Phones_____
street city state zip work home

Additional Family Members
(please list children's ages)_____

_____Please enroll us in the Love Makes A Family Chapter of GLPCI (Gay & Lesbian Parents Coalition International)

_____Please add our children to the COLAGE (Children Of Lesbians And Gays Everywhere) *Just for Us* newsletter mailing list

Amount Enclosed: Sliding Scale, $10-$100
(No one will be denied membership due to lack of funds)_____

Please send information about:
___Parent-Child activities
___the Parent Teacher Panel
___KKEY radio program list
___volunteer opportunites
___speaker training

Return to: PO Box 11694, Portland, OR 97211

Love Makes A Family, inc.
PO Box 11694
Portland, OR 97211

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Love Makes a Family, inc.

Issue #5 **NEWSLETTER** **Spring 1996**

PO Box 11694, Portland, OR 97211
PH: 503-228-3892; Fax: 503-228-3970; Email: lmfamily@teleport.com

Children of Lesbians and Gays Speak Out

by Kara Ford

In 1994, the Oregon's Citizen's Alliance dubbed their newest anti-gay measure, "Protect Our Children." But what does this phrase mean to the estimated eight to ten million children whose parents are lesbian and gay in the U.S.? The protection these children need may have more to do with the political and personal language and sometimes harassment, used to malign their parents, rather than their parents' sexual orientation.

A lot of studies that have been done, and continue to be done, to determine how children who are raised in lesbian and gay households are affected. Previous to this, and some-times in spite of it, many assumptions have been made about these children. These myths include: they will have difficulty developing relationships with others, will grow up to be gay or lesbian themselves, will be sexually abused and psychologically damaged.

One of the most famous studies is the Patterson study, which reviewed the results of many studies on children of lesbians and gays. Charlotte Patterson, Ph.D. concluded in her review that, "not a single study has found children of lesbian and gay parents to be disadvantaged in any significant respect relative to heterosexual parents."

The children were as able to develop successful relations with others, equivilent to those children raised in heterosexual families. Their chance of being sexually abused is no greater than the general population. They are also no more or less likely to be psychologically damaged than any one in the general population. Finally . . . everybody's favorite question, "Will children of lesbians and gays turn out to be lesbian and gay themselves"? The truth is: some do, and this too matches up with statistics from the general population.

What's so different about these kids? NOTHING . . .
Except some of the issues they have faced.
Alex, Aaron, Kara, and Mike of Love Makes a Family, inc.'s local Children of Lesbians and Gays Everywhere (COLAGE) group

Looking at most of the statistics there's almost an anti-climatic feeling. Children of lesbians and gays are just as boring and interesting, attractive and ugly, smart and stupid, happy and sad, mean and nice, and healthy and unhealthy as everyone else.

There is social stigma around having a gay parent. Most of this derives from the myths about gay people, and the hatred some people have towards lesbians and gays. Also many people assume that lesbians and gays could not possibly have children. Derogatory terms against lesbians and gays taint the children's role model(s): the person or people who the source of comfort in their lives. This can often hurt and give them shame. Because of the prevalence of homophobia in this culture, children often don't know who they can trust to talk to, or sometimes even how to talk about their gay or lesbian parents.

The people whose stories are featured in our newsletter address issues prevalent in the lives of many children of lesbians and gays. They include: dealing with homophobia, loving a parent when uncomfortable with their sexuality, speaking out in public, facing harassment, looking at new ways to define family, celebrating our parent's happiness, and taking care of a parent who is dying of AIDS.

These are people who chose to speak out about their lives and families, instead of letting themselves be defined based on the assumptions of others. Their experiences and opinions are diverse and vast. But they have a collective message, and it can never be said enough: "We do exist, and we should be treated fairly!"

PORTLAND PUBLIC SCHOOLS BEGIN TO TAKE A STAND AGAINST HOMOPHOBIA

Compiled by Kara Ford

Portland Public Schools are beginning to take a stand when it comes to homophobia in the schools. Superintendent Jack Bierwirth along with Judy Chambers, chairwoman of a 1991 task force that identified the risks that local gay and lesbian students face, have implemented non-mandatory training sessions for staff and administrators in an effort to increase sensitivity around gay and lesbian issues. "There is a direct connection between teachers ability to help all kids and kid's productivity in school, academically, socially, and otherwise," Bierwirth noted.

In support of the trainings, he points to a study by the Federal Health and Human Services showing that gay and lesbian students commit suicide, abuse drugs, and drop out of schools at disproportionate rates.

It is important that we respond to this backlash by basing our actions on the principle that no group of people should be targeted for discrimination. School Administrators should not turn a blind eye when they see it . . .

We laud the fact that these trainings will hopefully not only lead to making the schools safer and more tolerable for gay and lesbian students, but also for many students with gay and lesbian parents. Even this small step of non-mandatory sensitivity trainings for staff has brought about an enormous amount of backlash from citizens and teachers who see these trainings as an attempt to forward the "homosexual agenda."

It is important that we respond to this backlash by basing our actions on the principle that no group of people should be targeted for discrimination. School administrators should not turn a blind eye when they see it, but confront it head on. This effort is needed to protect all our children.

(Bierwirth quote reprinted from the Oregonian 2/28/96)

Teaching Strategies in Sensitivity Trainings

(Reprinted from the Oregonian Sunday, February 25, 1996)

- Address negative school-based incidents on the spot - target harassment, put-downs (whether or not targeted to individuals), anti-gay jokes and graffiti, and labeling.
- Change language that assumes that everyone is or should be heterosexual (use "partner" rather than boyfriend or girlfriend, "permanent relationship" rather than marriage).
- Change human relations and personnel policies to protect students and staff from discrimination on the basis of sexual orientation; train personnel to follow-up on violations.
- Identify lesbian and gay contributions throughout the curriculum (history, literature, art, science, religion, etc.)
- Provide history of oppression (such as Holocaust, origins of defamatory terms for gay people).
- Submit requests to improve library holdings (both fiction and nonfiction) related to sexual diversity.
- Develop and/or advertise resources (support groups) for lesbian/gay students and their families.
- Include issues for lesbian/gay students and staff in coverage in school paper.
- Bring openly lesbian/gay adults as resources in classes and assemblies.
- Include lesbian/gay concerns in all prevention programs (suicide, drop-out, pregnancy, etc.) and in training of peer leaders, student government, etc.

No Hateful Words Here

by Peter Hamilton, principal of West Sylvan Middle School
(Reprinted from Wolf Call, West Sylvan's Newsletter)

It is not uncommon for early adolescents to tease each other. As adults we cannot respond to every remark. We do need to help students understand society standards. Even if intended as a form of humor, there are some words that are unacceptable. It has taken a long time to establish the norm that racist remarks have no place in our culture. We reinforce this standard at West Sylvan, and our students are very sensitive to this issue.

It has come to my attention that some of our students are hurt due to the too common use of homophobic statements. We as a culture and West Sylvan specifically have not done enough to teach students that these words have no place in our culture. The staff has discussed this concern. We will try to be more aware of this problem and more assertive and thoughtful in the way we respond to these situations. We are also considering ways to help students become more sensitive about this issue.

We recognize the wide range of beliefs concerning race, or religion, or sexual orientation. Our position is that all humans are to be treated with dignity, and hateful words have no place in our school. I ask that each family have a discussion about this topic. A good place to begin is: "When does the teasing go too far?", "Are there words that our family will never use?"

Many schools post a sign, "No Racist, Sexist, Homophobic Remarks Allowed Here." West Sylvan will use these signs, and I ask that families discuss why this is important. Our school will continue to teach students why this is such an important standard.

PRIDE BINGO !

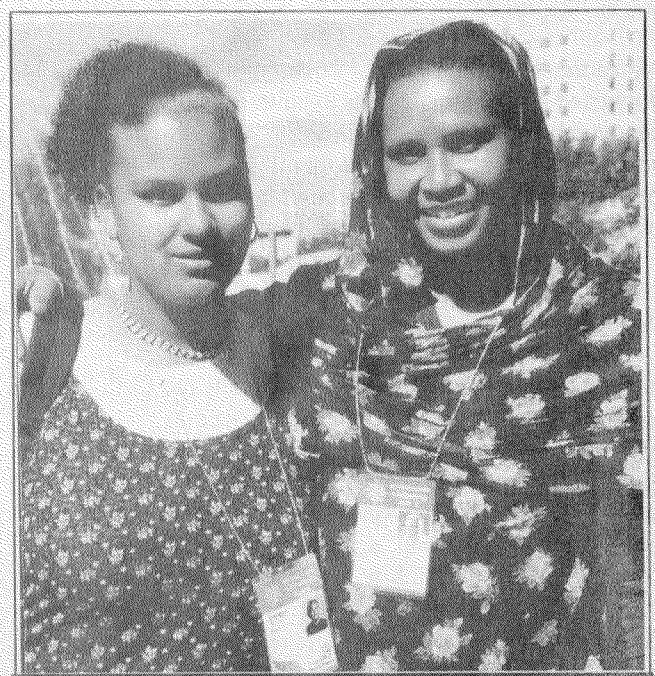
FOURTH SATURDAYS 7-11 PM, Doors open 6:30
Scandia Hall, 1825 SE Madison
a non-smoking space
A cooperative fundraising project sponsored by
The Lesbian Community Project & Love Makes A Family, Inc.
Childcare provided For information call: 223-0071

JESSIE CLAY INTERVIEW

by Kara Ford

Jessie Clay attended the UN Fourth World Conference on Women this past September with the support of Love Makes a Family, inc. I caught up with her for a telephone interview about her experiences in China.

KF: Why was it important for you to go to China for the Women's Conference.
JC: I think it was important to go because it was a major contact to a lot of issues from a lot of different places around the world. I knew that it would be a good experience. It's not common you can go to a conference with women from all around the world, they don't come up that often.
KF: How many women were attending?
JC: I don't have an exact number, but it was somewhere between 17,000 and 30,000.
KF: What was the best part of your trip?
JC: Well, there's a lot of different good parts. I got to have conversations with many different people. Then I got to see a lot of different sites: like the Great Wall of China and the Palace and the Forbidden City. I got to see a lot of art also, which was neat. We went to a Karaoke place, and that was fun.
KF: What was the worst part of your trip to Beijing?
JC: I think that the worst part was one day I went into the city and I got lost in Beijing. It's pretty big and nobody knew what I was talking about when I needed directions, but I finally found my way back to the hotel.
KF: Were there workshops you were especially interested in attending?
JC: Yes. Most of the time I attended youth workshops that focused on youth issues.
KF: What were some of the topics people talked about at these workshops?
JC: We talked about things like, basically where youth is headed and different issues youth have to face like drug and alcohol abuse, the girl-child self-esteem.
KF: What were some of the differences you noticed between Chinese culture and North American culture.
JC: A lot of stuff. I mean everything is just totally different. It's not like it surprises you though, because you expect it. Maybe the biggest difference was that people stared a lot, it's not as socially taboo to do that there.
KF: What were some of the issues they covered at the women's conference?
JC: They had, everything ... Muslim Women in Africa, they had Trafficking; Comfort Women. Basically any issue of injustice that women had to deal with.



Jessie Clay and new friend in Beijing for the UN Fourth World Conference on Women

KF: What was some of the attitudes you saw towards lesbians, both at the conference and in China? I know that there was one point where the group Bonnie Tinker was with had their signs stating, "Lesbian Rights are Human Rights" confiscated by conference officials.
JC: Yes, that's the only incident I witnessed. I really didn't get that far in conversation with Chinese people I talked to, so I didn't know what their opinions were about the issue.
KF: What were some of the trials you had to go through to get to China?
JC: I started off with scholarship from the Majority People's Fund, but it didn't come through so we had to fundraise a lot of money in a short amount of time. Other things kept coming up. We had huge phone bills trying to get all the information straightened out. When I got into San Francisco there was no visa waiting for me, so I had to wait.
KF: So would you want to go to the next U.N. Women's Conference?
JC: Definitely.
KF: Why? What did you get out of this conference?
JC: It was just a lot of fun! It was the kind of experience that changes a person's life.

Jessie's trip was funded through generous donations from a number of individuals and grants from A Territory Resource and the Black United Fund.

STEFAN'S STORY

By Stefan Lynch

My name is Stefan Lynch. I'm twenty-four. My mom and dad married and did the big nuclear family thing until my dad came out when I was three (my parents moved to a big city, Toronto, and my father realized that there were other men like him). They stayed married, which many lesbian and gay parents do when they come out. It's unbelievable how many of these couples stay together for years and years. (Frankly I haven't heard a whole lot of positive feedback from kids in those families.)

My parents separated when I was five, and until I was sixteen (when I went to college) I went back and forth between them. Fortunately they remained good friends.

When I was seven, my dad brought a lesbian actress from California to Toronto for a benefit for the Body Politic, Canada's national gay newspaper. Her name was Pat, and after the show she, my dad, my mom, and I all went out for dinner. Well, my mom fell in love with Pat at first sight, and a year later moved to California to live with her.

So the trips back and forth got quite a bit longer.

I never, ever got along with Pat. We started off on the wrong foot right away because she tried to parent me and I didn't want another parent. I was resentful that she was stealing all my mom's attention. The one good thing about living with Pat was that she had a lot of neat friends who would come over for parties or who we would see at plays she directed.

Looking back on it, the interesting thing about moving back and forth was that my mother was very closeted while my father was very out. When I was at my mother's I didn't tell a soul at my school. Before I had friends over I would run home to turn the gay posters on the wall over and clear the coffee table of Adrienne Rich poetry. I referred to Pat as my aunt.

At my dad's, however, everyone knew he was gay. All my friends, teachers, parents of my friends, half the neighbors, and his family all knew. (My mother's family still doesn't know that she's a lesbian, which is amazing to me.) There were hors d'oeurves bowls with condoms on the coffee table, since we were a safer-sex conscious household, books, pictures, magazines, and gay people everywhere.

Living with my father I experienced intense homophobia. We had a brick with the work "fag" on it thrown through the window. People physically assaulted my dad and his friends. Parents didn't let my friends come over because they "might catch AIDS," boys called me fag because I didn't kiss just girls when we played "kissy-tag," going on TV and have people rant directly at me and my family. I would pass out flyers at events and have pro-gay flyers thrown back in my face, and had an angry homophobe confront my father and me in a dark alley when we were putting up gay-positive stickers. Although I experienced all of this direct homophobia at my dad's, the experience of being closeted and lying with my mom and Pat was ten times harder!

My dad showed me how to be proud and honest and how to work for what is just. My mother showed me how to hide things that didn't fit in, although she taught me a ton of good things too. My dad showed me that other people's hate and ignorance was the problem, and showed me how to deal with that productively, while my mother's message was just the opposite.

My dad died just as I was getting to know him as a person, not just a parent. It was devastating. Actually the death itself was a relief, it was the dying part that was hard. It's been four and a half years and I still can't say I'm "over it." I'm sure I never will be.

The other huge difference was that living in Toronto with my father, we had a whole community, mostly gay men, who were always around to help raise me. You know the saying "It takes a whole village to raise a child"? That is kind of like what I had in Toronto. It was truly special.

The community has been decimated by AIDS now. Of the ten men I lived with in a house when I was eight, only two are still alive, and one of them is sick. My father's first lover and then best friend, Bill, who I lived with for ten years, died when I was fifteen. It was horrible ... I had to go back to school in California the day after his memorial.

I've probably known thirty to forty people who have died of AIDS-related causes. AIDS was in many ways the defining factor in my growing up. Especially when my dad told me he was HIV+, actually I overheard it in a phone conversation.

During my teen years my father got sicker and sicker, and I spent more and more vacation time away from school to take care of him. When I was nineteen I left school to take care of him full-time for seven months before he died. A team of forty volunteers helped me, thank God! My mother visited a few times, but since he didn't have a main man, I was the decision maker. Sole inheritor of my father's house and money. Boy did I have to grow up fast!

My dad died just as I was getting to know him as a person, not just a parent. It was devastating. Actually the death itself was a relief, it was the dying part that was hard. It's been four and a half years and I still can't say I'm "over it." I'm sure I never will be.

Continued on next page...

I think something that really affected that experience of taking care of my father while he was dying, was having gone through so many deaths before: I kind of knew what I was doing, or at least how to deal with my fears and pick out what I could deal with. So in that sense it was easier. But because so many of the people who died were the people my father and I would have sought comfort from while he was dying, it was much harder.

Now I'm living in San Francisco. I'm the Director of Children of Lesbians and Gays Everywhere, which is a full-time job. I'm working to re-establish my relationship with my mother, since this was put on hold when my dad got sick, and with her new partner (who I like much more). I live in a progressive, queer-friendly, vegan collective with four other people and our cat, Xuxa.

I was not so blessed to be gay! However I do identify myself as erotically straight (attracted to women), and culturally gay (more attached and comfortable with queer issues, humor, people, and politics).

Stefan Lynch is Executive Director of Children of Lesbians and Gays Everywhere (COLAGE) and lives in San Francisco.

NEW MEETING TOPICS

The Lesbian, Gay, and Bisexual Parent support group meets on the second Monday of each month at 6 p.m. Community members considering becoming parents or in the process of becoming parents are always welcome at the meetings. Parents meet at the same time as the Children of Lesbians and Gays support group, which is now being facilitated by Kara Ford, Love Makes a Family, inc.'s intern from Antioch College and Mike Beebe, Chairperson of COLAGE(Children of Lesbians and Gays Everywhere).

Meetings use a rap group format where anyone can bring up concerns, questions or ideas. Members have decided that this format is valuable because it offers support around whatever is going on for them at the time. The group decided that it would also be nice to have a topic for the second half of each meeting. We've made a list of topics that members were interested in. Here is a tentative list of topics and dates. Some months we may invite guest speakers who are knowledgeable in the topic of discussion.

Topics:
April 8th: Same Sex Domestic Violence
May 13th: Legal issues RE: Lesbian, Gay, and Bisexual Parenting
June 10th: Extended Families
July 8th: Interracial Relationships and Families
August 12th: Lesbian and Gay Families on the Internet
September 9th: not filled
October 14th: Talking with straight friends about our relationships
November 11th: Discipline
December 9th: Single Parenting

SCHOLARSHIP FOR CHILDREN OF LESBIAN AND GAY PARENTS

For the third year, the Gay and Lesbian Parent's Coalition International (GLPCI) and Children of Lesbians and Gays Everywhere (COLAGE) will be awarding scholarship money to further the education of deserving children of lesbian and gay parents.

Formerly known as the GLPCI-COLAGE Scholarship Fund, the Fund was recently renamed as the "Lee Dublin Memorial Scholarship Fund" in loving memory of a longtime member and former Treasurer of GLPCI, who died suddenly in 1995.

"We hope this scholarship program will continue to grow over time," says GLPCI's Executive Director Tim Fisher. "And of course, your contributions to the fund are always welcome." All donations are tax-deductible to the fullest extent allowed by law.

Applicants must have at least one lesbian, gay, or bisexual parent and be enrolled as a full-time student in an accredited post-secondary institution. The scholarship recipients will be announced on July 6th, 1996 at the GLPCI's 17th Annual Conference in Minneapolis, Minnesota.

Applications for the 1996 Lee Dublin Memorial Scholarship are available now by writing to GLPCI at P.O. Box 50360, Washington, DC 20091; or fax (201)783-6204. The deadline for applications is May 15, 1996.

NEW E-MAIL LIST FOR KIDS OF LESBIANS AND GAYS:

Announcing a new e-mail list for daughters and sons of lesbian, gay, bisexual and transgendered parents.
-Why?-
To talk about AIDS, teasing, our gay and straight parents, our feelings, school, and much more. This list is a place to talk about all the things we can't talk about anywhere else.
-Who?-
This list is open to anyone who is a daughter or son of l/g/b/t parent(s): including people with gay foster parents or other guardians. People whose parents are just coming out, or whose parents were out before they were born. Kids, teens, adults. Tell your own stories. Ask the questions you can't ask your parents. Use your experience to help others. Make friends. The list is moderated by someone with a lesbian mom. No parents will participate in the list unless they have gay parents themselves.
-How?-
To subscribe to the list, send email to:
majordomo@vector.casti.com and write in the body of the message (not the subject):
subscribe kidsofgays yourfirstname yourlastname <yourlogin@host.domain>. For Example:
Janice Doe would send e-mail with info:
subscribe kidsofgay Janice Doe <JaniceD@aol.com>
Parent's should refrain from reading and contributing!

HOW LESBIAN AND GAY MARRIAGE WILL HELP PROTECT CHILDREN

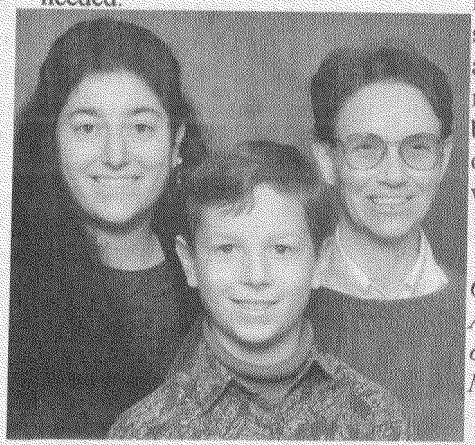
by Shawn Koch

Legalizing gay marriage would provide important legal certainty for the children of lesbian and gay couples. Currently, when a child is born into or adopted by a lesbian or gay couple, it is common that only one of the partners has an established legal tie to the child. The non-biological parent could conceivably adopt the child or attempt to be declared the child's "psychological parent." A psychological parent is a legal status available in some states for someone who has developed a parent-like relationship with the child and may be awarded some visitation rights.

Both of these strategies present problems. Some states, namely New Hampshire and Florida, have, by statute, banned adoption by lesbians and gays. This ban has withstood a constitutional challenge in both these states. Also, not every state has a psychological parent statute worded broadly enough to include a lesbian or gay partner. If every child born to a lesbian or gay couple automatically assumed partners as parents, the need for adoption or psychological parent recognition would disappear.

Currently, if a partner brings a child into a relationship where the adults are married and the child does not have a second parent already recognized, the couple can arrange a second-parent or step-parent adoption. A step-parent adoption is much easier and less expensive than a regular adoption. Because gays and lesbians are not allowed to marry most states do not allow step-parent adoption to gays and lesbians, instead insisting on the full-blown regular adoption.

Having two parents gives the child access to two health insurance plans, and allows the child two parents from whom he or she could inherit assets from upon death. Depending on the benefits available to parents, there may be more flexibility for insurance types and parental leave options, allowing both parents to exercise these as needed.



Erika and Pamela consider themselves "married," though they are unsure they would legally marry unless it provided substantial benefits to their family and their son, Sage.

An important thing to remember is often children of lesbians and gays already have two legally recognized parents. The examples are children that are a result of a heterosexual marriage that ended in divorce, or children that are products of donor insemination where the donor has retained and maintained a parental role. So the advantages discussed in the beginning of this article are aimed at a lesbian couple that conceives a child via an unconnected donor, or a lesbian or gay couple who has a child via adoption or surrogacy.

If we are allowed to marry, there will be some key and wholesale changes in the law to extinguish some of the gray areas that exist in many of our parenting issues. Many of these gray areas create disadvantages for gay and lesbians and their children in family law situations Children will be embraced by the security of the law, which would provide that both parents have binding responsibilities to those children.

Gay marriage would put us on more even ground. Our relationships would be more "institutionalized" in the sense that we would receive greater recognition by the broader society, and give us increased equal access to the justice we deserve.

Shawn Koch is the co-chair of the Oregon Gay and Lesbian Law Association (OGLLA) and helped to organize the Oregon Freedom to Marry Coalition.

LOVE MAKES A FAMILY

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Monthly Support Groups
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HATE CRIMES JUST AS BAD WHEN RANDOM

by Bonnie Tinker (First appeared as an **In My Opinion** Piece in the Oregonian 2/2/96)

Was the murder of a prominent lesbian couple in Medford an official "hate crime," or was it just random hatred? Does it matter? In either case, Michelle Ellis and Roxanne Abdill were not able to help usher in this New Year.

Whether he intended to or not, the man who murdered them contributed to a climate of fear and hatred that is growing in this world. Lesbians, gays, bisexuals, and transgendered people are the most recent group to feel the spotlight of terrorism in Oregon.

Historically and currently this same weapon, "random" acts of violence, is directed against racial, ethnic, and religious minorities and women. The message is that these people should know their place, they should "lay low," and if they don't, if they stand tall, as Ellis and Abdill did, they are likely to become targets.

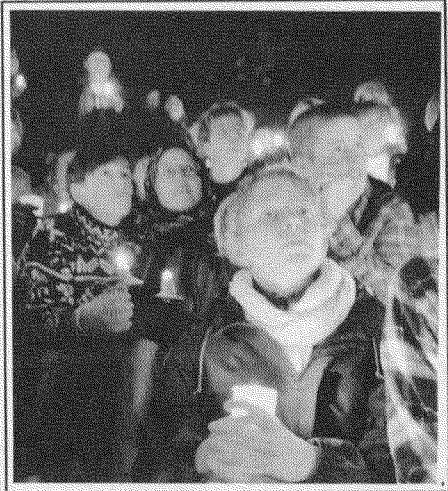
These murders are a crime against society; they are also a product of society that tolerates violence.

Violence sold as entertainment

This violence is packaged and sold as entertainment. Is it any wonder that the man who confessed to these cold-blooded murders says he feels like he is "watching a movie"? We are so accustomed to violence that we turn to the tools of violence for protection. Is it any wonder that women are taking up target practice? Are we surprised when another prominent gay leader in Southern Oregon decides to buy a gun?

A climate of fear does not arise through the evil machinations of unknown sources; fear grows when it is acceptable to target any group of people because of their differences of social standing.

It is no accident that the man who confessed to these murders found two lesbians and said that their being lesbians "just made it easier to kill them." Ballot measures spawned in Oregon and Colorado, and now hatching across the country, that seek to write into law discrimination against lesbians and gays create a climate where people are changed into objects that can be discarded.



Mourners for Michele Ellis and Roxanne Abdill gather at a candlelight vigil in Eugene in January 1996.

This same tactic is used against many minority groups. The legacy of lynching, cross burnings, temple desecration and rape are a sorry testimony that many groups have never freely enjoyed the rights to life, liberty and the pursuit of happiness.

The confessed murderer went looking for a target. He says he was seeking a woman, any woman (and federal law does not recognize violence against women as a hate crime). He found two women, and he also recognized the signs that they were lesbians: they co-owned a business; their cars were parked in front of the same residence all night.

Before Oregon's anti-gay rights ballot measures, he might not have noticed. Now the closets are made of glass in Oregon; we are in full view as targets for an angry, alienated man.

But all Oregonians bear a collective responsibility to address the social causes that made this tragedy predictable. Our state, a state that once was terrorized by the Klu Klux Klan riding against Catholics, a state that once prohibited Blacks from owning property, is once again at a crossroads.

Let's send a clear message

Our response will be a "made in Oregon" product. Will we divide into armed camps quibbling over a definition of "hate crime"? Or will we use all possible avenues to send a clear message that this type of violence and the multiple layers of bias it represents will not be tolerated in Oregon?

Let the response to Ellis and Abdill's murder be worthy of the courage and gentleness with which they lived their lives.

Tell your family, friends, neighbors, and co-workers that you admire these women for forthrightly sharing their personal lives whether you agreed with them or not.

The next time you hear a "queer" joke or a racial slur or a derogatory comment about women or any other group of people, challenge this form of verbal violence.

Ask your government leaders to speak out against this crime, making it clear that hate does not have to be "official" to be intolerable.

Contact local, state and federal law enforcement officials and ask them to use all available tools - including applicable hate crime statutes - to fully investigate and prosecute this crime.

Look at the toys, movie, television, and video games that teach a culture of violence to our children. Boycott the sponsors of violence.

Refuse to participate in organizations or patronize businesses that discriminate. Refuse to sign ballot measure petitions that target any group, including lesbians, gays, and immigrants.

And remember that a society of strangers is a society numb to compassion. Reach out to the people who are different than you and make them feel welcome in your community.

Above all, remember Ellis and Abdill's family, their daughter and their granddaughter, their siblings, missed them this holiday season. Hold them in your heart during the new year.

Here is a sample of the responses we received to <u>Hate Crimes Just as Bad When Random</u>:

This is just a short note to comment on your excellent article in today's Oregonian. We need this sort of reminder of the pervasiveness of hate.

About six weeks ago I wrote a letter to the Oregonian editor on the same subject as my son and I reminisced about a incident that happened about thirty years ago when my son was in high school. One Saturday morning he came home disgusted and horrified that some of the neighborhood high school boys had invited him to go downtown to beat up a queer. We knew these boys and knew that they all attended a large local church where the pastor was noted for his homophobic sermons. I don't believe the pastor ever advocated violence, but for adolescent boys who are unsure of their sexuality, it was a case of putting into practice what they were hearing preached. Hitler did an outstanding job of depicting Poles, Jews, and many others as sub-human who did not deserve the consideration merited by real humans.

Individuals and organizations can innocently protest that they have never advocated violence, which may be true, but they conveniently overlook the little steps that naturally lead up to it.
--Nestor Perala of Portland

I was disappointed with the reporting on the deaths (by the Oregonian). I wrote and called the Oregonian. It seemed to me an attempt to deny the hate that was there. I saw no reports of religious or justice groups in the Oregonian, saying, "This is a crime of hate," "This hate cannot live in or community," etc.

In Israel, when Rabin was killed, Israelis said, "This is a crime of hate. We must rid ourselves of this kind of hate." I did not read this out of Medford.
--Mary Shelley of Portland

You said, *Our response will be a "made in Oregon" product. Will we divide into armed camps quibbling over the definition of 'hate crime'? Or will we use all possible avenues to send a clear message that this type of violence and the multiple layers of bias it represents will not be tolerated in Oregon?* "Armed Camps"? If there are any "armed camps" of "hate crime" definers it's news to me. If someone is biased, and we all are biased in several areas, what is to be included in "all possible avenues" to force us to become intolerant of such biases. Censorship, thought police, mind control, brainwashing, reeducation camps or some such? I do believe that in a free and freethinking society you envision a task about as close to impossible as one can get. I would not engage in a debate in "hate crime" as I believe it does not exist. Crime is crime, period. Murder is murder, assault is assault, robbery is robbery, rape is rape, and so on. To try and establish any as a "hate crime" would open up the hoary Pandora's Box of thought police.

And onward, *Tell your family, friends, neighbors and co-workers that you admire these women Ellis and Abdill for forthrightly sharing their personal lives -- whether you agree with them or not.* Just because someone "forthrightly shares their personal lives" in no way obligates me or anyone to "admire" them... There's no way I'm gonna admire somebody who behaves like a domestic animal, ruts with every branch of the family tree or who parades around in an outfit that appears to be the result of an explosion at a second-hand clothing store. In fact, if it's a personal life it should remain that -- a *personal* life. My life is strictly my business and other's lives are theirs.

"Verbal violence"? From what Newspeak dictionary did that oxymoron come from? The problem is that many folks have become entirely too thin of skin. They see "hate," "slurs" and prickly comments everywhere. Salt on the skin does not hurt unless there's a wound. Lighten up ... It's not that there are all those mean folks out to get you, it may just be that they don't care and want to be left alone. Maybe they've had their fill of compassion, charity and togetherness getting in their collective faces and they are tapped out. Maybe they've had enough of others telling them what to do, to say, to read, to think ... maybe enough is enough.
--Alan R. Martin of Portland

At 66, I have witnessed several civil rights awakenings in our culture. With the recent reversals fueled by the religious and political right, I had begun to wonder if my lifetime would ever witness another.

Your list of responses at the end of your article should become sort of a creed for all conscious human beings. You could have added also: "Write to those who do take a stand and let them know you support them."

Though my comprehension of the plight of those with alternative sexual orientations is not first-hand, I am acquainted with many for whom it is. I share your view that hatred of ANY minority group is unacceptable.
--Doris Clevenger of Milwalkie

If you are a victim of a hate crime or harassment, it's important that you report this. The Portland Police have stated that if people should call if they are being harassed but are unsure a crime has been committed. You can call:
The Anti-violence Project: (800)796-1703
Bias Crimes Unit of the Portland Police Bureau: 823-0434

ESTACADA LISTENS: A RETURN FOR UNDERSTANDING

by LizaJane Gray

Estacada, Oregon is the town where I began growing up. Growing up there taught me many hard lessons about the rigid views which many "average" rural citizens held toward those people they consider different, or who may not share the same values and beliefs. I had just moved to Estacada with my mother the year I started sixth grade. We lived on a farm owned by lesbians, known to the town as being "lesbian land." In school I was alone most of the time, unsure of how to approach others for friendship, in part because of where I lived. My precarious efforts to find support and camaraderie were undercut by the rumors and assumptions of the children, and their parents, who knew I lived on lesbian land and concluded that I had to be one also. This increased my feeling of shame, self-hatred, and my longing to belong.

As I settled into middle and high school, my luck changed as new students and teachers mixed into my life. People with open minds began to court my friendship. I began to feel accepted, allowed to be myself and to make no apologies for who I was or who my mother was. With this support, I was able to express myself as never before. Tiny activist actions ensued from there on.

I have since moved to Eugene and I'm now pursuing a B.A. in Anthropology. During my study, I took a political science course via Lane Community College and Love Makes a Family. As part of my study, and my desire to educate people on the effects of discrimination on a child (and a community) I spoke at Estacada's Methodist Church with Bonnie Tinker.

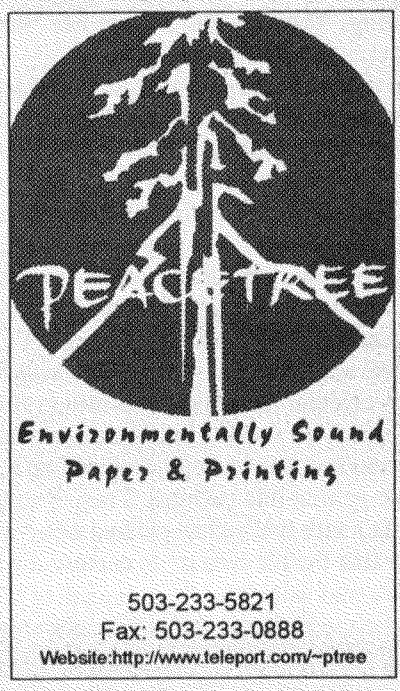
The hostility I experienced in the past, from the very community sitting in front of me, became the focus of my speech ... I tried to help them understand that lesbian and gay people have families, even children, that suffer just as much and sometimes more when homophobia rears it's ugly head.

Bonnie started our visit by thanking those who had come and those who had allowed us to come speak. She then discussed the fear, the anger, and the ignorance in the wake of the OCA's Ballot Measure 13. She asked: Why should human rights be an issue? Why are some people considered unfit to treat with equal respect and dignity? How can anyone benefit from stripping the few basic human rights from a specified group of people that have committed no illegal actions.

After Bonnie spoke it was my turn. The OCA's rallying slogan for Measure 13 was "Protect Our Children." I told of my childhood, which lacked any semblance of protection from the onslaught of ignorance, hate, and fear that festers when silence is allowed to grow, nurtured by misinformation and assumptions. The OCA's measure would increase the stigma that gay and lesbian people are immoral and unworthy of human rights. The hostility I experienced in the past, from the very community sitting in front of me, became the focus of my speech. In hope of giving them a different perspective on this issue, I relayed my demeaning experiences to people who may have been related to the people who caused my pain.

The protection I needed during my childhood could have been in place in a community where people understood that an attack against "those people" is an affront against everyone. I tried to help them understand that lesbian and gay people have families, even children, that suffer just as much and sometimes more when homophobia rears it's ugly head. Everyone deserves to live, work, and raise families without fear of attack or discrimination.

By relating my story of a childhood unprotected from homophobia, and urging people to accept that human rights belong to everyone, I was able to attain a much needed closure to that part of my life. Speaking for change and for understanding has given me a renewed sense of self-worth and pride. Even though I'm swamped with work and school these days, I still manage to let people know who I am, what I believe in, where I'm from, and that I won't stand for bigotry.



NOTHING OR EVERYTHING?

by Melanie Rose, Age 14

Editor's Note: Cascade Valley School is a school where the students set the pace and study where their interest lies. There are no grades and no tests. The school is run by democracy in which each person (student and staff) has one vote. Everyone has a voice on how money is spent, who's on staff, what the rules are, and what happens when you break them. CVS is modeled after Sudbury Valley School in Massachusetts, which has operated successfully for more than twenty years. CVS welcomes racial, cultural and religious diversity - and families of every composition.

I was telling my friend Lauren and her mom, Nancy, about Cascade Valley. Jessica, my best friend, was there too. I had falsely assumed that she understood the philosophy of the school, and I learned this as I was telling Lauren and her mother, Nancy, about the school.

Nancy asked me exactly what did we do all day at school if there were no requirements. I said "everything," and at the same time Jessica said, "nothing,". That threw me off. First of all Jessica didn't even GO to my school, and she never had. I guess I do understand that to some people, not having any requirements with the exception of showing up or doing Judicial Committee, could seem like nothing. But how untrue!

I thought about my usual day at Cascade Valley. Almost everyday was packed with activities like play practice, singing, art, reading, and one of my recent interests: writing. The days didn't seem like "nothing" to me. Hardly!

So I explained that to Nancy, as I watched Jessica's face change from a subtle one to a much more surprised face with fully raised eyebrows. Then we moved on to a new subject, one that was obviously starting to be of great importance to Lauren and Jessica, and a subject Nancy thought of often. College. Actually Jessica brought it up. She was explaining about how she didn't think Lauren would want to go to Cascade Valley because she wanted to go to college.

At first I was a little offended, but then I realized all I had to do was explain. I want to go to college, I thought to myself. I explained that the kids from Sudbury, the school in Boston that our school is modeled after, have had no trouble getting into college.

Now Jessica's face really changed and so tremendously that I can't even try to capture it with words. I didn't stop there, I shared my theory about how easy it would be to get into college using the kids at Cascade Valley as an example. Here's a bunch of kids who KNOW what they want to do. They decide what to do each school day and that is a wonderful skill to have. The credential evaluators at college receive an application with no test scores, but what they will discover later will be more valuable than any test scores. Because they will find that the person involved knows what they want to do, what their strengths are, and most importantly HOW to learn.

Here's a bunch of kids who KNOW what they want to do. They decide what to do each school day...

What's important to me is to know how to learn about something rather than knowing a bunch of useless things. Everyone's educational needs are so different, how can there be a curriculum that everyone has to learn at a public school? Why do I need to take science, when my real interest is drama? I don't believe I really HAVE to take science. Having choices is one of my favorite things about Cascade Valley.

I've often thought about if we are the ones who will be in charge of the world later, why shouldn't we be allowed to be in charge of our educations today? I understand that it may be difficult to be a parent of a child at Cascade Valley. It might be scary to think that their child could sit around all day if they wanted. That isn't what happens though, not even close. I really believe every person has AT LEAST three things they would like to learn about. It just takes time to find out what those things are. It takes patience and faith from both the parent and child.

One very important thing I shared with Nancy, Lauren, and Jessica is that the kids at Cascade Valley are some of the most productive, creative kids I know. I've definitely learned a lot about myself at this school, just discovering who I am and what interests me. I realized that maybe some people will like Cascade Valley, and some won't. But it's where my heart is and where I'm going to stay. And that's what's important to me.

Cascade Valley School is located in Milwaukie and open to students ages 4-19. The next Open House on April 18th, 1996, 7-8:30 PM. Call 653-8128 to schedule a visit, or for more information and directions.

A CHANGING WORLD, A CHANGING FAMILY

by Sarah Litwiller (Reprinted from Just For Us Newsletter, Fall 1995)

I'm just like any other average teenager. I have a mother and a father, a stepfather, and an annoying little sister. What's different about my family is that my stepfather doesn't live with my mother, but with my father. My parents are both homosexuals. I did it, I said the dreaded word. It seems that in the nineties you just cannot get away from it, no matter how much you may want to. I've taken a lot of backlash in my short lifetime for that - that my parents are, and for how openly I speak about them. But I'm not 'out' for the sole purpose of defending my parents, or even for the sake of gay rights. I openly speak about my family because, this being the Year of the Family, I would like to change the definition of what family is supposed to be. I believe that the only way to get your opposition listening is to prove them wrong. By speaking out, I prove that the union of two homosexuals can produce an intelligent, normal child. A child that can be proud of who their parents are, and where they came from. All my friends know about my parents' homosexuality, and some of them get along better with my parents than I do.

It seems to me that many people believe that a family, no matter what its structure, is only a family if it is headed by a heterosexual. I watch television, and I read the paper. I'm not a stupid person. I hear what people say about my family. They say that my parents could not possibly raise children, that even if by some miracle they did, their children would certainly not be "normal."

I love my parents. They raised me the best they could. I love who they are, for who they are and no less. It seems to me that in this day and age, when society is supposed to be so liberal minded and free, I would think that society as a whole would just accept my parents and our family for who we are, and realize that we are not going away. I am not gay, nor is my sister. We are both "average children." We will not inherit our parent's homosexuality, nor will our children. We did however inherit their values, their morals, and might I add, their good looks. My family is just like any other family. We fight, we argue, we love. I wish that everyone in the world, politicians, ministers, and the average Joe out there would open their eyes, look at us, and see that our family is not wrong, that we're just different, and that sometimes, different is good. One day, I hope to raise enough money to go to the United States for the annual conference of Children of Lesbians and Gays Everywhere. There are over a thousand of us, and I hope to walk with them, in front of the lights and cameras and media circus and hold my head up high.

By speaking out, I prove that the union of two homosexuals can produce an intelligent, normal child. A child that can be proud of who their parents are, and where they came from.

If all those people who don't believe in my family would just pay attention to us, and what we have to say, there would be no basis for the essay that I'm writing right now, because you see , if they would just listen, they would then begin the road to acceptance. No one can guarantee that by speaking out, I will change the minds of everyone who opposes my parent's lifestyle. I can, hopefully, get a few of them, even one of them to say to themselves, "Maybe I was wrong." Changing the mind of just one person, one person throughout my whole life, would be satisfaction enough for me. That is why, if I could rewrite Webster's, I'd make the definition of family as follows: "people who love each other and take care of each other." Simple, almost childlike, and yet, ever so close to the truth.

Sarah Litwiller, 16 is a COLAGE member who lives in Kitchener, Ontario.

Gay-Friendly Child Care

Charlotte: My name is Charlotte and I'm seventeen years old. I would love to work for a family, doing child care this summer. I have experience taking care of children from working at Campout (at Westwind), taking care of my little sister, and babysitting neighbors. I live in Wilsonville, so if there are any families near me I would especially like to work for you. I am willing to work any hours, but would prefer along the lines of 9-5 everyday. If you are interested please call me at (503) 625-5050.

Joyful Noise Child Care Center: 333 SW 1st, Suite A, Portland, 97204. Call Vivian Trageser at 326-6827.

Chrysalis Home School: for 2 1/2 to 5 year olds. Call Colleen Strahm at 287-8481.

Sunflower School: 2816 NE 11th, Portland, 97212. Call Liz Bowers at 281-3219.

Helen Gordon: CDC at PSU, 725-3092

Kid's House Pre-School: 231 Gresham St., Ashland. Call 482-4418

Metro Family YMCA: 3030 SW 2nd, Portland 97201. Call Charlotte O'Donnell at 249-3399.

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THANK YOU!!

Love Makes a Family, inc. would like to thank all the individuals and businesses that helped make our Gay and Lesbian Parent's Coalition International (GLPCI) Board weekend a success!!

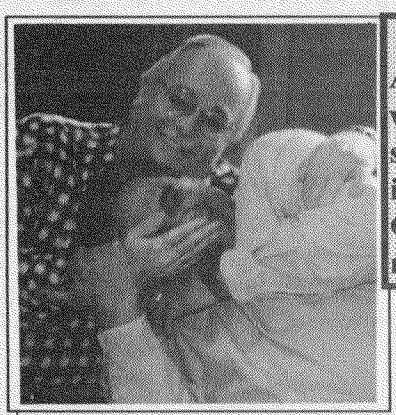
Warm thank you's go to **Old Wives Tales**, **Big Bear Bagels**, and **Dieci Soli** for keeping the board well-fed with their delicious meals and food items!

We'd also like to thank the many businesses and individuals who generously donated items for our raffle to help bring the Gay and Lesbian Parent's Coalition International Conference to Portland in 1997! They are:

The Gango Gallery, Patricia May, Bloomingstalk, Beauty for the Beast, Hal Jones Automotive, Lubliner Florist, Compass Cafe, Kim's Hair Care, Sullivan's Gulch Bed & Breakfast, and Audrey Jarach.

Thanks to everyone who donated their time and money to making the GLPCI meeting a success. We hope to see you in Portland for the GLPCI Annual Conference in 1997!!

Picking the winners: Kara Ford, Morgan Castleton, and Dana Penilton at the GLPCI raffle.



John Nicoli and Andre Jacinto wrestle over some tough issues at the GLPCI Board meeting

GLORI'S STORY

by Glori (Reprinted from Just For Us Newsletter)

I became aware of my mother's sexual orientation when I was seventeen years of age. I had finished high school and been away from home approximately four weeks when my mother and I were conversing about daily matters via telephone. She mentioned that in her leisure time she had been hanging out with a woman we both knew to be a lesbian. Out of the sinking in my middle, I knew what had occurred. So, as there could be no denial on my part, I simply questioned my mother about the intimacy of their friendship. Needless to say, she confirmed all the thoughts I had. We experienced a slight yet unfortunate falling out. This did not interrupt the frequency with which my mother and I spoke, it merely created an unnecessary tension. As a result of my reaction to her newly found lifestyle, I never returned home to live, and have only visited her home with her "wife" once.

In all honesty, I cannot determine whether or not the lifestyle has affected my mother's parenting skills. This is partially because I no longer reside with her. Also I find objectiveness difficult to come by regarding this matter. I believe that her attention would be divided from her children (my brother, sister, and me) regardless of her "spouse's" gender. This logic, however, does not provide substantial solace in moments of angst over this matter. I readily accept her happiness, although I cannot approve of this lifestyle. I shall continue to love, support and encourage her as an individual, not as half of a homosexual relationship. I am very clear in my opinion of her, which she respects due to the honesty and tenderness in which I express myself. Being the daughter of a lesbian is an experience which continues to evolve, as I do. Given the opportunity to alter the circumstances, I believe I would decline. Ultimately, her lifestyle is her decision, and the impact of this matter on me has everything to do with the manner in which I let it: a positive one.

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LORI SECKER

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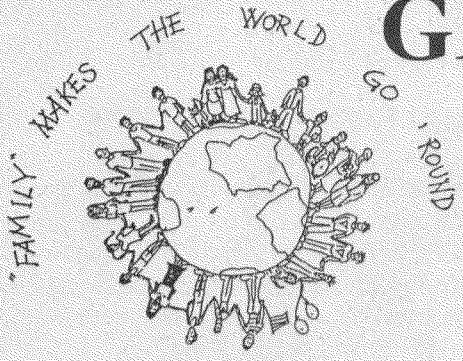


The Gay and Lesbian Parent's Coalition International presents its 1997 Conference in Portland, Oregon. For more information on how **YOU** can attend, volunteer, and/or help fundraise:
Please call Debbie at (503) 235-9622 or Email: Caselberry@aol.com.
This conference is sponsored by: Love Makes a Family, inc.

GAY PRIDE 1996

To help with organizing the Gay Pride 1996 Family Activities Area please call Merry Lynn at 284-0214.

WHITEWATER RAFTING!

We have an exciting opportunity to take 20 people whitewater rafting on the McKenzie River sometime in the middle of June!! Not only is Jim's Oregon Whitewater dedicated to safety but also welcomes families of every composition. Jim's Oregon Whitewater has worked out a generous deal with us to take lesbian and gay families on a whitewater tour. For more information please call the Love Makes a Family office at 228-3892. We'll start making a list of interested persons, and call people back as soon as we have more information about the date and time.

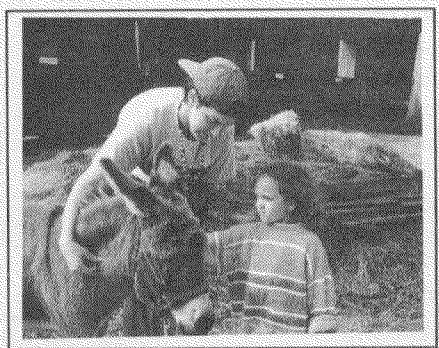
Share Your Photos

If you would like to enter any of your family photo's for the Family Photo Album Project that goes to the Oregon State Fair this summer, or would like to contribute to a "collection" please contact Love Makes a Family, inc. office, 228-3892.

1996 GLPCI CONFERENCE

The 1996 GLPCI Conference will be held at the Regal Hotel in downtown Minneapolis, July 4-7th. The conference will be composed of three related sub-conferences: **The Parent's Conference**, **The Young Adult Conference**, and **The Children's Conference**. Child care will be available for children under the age of six. All inquiries should go to: Minnesota Families GLPCI 96, PO Box 11970, St. Paul, MN 5511-0970. Or call (612) 924-3049.

CAMPOUT AT WESTWIND



Visiting the animals at Westwind's CampOut

It's that time of year again!! A great time to spend with family and friends at CampOut and enjoy the many summer activities. CampOut runs from July 20th through July 23rd. Call Miriam Gallagher at (503) 294-7474.

Fundraising??? YUK!!

by Terry Gevurtz

However we define family, there are some things all families share in common. The benefits - love, support, joy - are lifegiving! But the responsibilities - work, paying the bills, finding the energy to do chores - are also lifegiving. The balance between the benefits and responsibilities can be a delicate one. But most of us realize that we are empowered individually and collectively when we work together to keep that balance.

The same is true for a non-profit organization. The larger family of Love Makes a Family has been and continues to be enriched by the contributions of time, friendship, and money that each member brings to the table.

But one of the biggest stressors on any family is that of trying to make ends meet. Who among us has not had the sleepless nights and uncertainty, at some point or another, of how to best provide for our families? But we are a creative, resilient lot! Somehow we usually find a way. We have to - it's our family!

That is <u>really</u> all fundraising is about. It is members of a "family" coming together to brainstorm solutions of how to pay the bills. And just like family, some members will perform chores "at home" and some will "go out and earn a paycheck," and everyone's contribution is important.

Our ***Family*** needs all of us now. The fundraising committee needs your ideas, time and financial assistance <u>as you are able</u>. Do you like parties? Do you like to write? Do you think the only thing you'd be good at is stuffing envelopes? Do you like to talk on the phone? Do you like to organize? Do you like to ... successful fundraising-like family financial planning involves a lot more than just getting a paycheck. **<u>Fundraising Does Not Mean You Have To Ask Someone for Money!</u>** Yes, someone does have to "get a paycheck," but you wouldn't send your five year old out to get one; and you wouldn't let your fifteen year old either without giving him or her tools for success. Neither would a fundraising volunteer ever be expected to "go begging" without tools, confidence, or a desire to do so.

Fundraising does not have to be spelled YUK! It can be fun and exciting. We are empowered individually and collectively when we work together to keep the balance - This family needs your help making ends meet. Please give as you are able of your creativity, your time, and yes, your dollars.

MOVIE REVIEW:
THE BIRD CAGE
by Barbara Ford

A newly released , Americanized version of the 1978 film, *La Cage Aux Folles*, was previewed by several members of Love Makes a Family, inc.'s parent and youth groups.

The Bird Cage, starring Robin Williams and Nathan Lane, is a high camp comedy about a gay male couple living in South Miami Beach above their drag club. The son they raised together has returned home to inform them of his impending marriage to a young woman whose parents are conservative, and whose father is active in right wing politics. Written by Elaine May and directed by Mike Nichols, the film has a decidedly political tone in it's dealing with right wing politics.

Robin Williams gives an excellent, and surprisingly restrained portrayal of Antoine, and Nathan Lane is very funny as his hopelessly queeny lover. Despite its often slapstick style, the film does address some of the issues of gay families in society, particularly those children who feel compelled to "straighten up" appearances for others.

Most in the preview group found this film very entertaining although some complained about the lack of portrayal of romance between William's and Lane's characters. The film is rated R, though this reviewer would give it a PG-13 rating.

Love Makes a Family would like to thank L'Estrange Associates for the free passes to The Bird Cage.

Book Review:
Too Far Away to Touch
by Alex Tinker

This is a book about a young girl whose favorite uncle has AIDS. *Too Far Away to Touch* is 32 pages long and is recommended for children ages 4 to 8. The girls and her uncle always go on outings together to places like the zoo and the planetarium. One day the girl finds out her uncle is sick and may die.

In my opinion it is an excellent book for children who have a loved one who is HIV+ or has AIDS. The author, Leslea Newman, does a wonderful job of explaining the severity of AIDS in a way young children can understand.

Hawthorne Auto Clinic Inc.
Liz Dally
Jim Houser

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Love Makes a Family: A Public Dialogue About Lesbians, Gays, and Family Values
KKEY Talk Radio 1150 AM
7-9 a.m. Wednesdays

3/20 : Author R.D. Zimmerman will talk about his mystery novel.
3/27: Latest Hate Crime Statistics from the Antiviolence Project.
4/3: Grassroots and Non-Profit Leadership with George Lakey
4/10: *The Lesbian Couples Guide*, with author Judith McDaniels.
4/17: *Happily Ever After*, with Stacy Chandler and Lisa Chen.
4/24: Growing up gay in Hawaii with Ernest Yago
5/1: New HIV/AIDS Organization, Alan Rose, Cascade AIDS.
5/8: Celebrating Families, Ray Cole Pastor of MCC
5/15: Gay father loses custody of son, Jeffry Nielson
5/22 Anti-bias education, Cascade Valley School

Babysitters Wanted!!

If you are a teenager or young adult who enjoys working with children and is looking to make some extra money please contact at us at Love Makes a Family, Inc.: 228-3892. We've had a lot of inquiries from families about finding good gay-friendly child care.

CREDITS: Kara Ford, Peter Hamilton, Stefan Lynch, LizaJane Gray, Shawn Koch, Bonnie Tinker, Nestor Perala, Mary Shelley, Alan R. Martin, Doris Clevenger, Melanie Rose, Sarah Litwiller, Glori, Barbara Ford, Alex Tinker, Terry Gevurtz, Sara Graham
Pictures Provided by: Bonnie Tinker, Chantel Petry.

GOODBYE KARA!

We're saying goodbye to our intern Kara Ford, who will be going back to Antioch College in April. Kara created this newsletter, helped with the GLPCI Board weekend, and worked with Love Makes a Family, inc.'s Children of Lesbian and Gays support group. Kara is herself a daughter of a lesbian and has lived in Portland most of her life. We'll miss you, Kara!

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General Membership and Contribution Form

Name(s)_____

Adress_____Phones_____
street city state zip work home

Additional Family Members
(please list children's ages)_____

_____Please enroll us in the Love Makes A Family Chapter of GLPCI (Gay & Lesbian Parents Coalition International)

_____Please add our children to the COLAGE (Children Of Lesbians And Gays Everywhere) *Just for Us* newsletter mailing list

Amount Enclosed: Sliding Scale, $10-$100
(No one will be denied membership due to lack of funds)_____

Please send information about:
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___the Parent Teacher Panel
___KKEY radio program list
___volunteer opportunites
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Issue #6 **NEWSLETTER** **Summer 1996**

PO Box 11694, Portland, OR 97211
PH: 503-228-3892; Fax: 503-228-3970; lmfamily@teleport.com

FOCUS ON MARRIAGE: IS IT FOR US?

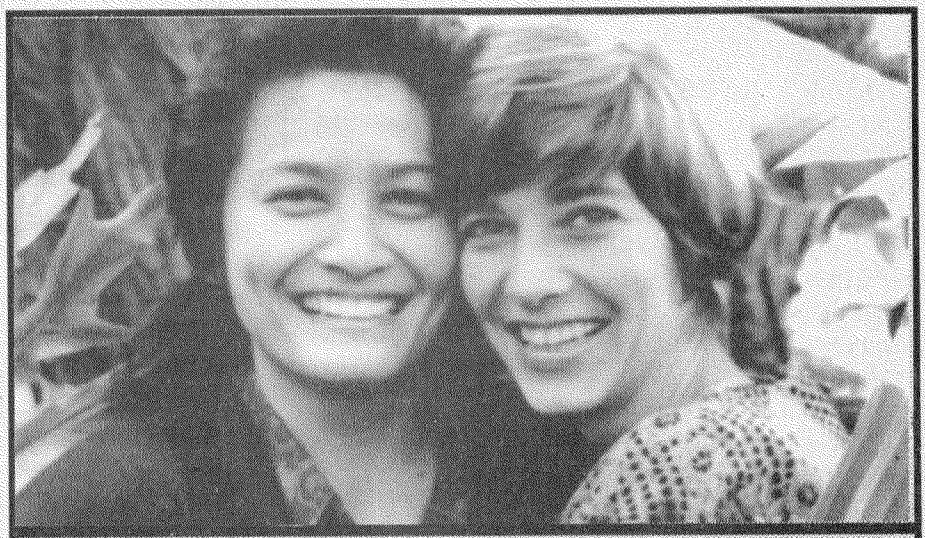
by Ron Schlittler

Same-sex marriage. Civil marriage. Homosexual marriage. Same-gender marriage. Same-sex unions. Civil unions. Whatever you call it or think it's about, it is upon us and it is shaking things up on a culturally tectonic scale.

You have probably noticed by now, marriage for lesbians and gay men is anticipated in Hawaii. "We expect to win in Circuit Court, and face the state's appeal to the Hawaii Supreme Court in 1997," said Tom Ramsey, Co-coordinator for the Hawaii Equal Rights Marriage Project, "unless the state can present compelling arguments for NOT issuing marriage licenses to same gender couples." The Hawaiian case resumes on September 10 in Circuit Court.

On the other side of the Pacific and across the continent, President Clinton said he will sign a GOP bill to restrict same-sex marriages if Congress passes it "as it is currently written," according to a recent Associated Press report. The proposed legislation defines marriage for federal purposes as between one man and one woman only, making same-gender couples ineligible for a range of federal benefits. It would also allow states to refuse to recognize same-gender marriages that have legal standing in another state. House Speaker Newt Gingrich said recently that he expects Congress to pass it by a wide margin. *(See editorial, page2)*

At the state level, the American Civil Liberties Union (ACLU) reports that "at least twenty-two states have considered or are considering legislation or constitutional amendments regarding same-sex marriages." Matt Coles, one of the ACLU point people on equal marriage rights issues said in a telephone interview that there are no states he knows of where such legislation is intended to permit same-gender marriage.



Genora Dancel and Ninia Baehr are one of the couples who brought the lawsuit against the State of Hawaii for denying their right to legally marry. *Photo by Tania Jo Ingrahm/Island Lifestyle*

Legislation to obstruct same-gender marriage has not yet been introduced into Oregon, but if the last regular session of the Oregon State Legislature is any indication, we can certainly expect something from Oregon's right wing lawmakers in 1997. On our side of the matter, Representative George Eighmey, one of Oregon's only openly gay lawmakers, is determined to introduce a bill that would specifically permit civil recognition of same-gender relationships. He is still crafting the specific language.

The Oregon Freedom To Marry Coalition, co-chaired by Bonnie Tinker, Executive Director of Love Makes A Family, Inc. and Attorney Jon Terry, Chair of the ACLU Oregon Task Force, is meeting regularly in Portland and is closely monitoring the situation as it unfolds. The Oregon Coalition is a group of individuals and organizations who believe that access to marriage is a basic human right, and that the State should not interfere with same-sex couples who want to marry.

"The coalition is sponsoring a one-day summit on July 27 in Portland to offer a comprehensive view of same-sex marriage," said Tinker. "The summit is designed to address key topics that will help provide a baseline of information that participants can use in their own organizations and communities," she said. *(see page 4)*

Ironically, for all of those who rail about the "homosexual agenda," the question of legal marriage poses a surprise and underscores the fact that lesbians and gay men are as diverse as non-gay people. *Continued on Page 3.*

OUR KIDS & FLOAT A HIT AT GAY PRIDE --PHOTOS pages 6 & 7!!

Legislative Terrorism: "DOMA" Hits Home

by Bonnie Tinker

On July 13 the U.S. House of Representatives confirmed their willingness to do legislative battle to retain the special rights of legal marriage for heterosexual couples. The so called "Defense of Marriage Act" (DOMA) is a preemptive strike designed to stir anti-gay passions in advance of the 1996 elections. While its passage by the House is not surprising, it is disappointing that many people who advertise themselves as gay rights supporters were intimidated into voting for this legislation. The implied threat was clear: "If you do not support this legislation we will parade you about as someone who supports the homosexual attack on the family - and we will defeat you at the polls in November." It worked. Politicians bowed to the threat, voting 342-67 (with only 2 present but not voting) to pass DOMA in the House. In Oregon only Peter DeFazio opposed DOMA. Even Earl Blumenaeur, representing a solidly liberal constituency, and Elizabeth Furse, formally known for her principled work for Peace and Justice, bowed to the right-wing strategy. Their acquiescence will not preclude a public debate about same-sex marriage during the coming elections.

Now that the Supreme Court has struck down Colorado's anti-gay Amendment 2, rendering similar ballot measures useless as organizing strategies, right-wing organizers are searching for a new tactic to enlist homophobia to build their movement. Same-sex marriage offers a new way to rouse these fears. Public opinion polls show that while a majority of U.S. citizens oppose employment discrimination against people based on their sexual orientation, a majority also oppose legal recognition of same-sex marriage. The only reason to rush a bill through the Congress now was to "embarrass" any Democrat willing to take the unpopular stand of supporting ALL families.

Let those who bowed down to their fears know that we cannot afford to spend precious time and resources seeking the re-election of people who are not there for our families when we need them. It takes courage to live in a lesbigaytrans headed family. We expect this same courage from politicians who support us.

The legislation defines, for federal purposes, marriage as "between one man and one woman" and allows states to refuse recognition of marriages between same sex couples that are legally recognized in other states. The first part is simply a restatement of the status quo: all special rights and benefits conferred by the institution of marriage are reserved for one class of people, heterosexuals who have entered into a marriage contract. As we know, denial of legal recognition means that we do not receive our spouse's pension or social security benefits, we cannot claim all of our dependents for tax purposes, our children do not receive the legal protection of living in two parent families even if they have them. Etcetera. DOMA simply says that all of this stays the same: nevermind equal or even "separate but equal." Our marriages -and the children within our families- are judged less deserving of social and legal support and protection.

The second piece of this legislation is an attempt to federally excuse states from recognizing any other states' legal recognition of same-sex marriages. This is not surprising -it was only in 1967 that the Supreme Court ruled that states had to recognize interracial marriages. This attempt to get around the federal "full faith and credit" concept which requires states to recognize the validity of each other's laws probably won't work once it gets to court. What it will do is to further complicate the legal questions, guaranteeing that lawyers will be fully employed in debating the rights of our families for years to come.

Where does this leave us politically? How do we respond to politicians who have openly courted the gay vote but felt free to embrace legislation which fences us out of the human family? First: let your representative know what you think of their stand. Support those who were courageous enough to vote supporting real equality for all families. Let those who bowed down to their fears know that we cannot afford to spend precious time and resources seeking the re-election of people who are not there for our families when we need them. It takes courage to live and love in a lesbigaytrans headed family. We expect the same courage from politicians who support us. Second, embrace the dialogue that terrified these politicians. Don't be afraid to talk to that majority who've said they oppose same-sex marriages. At least they'll tell you what they really think. Most are decent human beings who genuinely believe in families and in justice. Put your time, your money, and your heart into talking to your families, friends, co-workers, and neighbors.

Come November, go on and vote. My Dad- a preacher- told me that what the concept of "original sin" means is that sometimes in life you just can't make a really good decision. So go ahead and vote, but don't fritter away too much of your energy and resources feeding politicians who've lost the courage of their convictions. If you don't know what to do with all that time and money that you've now reclaimed from the political rat race, come on down to the office and join in working for real family values.

As Mother Jones said:
"Don't mourn. Organize."

Continued from page 1

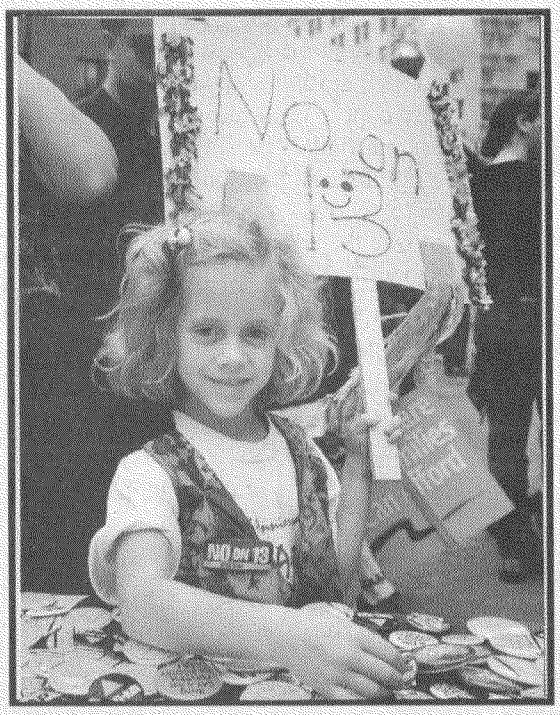
Beth A. Allen, a recent law school graduate and member of the Oregon Freedom To Marry Coalition, has done extensive work on the implications of the Hawaiian case for Oregon. She said she is concerned about the bill in Congress, but is optimistic that same-gender marriages performed in Hawaii will be recognized in Oregon. Allen added, "certainly, the entire community is not 100 percent behind the idea of same-sex marriage. Some people are concerned about the institution of marriage in general." She said that in informal conversations she has observed that many people, especially lesbians, perceive the institution of marriage as being rooted in patriarchal authority, authoritarianism and sexism, and have no use for it.

Indeed, different notions of tradition are a key part of the current discussion, and will be addressed in one summit workshop entitled Internal Differences: managing our diversity.

An ACLU memo published in March of this year addresses several concerns about tradition: "While marriage has traditionally been defined as a union between people of different sexes, it was also traditionally defined as between people of the same race. As recently as 1967 state governments denied interracial couples the right to marry. Marriage was also traditionally understood to involve a man owning a woman as property. We've recognized that these traditions had to be abandoned because they were unfair."

Whatever one's thoughts may be on the desirability of marriage, or one's preparedness to reckon with the issue, the prospect of gaining access to civil and legal recognition of our most intimate and committed personal relationships offers much to consider.

Register YOUR Marriage!
See page 14



Be prepared !

Measures opposing same-sex marriage are already working their way through state legislatures and the Congress. Ballot measures are sure to follow. Our lawyers believe, however, that the Amendment 2 precedent may provide some constitutional protection from the continuing assault.

Stay tuned .....

No More Measure 13's: Amendment 2 ruling discourages OCA from pursuing further anti-gay legislation (for the time being).

The Death of Amendment 2

by Jennifer Halbert

Finally, as expected, Colorado's Amendment 2 was struck down by the Supreme Court as unconstitutional. This decision reaffirmed that while we are queer, we are still entitled to full rights as citizens of this country. Yippee!!! While there is reason to celebrate this wonderful outcome, we should also keep in mind the other position taken, and that this decision was not unanimous and not supported by the entire country. We are reminded that, whether we like it or not, our rights and liberties are decided by society at large, as well as by those whom we choose to represent us. Therefore, it is upon us (as usual) to help people to see our side and persuade them to support our position. The fact that the majority of judges voted against the implementation of Amendment 2 shows that this is possible. It just isn't always easy.

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Oregon Freedom to Marry Coalition Plans

Since January, the Oregon Freedom to Marry Coalition has been meeting monthly, laying plans for a public dialogue about marriage. Co-chaired by Jon Terry and Bonnie Tinker, the Coalition emphasizes that opening the support of legal recognition of marriage to all couples who choose it provides community support to *ALL* families.

Modeled after the National Freedom to Marry Coalition, membership in the Oregon Coalition is open to any individual or organization who signs "The Marriage Resolution" instituted by the Lambda Legal Defense Fund. The resolution states:

Because marriage is a basic human right and an individual personal choice, RESOLVED, the state should not interfere with same-gender couples who choose to marry and share fully and equally in the rights, responsibilities, and commitment of civil marriage. BE IT RESOLVED THAT (organization or individual's name) ENDORSES THE MARRIAGE RESOLUTION.

To join the Oregon Freedom to Marry Coalition, sign and return the resolution on page 16.

The Oregon Coalition's first priority is to initiate dialogue within the lesbigaytrans community about ways this issue can be used as an organizing tool to support our entire community. A Freedom To Marry Summit, held July 27 (see notice this page) provides an initial opportunity for activists to come together, share up to date information, and consider organizing strategies within different communities. Member organizations, including the OGALLA (Oregon Gay and Lesbian Law Association), P-FLAG, The Lesbian Community Project, Metropolitan Community Church, Phoenix Rising, GLAAD, ACLU, and Love Makes A Family, Inc. will lead workshops. A resource packet of written materials prepared for the Summit will be available.

The Oregon Freedom to Marry Coalition is also researching Oregon law to find out exactly what special privileges are accorded couples who have a legally recognized marriage. So far, the list includes more than seven hundred citations. Aside from the emotional consequences of marriage as the means our society has for recognizing the existence of primary relationships not defined by blood, the ACLU summarizes some of the powerful practical consequences as well. Marriage entitles couples to:

*obtain government benefits like social security and Medicare;
*hospital visitation of a partner and the partner's child;
*file joint tax returns and get special rates and exemptions;
*have joint child custody, visitation, adoption and foster care;
*obtain joint health, home and auto insurance policies;
*inherit automatically in the absence of a will;
*in case of divorce, secure equitable division of property;
*determine child custody and support in case of divorce;
*obtain veterans' discounts on medical care, education and home loans;
*enter jointly into rental leases with automatic renewal rights;
*make medical decisions on a partner's behalf in event of illness;
*choose a final resting place for a deceased partner;
*take bereavement or sick leave to care for a partner or child;
*obtain wrongful death claims for a surviving partner and children;
*apply for immigration and residency for partners from other countries; and
*obtain domestic violence protective orders.

As stated in a recent memo to ACLU affiliates, lesbian and gay marriage should be supported "as a core civil liberties issue." Although it may not be right for all couples, the freedom to choose is essential to full equality.

Freedom to Marry Summit
Saturday, July 27
8:30AM-5:00PM
First Unitarian Church
1011 SW 12th

This summit is designed to provide a comprehensive overview of the implications of legal recognition of same-sex marriages. Use the information presented at this Summit as a resource for organizing your community. Printed materials from the conference are available through Love Makes A Family, Inc.

BENT, Educational Group for Queer Youth

Interview of Jaybird Hall by Kara Ford

***BENT** is an educational group focused on providing community and culture for queer youth.*

Jaybird Hall, facilitator for the queer youth group, BENT

KF: How did the idea for the BENT group come about?
JH: Actually, BENT has existed for three years at Lincoln High School; this will be it's fourth year. It started as a group for young queer kids to meet people, sort of a support group, but more of a social group. It ended up becoming very clique-like. Over the years it's changed a lot, and last year we really took a step in that it stopped being a Lincoln-only group and became a group for queer youth. We also changed from being a social or a support group to being more academically challenging and activist oriented.
KF: What was the response from Lincoln High School when this group first started?
JH: Well, because I wasn't there, and because the group wasn't openly known, there wasn't a whole lot of response. We've never been allowed to have announcements in the bulletin.
KF: Do other groups have their announcements put into the bulletin?
JH: Well, that's a yes and no. Chartered groups are allowed, but non-chartered groups are not. BENT is not allowed to be chartered.
KF: What do the students do and talk about in the group?
JH: Because a lot of the students involved in our group are still from Lincoln High School, a lot of us were very concerned about the change in atmosphere there. It's been getting more and more non-tolerant of, specifically, queer youth, but just in general less tolerant.
KF: Are you talking about the administration becoming less tolerant, or the students?
JH: I'm talking about the students; administration actually has been taking a lot of steps forward. Because the school is becoming so overcrowded we've kind of lost our feeling of being a community. We ended up discussing with the administration our ability to have a School Safety for Sexual Minorities Day. We had that on March sixth of this year. We had an optional assembly during lunch, and we handed out stickers to people who chose to wear them, and it turned out really well. We had over 85% of the student body wearing stickers. That was pretty darn good there.
KF: What was the reaction of your group to the Salt Lake City decision to ban all student clubs in order to prevent the Gay/Lesbian/Straight student alliance club from forming?
JH: Well, it's a mixed reaction. I think that it's an interesting way the schools reacted. I believe that it's pretty fair to ban all clubs, but I also think that it causes more hatred to be directed towards the queer youth who attempt to become part of the school programs.

BENT would like to invite any youth interested in activism in the community and academic discussion of queer issues to learn more about the group. BENT has had speakers come and talk to the group on issues such as history of the word "queer", and queer movements throughout time. BENT meets during the school year.

Jaybird Hall will be on Love Makes a Family: A Public Dialogue About Lesbians, Gays, and Family Values radio program on September 11th with Stacy Donovan, author of Dive.

For more information about BENT, call Jaybird Hall at the Love Makes a Family office, 228-3892.

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Volunteers Organize for Gay Pride

Love Makes a Family's 1996 Gay Pride float

Love Makes A Family, Inc. was well represented at Portland's Gay Pride Parade and Rally this year thanks to the help of many volunteers and sponsorship from Bridgetown Realty. A miniature two story house, filled with and surrounded by about 20 children, was the centerpiece of a float designed by Pamela Pegg and constructed by Jim Wheeler. The house was decorated with pink, blue and lavender trim by a volunteer crew directed by Erika Silver, and surrounded by 50 mums in multiple shades of purple that were donated by the nursery that employs one of the dads in the Love Makes A Family parents group. The float was hauled on a flatbed loaned to Jim by his neighbor in Hubbard, OR. A host of volunteers filled balloons with helium to decorate the float and truck that pulled it; the back of the truck was filled with parents, kids, and a clown, Steve Smith.

At waterfront park a professional childcare service was organized by Merry-Lynn Amsbury and staffed by volunteers. The childcare service was so successful that it ran at its capacity of 12 children all afternoon Saturday. Additional crafts and games were available for parents and kids to share in the family activities area. Volunteers also staffed tables with information about Love Makes A Family, Inc. programs, volunteer opportunities, a fundraising raffle, and the Oregon Freedom to Marry Coalition.

Thanks to all who volunteered. To new volunteers who signed the interest list at Gay Pride, Welcome aboard!

Thank you
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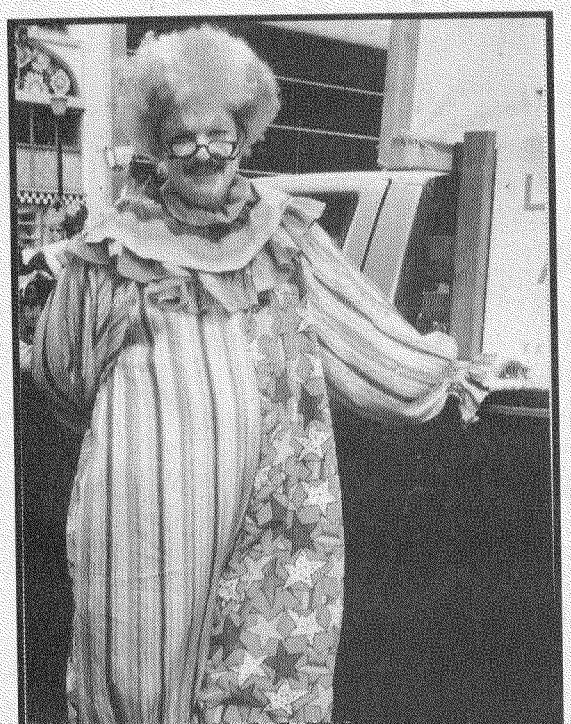
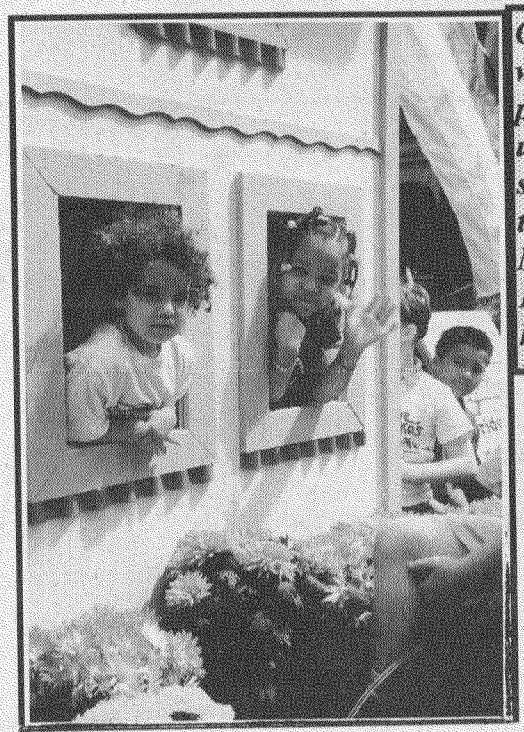
Childcare provided For information call: 223-0071

Scenes From Gay Pride 1996

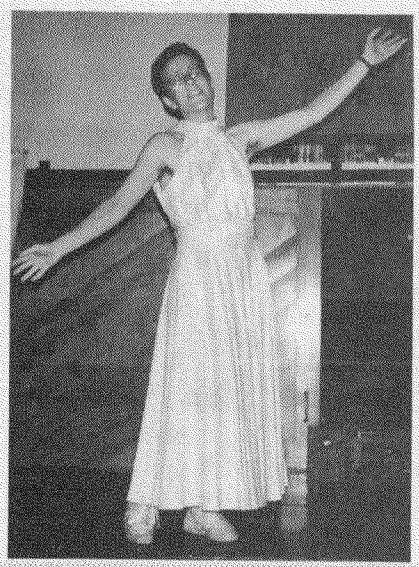


Clowning Around at Gay Pride - Steve Smith joined Love Makes a Family in full celebratory garb.



Children wave to people lined up on the streets from the Love Makes a Family house.

Flowers, Balloons and Children: View of the back of our float.



She's A Winner!

Congratulations to Lauren (The Wall) Gevurtz, Winner of the C Division Women's Singles Tennis Championship at the Seattle GLTA Evergreen Tournament.

Membership Contributions Pay the Rent

During the first six months of 1996, individuals contributed $3,720 to Love Makes a Family, Inc.- nearly enough to meet the rent cost of $3,900. The ambitious goal for individual contributions this year is $18,000. The Development Committee plans to raise this amount through memberships, major donor solicitations, and a year end fundraising drive. If you'd like to help, contact Development Chair, Terri Gevurtz at 228-3892. She's in the office every Thursday and can always put volunteers to work. You can also help by sending in a contribution to PO Box 11694, Portland, OR 97211.

Hello Again

Although our summer intern had to leave due to illness, we were fortunate to have Kara Ford, Love Makes a Family, Inc.'s intern from Winter come back into town and help us with finishing the Issue #6 newsletter. Thanks for your help Kara!

Babysitters Wanted!!

If you enjoy working with children and would like to make some extra money, please contact Love Makes a Family, Inc. at 228-3892. We've had many inquiries from families looking for good, gay friendly child care.

Gay-Friendly Child Care

Missy Rose would like to babysit your kids this summer in SE Portland. Give her a call at 238-4513

Joyful Noise Child Care Center: 333 SW 1st, Suite A, Portland, 97204. Call Vivian Trageser at 326-6827

Chrysalis Home School: for 2 ½ to 5 year olds. Call Colleen Strahm at 287-8481

Sunflower School: 2816 NE 11th, Portland, 97212. Call Liz Bowers at 281-3219

Helen Gordon: CDC at PSU, 725-3092

Kid's House Pre-School: 231 Gresham St., Ashland. Call 482-4418

Metro Family YMCA: 303 SW 2nd, Portland, 97201. Call Charlotte O'Donnell at 249-3399

Hello and Goodbye

Well, I was hoping to introduce myself in this issue as the summer intern for Love Makes a Family, Inc, and while I guess I can (Hi, I'm Jennifer Halbert, from Antioch College), I won't be here most of this summer. In fact, after my four week battle with a couple of different illnesses which have kept me out of the office almost the entire time, I've decided to take it as a sign and go home to recuperate before I go back to school in the Fall. So, while I have enjoyed my brief stay at LMF, staffing the booth at Gay Pride and working on this newsletter, I must bid you a fond farewell, and hope you have a wonderful summer without me.

FOUNDATION GRANTS

ATR Provides General Support

For the third year in a row ATR (A Territory Resource) has made a generous grant to Love Makes A Family, Inc. for general operating support. After an interview at the Love Makes A Family, Inc. office this Spring, ATR made a grant of $9,400 to support our varied programs. ATR is a social change foundation, making grants throughout the Pacific Northwest and Northern Rockies to organizations that "are actively working to affect progressive social change." They evaluate community involvement, constituency diversity, and an organization's analysis of how their work fits into a broader movement to create a more just world.

ATR also works to support the organizational development of groups they fund. This year they made an additional technical assistance grant of $1,250 to Love Makes A Family, Inc. to enhance our database management and bulk mailing capacity. With new software we will be able to more efficiently process bulk mail. We will also be able to track program input and demographic information from members which will help the Board design more responsive and effective programs.

Black United Fund Supports Schools Project

A $500 grant from the Black United Fund will help support the Parent Teacher Project's work in the coming school year. The project originated in 1992 in the wake of ballot measure 9 with a parent/teacher panel presentation that was the brainchild of the project's first chair, Frank Stovall. This Spring Reggie Petry assumed the responsibilities of chair of the expanded Parent Teacher Student Project. A reorganization meeting will be held early in the 1996-97 school year. This Fall the Parent Teacher Student Project will work with the newly formed Oregon Chapter of GLSTN (Gay, Lesbian and Straight Teacher's Network) to present a showing of the film *It's Elementary*. Parents, teachers, students and school administrators who want to work on family diversity and sexual orientation issues within schools can reach Reggie through the Love Makes A Family, Inc. office (228-3892).

Foundations Support Syndication of Radio Program

Plans are underway to syndicate the Love Makes A Family talk radio program thanks to a $5,000 grant from the Gill Foundation in April and a recent grant of $2,500 from the Pride Foundation. The Open Meadows Foundation also repeated its support of the program with a grant of $500. The first phase of syndication will involve distribution on cassette for rebroadcast. A promotional packet will be ready this Fall. Initially stations will be contacted that have been personally recommended through our networking. If you know a friendly station manager, engineer, or other staff person at a commercial AM station that reaches a "traditional" talk radio audience, please contact the office at 228-3892 (consider all possibilities - one station that may pick us up in rural Oregon currently airs Rush Limbaugh!).

You can help support this important work for our families. Send in a membership contribution today! Return with the form on page 16.

NIKE CRITICIZED FOR CHILD LABOR PRACTICES

The Portland Public School Board has been challenged to take a stand against the use of child labor by refusing a half a million dollar grant from Nike. Joseph Tam, a founding member of the Love Makes A Family, Inc.'s Parent Teacher Panel, was elected to the School Board on a platform of advocating for disadvantaged students. Tam worked in factory in Hong Kong as a child, and believes that it is unacceptable to further the education of the students in Portland using profits gained by exploiting students in Third World countries. While the School Board has not yet responded to Tam's challenge, there have been several local protests against Nike, an international corporation with headquarters in the Portland area. These protests are part of a growing national movement decrying the exploitation of children forced to work in sweatshops at meager wages. When asked if he thought it was realistic to think that Portland Public Schools would refuse Nike's money, Tam responded, "Certainly it's realistic to ask. We don't want to help our students at the expense of other children."

Hawthorne Auto Clinic Inc.
Liz Dally
Jim Houser
4307 SE Hawthorne Blvd • Portland, Oregon 97215 • (503) 234-2119

IN CASE OF LEGAL MARRIAGE, FIRST TREAT FOR SHOCK

by Beren deMotier

It's finally happened. I've been launched out of my armchair of complacency, wracked by reality and otherwise thrown for a loop over the lightening-fast reaction of this country to the potential "threat" of same-sex marriage. It is with considerable dismay and bewilderment that I've read about the scramble among the states to outlaw same-sex marriage should it try to invade their borders. That this one issue should mobilize people like nothing this side of nuclear war or an outbreak of ebola (or the news that Madonna is pregnant) is not only surprising.

It tells it like it is.

Because, this is it, isn't it? The question has been raised. The last bastion is being raised. Are we people or not? Are we members of a society and therefore guaranteed to life, liberty, and the pursuit of happiness and therefore marriage to the one we love? (Which includes that possibility that we can make the same mistakes as everyone else and marry for furniture, or the weekend, or parking spaces like in New York City.) Or are we perverts and beyond the pale?

Once you've heard the Adam and Steve jokes pulled out for the eighteenth millionth time by the far-right, it gets hard to take them seriously. I forget that to some people we are still these frightening Things that are after their children (and not for adoption mind you!). This incredible sicko stew the right-wing has cooked up tosses us nice old Gay folk (quietly mowing our lawns or heading for the bowling league) in with the child molesters, the rapists, the pornographers, and, say, Jeffrey Dahmer. And it's being served up again to fuel the argument against Gay marriage.

And while there are those delightful, enlightened, heterosexual souls out there in the voting public that either really do think we're human beings same as them, or are willing to vote as if they do, there's still a large majority of folks that draw the line at us getting hitched. Some cite tradition, some can't get over the whole "who's gonna wear the dress" dilemma, some just can't handle it - we can keep our jobs, keep our homes, maybe even keep our kids if they were from a previous opposite-sex marriage, but Gay marriage is GOING TOO FAR!

We've got to leave something for real people after all.

As a Lesbian housewife mother of two, I find this especially ironic. Here we are in my household ready and willing to enthusiastically take part in traditional family values (which God knows every politician is calling for) and the country won't even let us get married for the sake of the kids!

Even among gays and lesbians there is a split on the issue. Since I'm just hoping for a hope chest and clambering to carry a bridal bouquet, it shocks me how many in the community either don't want us to push for the right to marry or are actually opposed to same-sex marriage. I have struggled to see the other point of view, really I have. Perhaps it's my adolescence-onward

Beren deMotier is a lesbian mother of two, a Portland resident, and a columnist printed in gay newspapers across the country.

obsession with marrying in the satin dress worn by Rita Hayworth in Gilda during the "Put the Blame On Mame" scene. But still, I have yet to see a down side to having the option to marry. I've heard the "outdated institution, property rights preserving, medieval male ownership sustaining blah-de-blah" argument, which of course has had a long history among straights as well, generally among pretty young men with goatees who knew a good excuse not to settle down when they heard one. And I hear you out there, I get it. You don't want to get married, don't get married! Just don't try to keep me from doing so or you might find out why mother lionesses are feared throughout the savanna.

And though the opposition of same-sex marriage among ourselves sounds like Queer cutting-edge politics, savvy semiotics and coffee house radicalism, I think it's because we've been eating a little too much of that right-wing stew that's passed around. It's hard to accept yourself as a worthy, natural member of Society (with a capital S) on a steady diet of "sicko," and "faggot I wish you were dead." It takes a toll. We've been missing some of our best people while they've sat in the bottle waiting for courage to come out, hoping that in the next drink they'd find the self-worth they were missing inside. And sure, maybe we're above all that plebeian concern with marriage and monogamy and we've developed a more modern and intellectual pattern of living and celebrating love. And sure, we may be counter-culture neopagans, in touch with our primal selves, and that's why we're tattooed to the nines and refuse to buy into the establishment. Or then again, we may think that normalcy is not an option we ever had.

Studies show that those law-makers with Gays and Lesbians in their lives are much more likely to support same-sex marriage. It's hard to face neighbor Martha over the fence when you've vetoed her and her spouse that day - even after you were invited to the wedding. It's got to be the same way with the average voter.

Because marriage represents that for us, I think: normalcy. We, the people to the United States of America, we are Gay and straight and Lesbian and Bi and those categories are about the love between consenting adults. We fall in love, we feel the same as straights, we get jilted, we feel the same. We may dress better while we're doing it, and know where to buy mascara that really is smudge-proof, but that's another subject altogether. And every one of us has an impact on whether we will have the right to marry someday. Studies show that those lawmakers with Gays and Lesbians in their lives are much more likely to support same-sex marriage. It's hard to face neighbor Martha over the fence when you've vetoed her and her spouse that day - even after you were invited to the wedding. It's got to be the same way for the average voter. And so it's reach out and touch a straight year (now don't take that literally boys and girls) for those of us who want to make this come about.

And when we come to a place where the love between adults is honored as healthy and desirable, and our society decides it wants committed love to be celebrated for everyone, that's the day you'll find me in the chapel.

Gonna get married.

LOVE MAKES A FAMILY

A Public Voice for Lesbian and Gay Families

Monthly Support Groups
For Parents, Youth & Children
(Meets second Monday of month)

The Parent Teacher Panel
Dialogue for Educators

Opening Hearts & Minds
Speaker Empowerment Workshops

"Love Makes A Family"
Weekly Talk Radio Program
KKEY 1150 AM
7 - 9 a.m. Wed.

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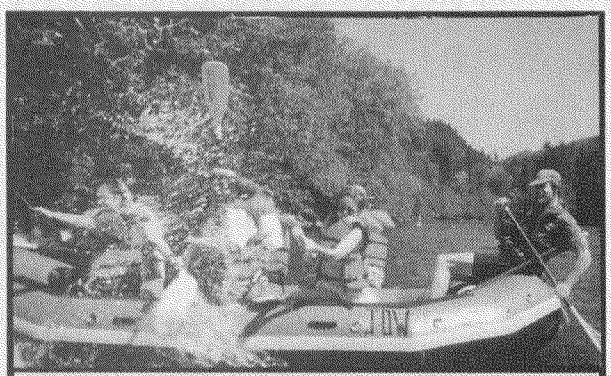
Celebrating Summer - The First Annual Rafting Trip



LMF members enjoy a cool splash from the raft's water cannons on the River

Fourteen Love Makes A Family, Inc. members celebrated the end of school and the beginning of summer with a rafting trip down the McKenzie River. After a picnic at the launch site the group loaded into two rafts with guides from Jim's Oregon WhiteWater. It was a warm day with rare blue skies that turned the water crystal clear. The rapids were big enough to cause some excitement and gentle enough that parents didn't worry. Water cannons in each raft that siphoned water from the river provided enough extra splashing to get everyone comfortably wet. At the end of the trip happy rafters pronounced this the first ANNUAL rafting trip, so plan now for next year!

A big thanks to Jim and his wonderful staff !

Conference Plans in Transition

Love Makes a Family, Inc. reluctantly declined an invitation to host the 1997 GLPCI (Gay and Lesbian Parents Coalition International) conference in Portland. The very strong recommendation from GLPCI that the conference be scheduled on July Fourth weekend left only high cost facility options. The planning committee was reluctant to proceed with a conference that would be cost prohibitive for many of Love Makes a Family, Inc.'s members. An additional deterrent was the rejection of grant requests made by the planning committee for conference organizing expenses. Remaining organizing funds raised through a raffle were used to pay for our GLPCI chapter dues. The GLPCI board sees this as an opportunity to restructure their annual gathering and hopes to release plans for the Summer of 1997 in the near future.

Some Love Makes a Family, Inc. members have expressed interest in organizing a simpler regional conference for lesbian, gay, bisexual and transgendered headed families. If you are interested in working on such a conference, call the Love Makes a Family, Inc. office at 228-3892.

Softball Tournament

The Lesbian Community Project is planning it's 11th annual Softball Tournament of Choice for August 2, 3, and 4 at Prairie Fields in Brush Prairie, Washington. There will be 28 teams and over 500 women from Oregon, Idaho, Washington, and California.

In addition to more than 90 games, there will be vendors, a raffle, T-shirts, and more. All proceeds go to benefit the LCP.

If you are interested in volunteering or need more information, please call the LCP at 223-0071. We hope you'll join us for a weekend of fun in the sun!

Love Makes a Family, Inc.
presents

THE ANNUAL OLD-FASHIONED FAMILY PICNIC

Sunday, August 25 at Blue Lake Park
12 Noon until Dusk
$3 per car Park Entry Fee

POTLUCK: Hot and Veggie Dogs & Drinks Provided

Games, Country Dancing, Softball FUN!!!!

Call Love Makes a Family for more info: 228-3892

HRC Says Marriage Still Not Popular

by Ron Schlittler

The Human Rights Campaign (HRC) has conducted extensive research on public opinion concerning same-gender marriage. They say that the findings are not surprising, but that they are sobering. This issue makes the majority of non-gay Americans very uncomfortable, and in terms of public opinion, is one of our toughest issues.

However, HRC's polling found that our strongest appeal to voters is when framing the issue in terms of basic human rights and individual personal choices. The HRC's newsletter, *The Quarterly*, states, "Most voters do not believe marriage is a civil right. One of our most compelling arguments is that making a commitment to a long-term relationship - getting married - is a basic human need that should not be denied to anyone."

In a nationwide survey of 800 voters, when asked, "Do you favor or oppose making same-sex marriage legal?" thirty-seven percent said they favor it, fifty-six percent said they oppose it, and seven percent said they did not know.

Despite President Clinton saying that he will sign a GOP bill to restrict same-sex marriage if Congress passes it as currently written, the Human Rights Campaign Fund is imploring gay and lesbian voters to go to the polls in November and vote to return him to the White House. *The Quarterly* cites a long list of Clinton's accomplishments on behalf of our community, including endorsement of the Employee Non-Discrimination Act and appointing more than 100 openly gay people to positions in his administration, and warns that "Much harm will undoubtedly come to our community if President Clinton is not re-elected."

Love Makes a Family: A Public Dialogue About Lesbians, Gays, and Family Values

KKEY Talk Radio 1150 am, Wednesdays 7-9 AM

COMING PROGRAMS!!!

July 24th:	***Grandparents in their 60's want to marry - when will it be legal? Jim McBroom and John Weston, Oregon Freedom to Marry Coalition.***
July 31st:	***Lesbian/Gay/Bi/Trans in the Workplace with Judi Lansky, Lansky Career Consultants (Guest Moderator: Joyce McManus).***
August 7th:	***Skills for a Diverse Society: Bringing opponents together to talk about sexual orientation with Gayle Landt, Coordinator, A New Community Meeting and Ron Schlittler, Participant.***
August 14th:	***A Family & Friends Guide to Sexual Orientation, Bob Powers and Allen Ellis, authors.***
August 21st:	***Women's Spirituality with Nelly Kaufer, author, and Virginia Mollincott, author and theologian.***
August 28th:	***Gay Culture in Puerto Rico with Carlos & Juan Humberto Comulada.***
Sept. 4th:	***Back in School, OUT in School with Reggie Petry, The Parent-Teacher Project and Kevin Jennings, GLSTN (Gay, Lesbian, and Straight Teachers Network).***
Sept. 11th:	***Writing for Gay Teens with Stacy Donovan, author of Dive, and commentary by Jaybird Hall from the BENT queer youth group.***
Sept. 18th:	***Politics beyond Sexual Orientation: In The Time of the Right, with Suzanne Pharr, author.***

Jim's Oregon WhiteWater

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1•800•254•JIMS

Marriage Registry

Jane Brackett and **Laurie Richardson** celebrated their commitment with a ceremony on May 26, 1996. The celebration was attended by Jane's sister from Atlanta, Georgia, and Laurie's parents and three sisters from Michigan. The ceremony was held at Laurie's brother's home in Portland. The service was officiated by Reverend Susan Shaw, originally from Jane's hometown in Georgia, now living in Portland. They did not use the term "Marriage" because they are denied the legal rights, privileges, and responsibilities of a state recognized marriage. Jane's and Laurie's relationship is the first to be registered with Love Makes a Family, Inc. Marriage Registry.

Jane Brackett and Laurie Richardson

Register Your Marriage!

By Ron Schlittler

"Start being visible being married in every neighborhood and community before [expecting] the president to lead the procession." That's the advise of Bob Hattoy, an openly gay Clinton administration official, in response to criticism about the President saying he would sign legislation to reject federal recognition of same-gender marriages and give states the authority to ignore same-sex marriages performed in other states. "If people want to get married, they should rush out right now, grab their girlfriend's or boyfriend's hand and go get married," Hattoy said, "but just don't expect the President to come to the wedding."

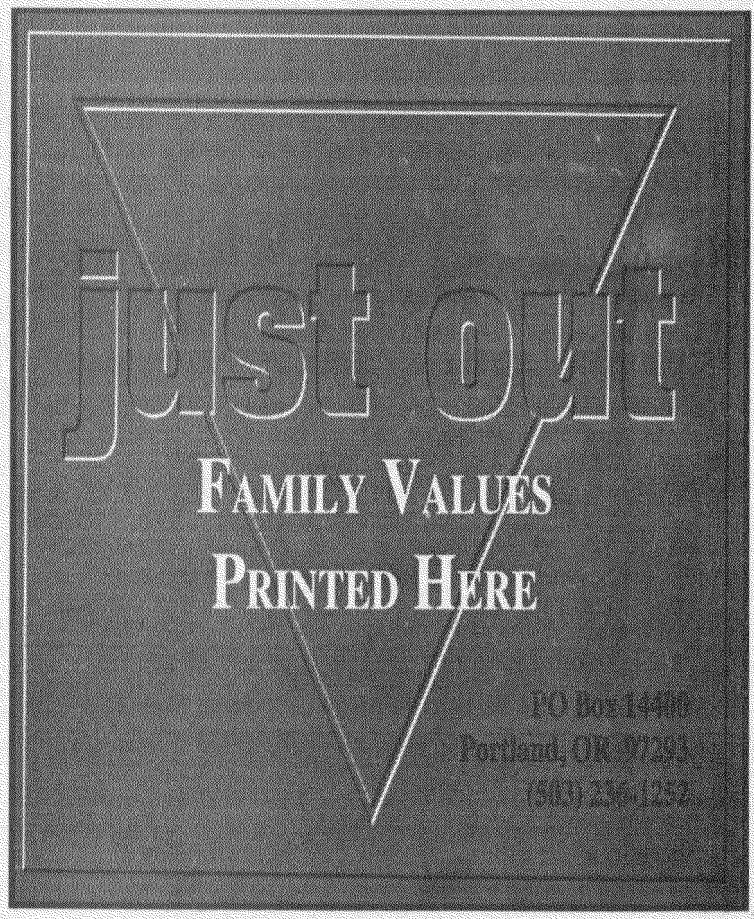
The sexual orientation minority community must find ways to demonstrate again that we are sincere about joyfully and publicly, if not yet legally, recording our most important personal relationships.

To this end, Love Makes A Family, Inc. is beginning a Marriage Registry. The idea is that couples simply write in to be listed. Love Makes A Family, Inc. will provide a "marriage certificate" (or certificate of whatever you choose to call your relationship) with the proud couple's names artfully penned in calligraphy. The marriage is then listed not only in the Registry, but with the various national archives of the couple's choice. The Registry will be updated monthly, published in the newsletter, and directed to local and national leaders, including the President.

The registry will include pertinent information that the couple would like to have recorded, such as the date of the ceremony or, in the case of common law style relationships, the date the anniversary is celebrated and how long they have been together. A description of the ceremony can be included with information about who officiated, names of participants, whether the ceremony was acknowledged by a particular faith community, whether there are children in the new family, etc.

Love Makes A Family, Inc. wants to help make it clear that our most intimate and committed relationships are a cause for celebration and public notice. We invite comments and suggestions (and volunteers!) as we put this project in place.

To request information to register your marriage (commitment, union) return the form on the back page.



Talk to us - *R.S.V.P !*

We would like to hear your views on a few topics and get to know who our Readers/Members are. Please take a few minutes and complete this questionnaire and mail it back to us. Feel free to leave blank any questions that make you uncomfortable. Your answers will help Love Makes A Family, Inc. to serve you better and to archive material about our Families (and to tell foundations how diverse we are). We'll pass on some of the results in future newsletters.

1. What issues do you think families in the lesbian/gay/bi/trans community most need to work on?

2. How do you think Love Makes A Family, Inc. should be involved?

3. In what community events or organizing would you be interested in participating (or volunteering)?

4. How would it affect your family if same sex marriages were legally recognized in the U.S. today?

5. How important on a scale of 0-10 do you consider the issue of legal recognition of same-sex marriage?
   To your family? To our community?

Demographics information about your families will help us to identify who we represent and to direct our services accordingly. Please help us by answering the questions below:

Put an X in the spaces that apply to you or your family

I / We are members of Love Makes A Family, Inc.____ GLPCI_____
If not members, please fill out the membership form on the back of this page

FAMILY STRUCTURE
All Adults___Children Included___Grown Children___Plan Children___
Ages:

FAMILY RACE
African American___European___Hispanic___Native American___
Asian___Pacific Islander____Mixed____Other_____

KNOWN GAY RELATIVE
Cousin___Niece___Aunt___Daughter___Sister___Mother___Grandmother___
Wife___Husband___Brother___Son___Uncle___Nephew___Others_____

DISABILITY AFFECTING FAMILY MEMBER/s
Blind___ Hearing impaired___ Developmental___ Emotional___ Mobility___
Multiple___ HIV related___ Other_____

INCOME LEVEL
Below Poverty___Low Income___Moderate___Middle___Upper___

SEXUAL ORIENTATION_____ SEX/GENDER_____

NAME/S_____

ADDRESS_____

Send to: **Love Makes a Family, Inc., PO Box 11694, Portland, OR 97211**

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Information Response and Membership Form

Return to: Love Makes A Family, Inc.,
PO Box 11694,Portland, OR 97211
PH 503-228-3892; Fax 503-228-3970

Date:_____

Name(s)_____

Address_____
street city state zip (+4)

Phones_____
work home Fax

Additional Family Members: (please list children's ages):_____

_____

☐**MEMBERSHIP**

_____Enclosed is my/our General Membership contribution of _____
(Sliding Scale, $10-$100. No one denied membership due to lack of funds)
_____In addition, list us as members of Love Makes A Family Chapter of GLPCI (Gay & Lesbian Parents Coalition International). We've enclosed and additional contribution of _____to cover the GLPCI newsletter ($10 suggested)
_____Please send our children COLAGE (Children Of Lesbians And Gays Everywhere) mailings.

☐**PLEASE SEND INFORMATION ABOUT:**

___Parent-Child activities ___volunteer opportunities ___KKEY radio program list
___the Parent Teacher Panel ___speaker training ___Marriage Registry

☐**FREEDOM TO MARRY RESOLUTION**

Because marriage is a basic human right and an individual personal choice, RESOLVED, the State should not interfere with same-gender couples who choose to marry and share fully and equally in the rights, responsibilities, and commitment of civil marriage.

Signed: _____ _____

(Print Name/s): _____ _____

I will work on, or would like to be involved in the following Freedom to Marry Organizing efforts:
_____Circulating the Marriage Resolution _____Helping to develop an action plan for my area
_____Serving as a contact person for my area (geographic or community)
_____Convening a meeting in my area for a briefing on Freedom to Marry work
_____Other (Please explain)

☐**PRESS:** _____I/we are available to talk to press _____available for video/photographs

☐**ADDITIONAL CONTRIBUTION ENCLOSED:** **amount:**_____ _____**Monthly Pledge**

The Quarterly Newsmagazine of Love Makes A Family, Inc.

LOVE MAKES A FAMILY

Creating a Family Voice for Lesbian, Gay, Bisexual and Transgendered People

PO Box 11694 • Portland, OR 97211 • Phone: 503/228-3892 • Fax: 503/228-3970 • e-mail: lmfamily@teleport.com

ISSUE #8 SPRING 1997

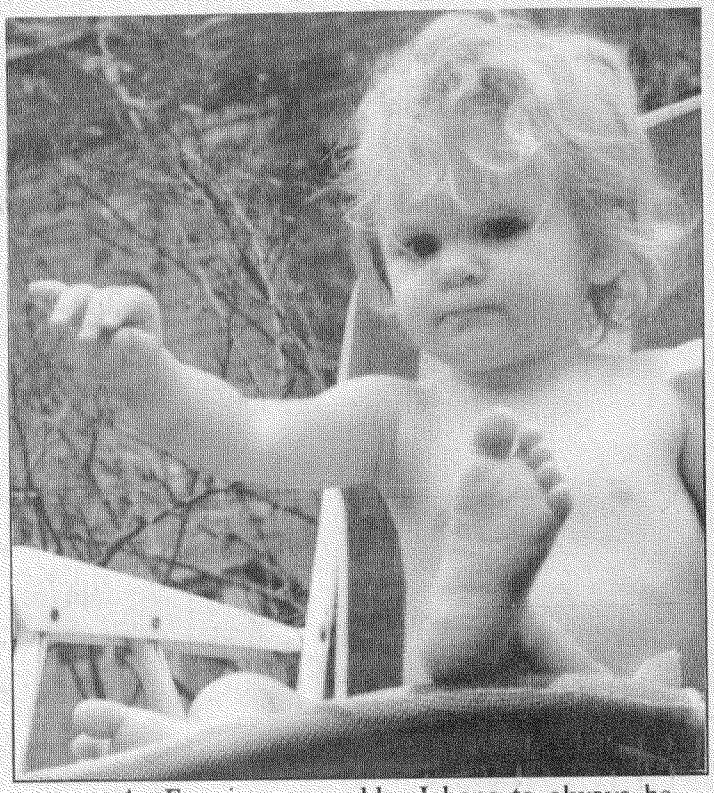
The Children in Our Lives

By: Anna Josephson

Most of us have children. Many may not realize it because they hold the narrow view that to have a child you must be a part of conception. To me, anyone who cares deeply for a child, and shares a responsibility in the raising and nurturing of that child, has a child. This can occur in innumerable ways. Teachers and day care workers have many children for instance. Individuals decide to move in together and their partner's children are suddenly their own. People adopt or decide to be foster parents. Some of us have good friends who have children and become a "parent" that way.

That is how I acquired my child. A good friend from high school went off to college a year before me. During the summer after her first year she confided in me that she was pregnant. The only other people who knew were the father and both of their parents. The idea that teen pregnancy is wrong had definitely been instilled in me, but this felt right. I knew Kate would make an incredible Mother and raise an amazing child.

My premonition was correct. I had never wanted children of my own but after spending summer afternoons with little Freesia Blue, I knew that I already had a child and someday I would have more. The highlight of the summer was when Kate and I took Freesia camping in Maine for a long weekend. We played on the beach and splashed in the water, ran around the woods and played games in the car. I was co-parent for a weekend, and in full glory. Unfortunately, I can't be around Freesia everyday. Due to my school schedule, I can see her for only a week out of every four months. I do think about her everyday and love and nurture her through the distance that we keep. She turned two a few weeks ago. All day I wished I could be there to say Happy Birthday in person and to see her expression as she extracted Mr. Potato Head from the box. Instead I imagined it and I will catch up with her on our next visit.



As Freesia grows older I hope to always be there for her. I want to be there when she experiences teen angst and her first love. I want to be one of the people she confides in and asks for advice when it seems Mom and Dad just don't understand. I have a responsibility to her; she is my child.

A Public Voice for Lesbian and Gay Families

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For Parents, Youth & Children
(Meets second Monday of month)

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Dialogue for Educators

Opening Hearts & Minds
Speaker Empowerment Workshops

"Love Makes A Family"
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Photo Credits: Anna Josephson, Kara Ford, Bonnie Tinker, Peggie Ahwash
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Upcoming Event and News

GLPCI

August 2-9 L/G Family week in Provincetowm, Mass.
July 24-27 Family Conference in Philadelphia, Penn.
College scholarships available to children with at least one Gay or Lesbian parent. Deadline May 15th For more information call Tim Fisher at (202) 583-8029 or write to GLPCI at PO Box 50360 Washington, DC 20091

GLSTN/ Oregon

August 18-19 Northwest Conference on Gay, Lesbian, Bisexual and Transgender Issues in Education

Family CampOUT at Camp Westwind

July 25-29
A camp on the coast owned and operated by the YWCA. A supportive experience for Lesbian and Gay Men with children. Scholarships available. Call 294-7476 for more information.

Families at the Fair

Love Makes a Family, Inc. is sponsoring cash prizes for the best submissions to your county or state fair that relates to Lebigaytrans Family values. The possibilities are endless. Find out how to enter and win the grand prize of $100 by calling Love Makes a Family, Inc. This program is supported by a cultural arts grant from A Territory Resource.

FAMILY FUN

Love Makes a Family, Inc. has received a $5000 grant from the PRIDE Foundation for our family support programs. It will help fund the first **Northwest LGBT Families Conference**. The conference will take place August 8-10 at the Living Enrichment Center in Wilsonville, OR. The weekend is designed to establish and strengthen the community, have fun, and provide education on the issues that face sexual minority parents and their children. There will be workshops and activities for adults, youth, and children.

The workshop planning is about to begin and more people are needed to give input for helpful workshop topics that will benefit all people and their special interests. A group is meeting Tuesday evenings to start the conference planning. For more information contact Love Makes a Family, Inc. at (503) 228-3892 or e-mail at lmfamily@teleport.com

Love Makes a Family: A Public Dialogue About Lesbians, Gays and Family Values

KKEY (1150 AM) Wednesday Mornings from 7am to 9am
Coming Programs!!!

June 18th Gay Pride Special
June 25th Social Work and Life after Grad School with Laura Bisbee
July 2nd Writer Morris Kaplan with his book Sexual Justice; Wendy Chapkis, author of Live Sex Acts: Women Performing Erotic Labor
July 9th Creating A Place for Ourselves' author Brett Beemyn
July 16th Real Majority/Media Minority with Laura Flanders of FAIR

Family Reorganizing

Coming out of Divorce

By: Ellie Pule

In the Spring of 1996, I discovered that I felt physical attractions to women. I was frightened and excited and full of uncertainty about the future. At the time I was married, raising two teenage daughters, and enjoying a renewed relationship with my Christian faith. My life seemed perfect, but it wasn't. A portion of me was disengaged from the marital relationship and had been all along. No amount of effort could make the intimacy piece of our marriage work for me.

With support from my therapist I screwed up enough courage to come out to my husband, Dorian. One night during the 11 o' clock news I explained that I understood the distance between us and it was about me being a lesbian. With tears in his eyes he said, "I will always love you." I heard from my therapist about Love Makes a Family and called one day to talk to Bonnie. I asked her if she had any pamphlets about coming out to one's kids. I was so scared but I knew that was the next step. Bonnie said no, but invited me to the next parent support meeting. She said that I was not alone and if I came I would meet others who had gone through what I was going through. Before the next meeting the urgency of telling my daughters was increased because their dad wanted to tell his family and our friends in order to secure his own support base. Because I wanted them to hear it from me and not friends or family I again, after prayerful supplication, screwed up my courage. My therapist helped me form the words and Dorian and I gathered with our girls one evening to talk.

I reminded them of the importance of figuring out who you are and being true to yourself. I told them that I was discovering a part of me and working to face the truth and live it. I told them about feeling sexually attracted to women and my strong inner conviction that I was gay. We all cried. I told them that I was not crying out of shame but because it was so hard for me. Dorian told them that he just wanted me to be happy and that we were still best friends. Together we told them that we would always be a family but that divorce in the future was pretty certain. Mira, 15 seemed to take the news fairly calmly. She had met friends or co- workers who were gay or bisexual. Celeste, 13 asked many questions, some of which were: "How come you can't stay married even if you are gay?" "How do you know for sure?" "What if you are wrong, will you and Dad get back together?" "What about God?" and "What does this mean for me, will I move, who will I live with?" -- many hard questions that had to be dealt with as a family. She told her dad that when he told his family to make sure they knew it was on "best friend" basis.

I told them about being sexually attracted to women and my strong inner convictions that I was gay. We all cried. I told them I was not crying out of shame but because it was so hard for me.

Over the next few months I went to Love Makes a Family and the Pride parade. At first the girls didn't want to go. Then they met two girls their age who live with their two dads near us. We were invited to dinner and all talked about everything. From then on my daughters began to see our situation as doable. We went to the Love Makes a Family summer picnic where they met more kids and felt more comfortable. Finally, in the fall of last year they came to a meeting.

I began to attend MCC and found support for my faith and my sexual orientation. Piece by piece our new lives began to take shape. Dorian continued to live with us until we figured out the property and custody issues. Many times I have felt overwhelmed by the task of working this family reorganization. Many times I collapsed into tears doing mundane things like cooking dinner, folding laundry. Many times the girls were crying or sad or angry. As their dad and I worked on the divorce we tried to keep their welfare foremost in our minds and to honor our own true friendship, which had spanned eighteen years. Last September he found another place and we began splitting our households. In February of this year our divorce is final and a new phase of our lives begins.

I have begun seeing someone I met through Love Makes a Family and many new issues will be faced by the girls, me, and their dad. What has helped me the most is recognizing the strength of our family and relying on the power of love. I am fortunate that Dorian also values these two dynamics and values our bond as friends and co-parents. In my heart and mind the future is filled with kids and hope and fun. The hard times will be faced, the joyous times will be celebrated. The new and old ideas of family will converge. Love makes and sustains all of our families.

Thinking of having Children? Consider This

By:Susan Rosenthall

Over the past 5 years, I have led groups for gays and lesbians considering parenthood. One of the issues that always comes up, in one form or another, is the question of "am I doing the right thing?" and "have I given this enough thought?" I respond by saying that I don't know of any group of parents who give this question more thought. One of the things about being gay or lesbian is that (in most all cases) one does not -- and in fact cannot -- become a parent by accident.

The couples and singles I work with have, even before coming to me, often spent many months, if not years, considering their decision to parent — the finances, the legal implications, how to deal with family and employers, methods of bringing a child into their lives (adoption vs. pregnancy vs. surrogacy, and all the variables therein -- e.g. who should the donor be, known or unknown.....if adopting, to be out or not, transracial, etc. etc.) and most importantly, how will it be for a child to be raised by gay or lesbian parents. While there are never certain answers to any of these questions, the most anyone can ask is that they have been given thought, and I think we as a community do that with seriousness and concern.

...the one thing you can pretty much count on in parenting is that you can't count on much.

However, in talking with parents and prospective parents, I have found, several areas which seem particularly important to consider, beyond the obvious ones of "should I/we do it?" and "how should I/we do it?" and "when should I/we do it?"

First, ask yourselves, "What is my/our ability to deal with change and uncertainty," or "to roll with the punches?" One of the things about parenting, I often joke with people, is that as soon as you figure out how to manage one part of it, the kid grows beyond that and you're faced with a whole other challenge coming at you from another direction. For example, I remember finally figuring out how to get my son to stop unbuckling his car seat, just as he reached the size that he didn't need a car seat anyway.

Similarly, the one thing you can pretty much count on about parenting is that you can't count on much. There's that adage about the "best laid plans....." going awry. In fact, there seems almost a correlation between how much you plan something and how likely it is to fall apart. The day of that big dance you and your sweetie planned for weeks to get yourselves to (with baby-sitter in place, great outfits and even the tickets where you can find them!) will as likely as not be also the day your littlest comes down with chicken pox. Being able to let go, to flex, to find the joy in the special time you get in the transition from "queen of the ball" to nursemaid is essential. People who have trouble with this sort of change have trouble parenting.

Another question to ask is, "What of my own personal unfinished business will come up for me as I parent?" As a therapist, I many people in our community talk with me about our hopes not to pass on to our children those harmful messages and life expenses we received in our families of origin. While that is an admirable goal, it is easy to underestimate the force of our unconscious programming, especially in arenas like parenting. In fact, almost all parents can recall (sometimes with delight; sometimes with horror) when you hear yourself sounding exactly like your parents. It's just the nature of the beast. So what I suggest to people is that rather than aiming for perfection or trying to do things totally differently than how they were done to you, you just try to do it somewhat better in each generation than in the generation before.

It also helps to anticipate which areas of parenting, or ages of a child's development, will be the most challenging for you. While people speak of the "terrible two's" or "adolescence" with trepidation, those are not the hardest times for everyone. But everyone seems to have particular times (or issues) that are particularly challenging, be it watching your partner breastfeed or when little boys first start getting "macho" or when your daughter tells you to "shut up."

Usually, the things we find the hardest are those that touch on our own unfinished business from our families of origin. Again, letting go of the idea that you have to be a perfect parent is helpful here. So is confiding in your partner or friends that this stage/behavior/transition is particularly difficult for you and asking for their suggestions about strategies or different ways to understand what's going on. Sometimes, meeting with a therapist to talk things over can not only help you be less reactive but bring resolution both to your current parent-child dilemma and those unresolved family of origin issues. In fact,

parenthood, as well as stirring up our unfinished business, can also be another chance at working through our own issues as our children pass through each developmental stage.

Finally, it is important for gay and lesbian parents and prospective parents to understand that no matter how supportive a world we try to build for our children, at some point they are going to be hurt by others because they have parents who are gay or lesbian. For many of us, seeing our children experience this is very painful, and we want to charge in and "make it right." This may be what our children need, but it may not. Instead, they may need us to empathize with their pain, to acknowledge that they are having to "come out" as children of gays or lesbians not because of who they are, but because of who we are. That's really not entirely fair, when you think about it; and it is helpful to children to know that you understand that.

There may also come a time (usually in preadolescence) when we find our children asking us (directly or indirectly) to be less "out" than we would prefer. Every person and every family needs to decide in what arenas they will and won't compromise, certainly. But many parents have found that those posters on our refrigerators advertising the latest community event and our blatantly titled books, if left sitting on the coffee table, leave our children (once they reach a certain age) uncomfortable and hesitant to bring friends over. For those of us who struggled for many years to make it OK to be who we are, realizing that our children are having trouble with who we are and in any way asking us to "hide" yet again who we are is difficult to swallow. In talking with many parents about this, I have found that those parents who can take down the posters for a few years find that "this too shall pass" and as they move into later adolescence, kids again feel more confident about themselves and more able to be open about what their families are about.

One of the things you learn early on about parenting is that there are few absolutes. The questions I've mentioned above don't have any right or wrong answers either, but hopefully will open some arenas for thought and discussion.

Susan A. Rosenthall, LCSW, the parent of an 18 year old son and a 6 year old daughter. She is also a licensed clinical social worker in private practice, and leads groups for gays and lesbians considering and/or planning parenthood. A new group is starting this spring. She welcomes your questions about the groups and comments about this article at 223-1313.

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HOW DARE YOU

By: Michael Ferrell

How dare you stare, unblinking eyes
Caught a glimpse? Think you know?
If you knew half t'would pierce your heart
Truth's fire burns real slow

Look straight at me with eyes squeezed tight...
You cannot... no, will not see...
A perfect spirit, spirit just like you...
Being burned in effigy

Yes I said perfect, your ears not broke...
I'm not the one that's flawed
Yet I forgive your shortcomings...
I forgive... good God!!!

Call an ace an ace, Quacks like a duck...
Your dying to know... I'm queer...
An absurd word with nasty notes...
Stamped on my head with fear

Webster says that queer's defined
as peculiar, odd, or droll
Well look again and judge yourself
Before you dig my hole

Do I sound mad? Damn right I'm mad
You tried to steal my soul
As if your parents' prejudice
Could deem me half or whole

If you should die before you wake
I pray the Lord your soul to take
It's not being very nice down here
Not being very fair I fear

Michael Ferrell is a self-identified recovering Christian cult member. He was exhibit A in the cult as how to be cured from homosexuality and married a woman from the group. After a short time of marriage they realized that it was not something to be cured and left.

Gay-positive Sunday School is held every Sunday from 9:30-10:15 at the Metropolitan Community Church. They offer adult and youth classes as well as a class for children. MCC is located at 1644 NE 24th in Portland. Call them for more information at 281-8868.

From the Other Side

(Dedicated to Love Makes a Family)

By: Lori Buckwalter

Where were you, child, before you came here,
into this body we see?
Where will you be called to travel yet,
on your journey to be free?
All we know of you is the moments we share,
here in this family,
But we welcome you in,
in warmth, love and pride,
As we all search together for signs of life,
our life on the other side.

Where do the children in us go to play,
when work and worry are all?
Why don't they answer us in quiet times,
and why won't they come when we call?
All that we wanted was to keep them safe,
we didn't hear ourselves fall.
We may find them again,
in the places they hide,
When we open the door to their world once more,
the door to the other side.

Who holds us back from the love that we know,
whose burdens do we carry?
Why won't they see we just try to be whole,
whomever we choose to marry?
All of our hearts can be opened by joy,
maybe they will be someday.
There's a key in our hands,
waiting to be tried,
And the mystery continues to unfold,
there on the other side.

When do the children of parents become
parents of children in turn?
Will they repeat the remorse they have felt,
or pass on the lessons they learn?
All of us wonder how our lives would change,
if the painful memories weren't.
We can change for good, for our children's sake,
the future where they reside,
If we're willing to look at ourselves through their eyes,
back to the other side.

Donor Insemination

Donor insemination (DI) is a simple procedure, where semen is placed into a woman's vagina with a syringe to enable her to become pregnant. DI uses sperm from a donor other than a woman's husband or partner.

All Women's health services has always supported women's reproductive choices. Our unique donor insemination program has grown to meet the needs of our clients. We are proud to be able to offer all women, regardless of marital status or sexual preference, the opportunity to conceive a child in a supportive, warm and caring environment.

Our program starts with an hour to two hour session with the DI program coordinator. During this meeting, the coordinator presents a program overview and discusses program requirements with the client and anyone the client chooses to have with her. The coordinator provides information about methods of insemination, sperm banks and their donors, legal issues pertaining to DI, fertility awareness and self help. Questions from the recipient and her partner, if applicable, are encouraged and answered.

After the initial orientation, and if the woman decides to participate in our DI program, the next step is a fertility awareness class. This class is designed to enable women to maximize their chances of becoming pregnant. Women are taught how to look for signs of ovulation through Basal Body Temperature (BBT) measurement, cervical mucus detection, ovulation detection kits and cervix observation (self help). While this class is highly recommended, it can be waived for women who have demonstrated knowledge and proficiency in all of the above.

Meanwhile, in order to ensure that our clients planning to become pregnant are in the best possible health, a comprehensive physical exam is required as a part of the DI program. This exam can be performed either at AWHS or at the women's own physician's office. This exam must be performed less than one year before the first insemination.

After the results of the physical are in, the DI coordinator and the client(s) decide the best time to begin insemination. (If the woman is just beginning her Fertility Awareness training, her first insemination will usually take place in three to four months. Women that are well versed in FA can start when ovulation occurs, after the physical exam.) The coordinator will review the process of insemination:

1)Intervaginal insemination: the woman's cervix is bathed in semen. This process can be done at home, by the woman herself or her partner.

2)Intrauterine insemination: washed semen is inserted, via a sterile cannula, directly into the uterus. This process is done at AWHS by a practitioner or MD. The DI coordinator will also discuss what takes place during the insemination; intervaginal and interuterine.

For most women, less than 35 years of age and healthy, the average insemination time is 7- 9 months. If pregnancy does not occur within that time frame, it is suggested that the woman receive fertility counseling before continuing.

DI is an amazing process, a world where women control their own bodies, reproduction, and sexuality, with dignity and freedom. For more information you can contact Kelly Saxton at All Women's Health Services at (503)233-0808.

For more information on this subject and other family related information, the internet is a valuable resource. There are web sights that can help you with various issues of alternative insemination including pros and cons of known donors vs. unknown donors, doctors and spermbanks. Also included in these pages is adoption information. Two of these pages are:

Family Q

http:www.studio8prod.com/familyq/

The Lesbian Mom's Web Page

http://www.best.com/~agoodloe/moms/index.htm.

These two pages are just a start and will recommend other fine resources for your browsing.

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The Oregon Freedom to Marry Coalition Update

By: co-chair Ron Schlittler

The work of the coalition has focused on these themes: monitoring the issue as it unfolds in Hawaii and backlash legislation around the nation (Federal DOMA and state clones), researching relevant Oregon law (and the more than 700 references to the special rights, responsibilities and privileges associated to a couple legally saying "I do"), doing educational outreach, offering voices to respond to media interest, and providing a formal structure in Oregon with resources, meetings, workshops and email networking.

The work continues this year with an emphasis on preparing for legal same-sex marriage in the Hawaii. We are gathering a list of couples who wish to go to be legally married and come back to Oregon seeking recognition here. A key goal is developing a legal strategy that will be most powerful depending on the challenges that unfold.

Coalition meetings are the second Tuesday of the month, 7:00 at the Metropolitan Community Church, 2400 NE Broadway. Call 503-228-3892 for more information, including an extensive Freedom to Marry Resource Manual, available for $10.00 plus $3.00 postage.

Late breaking update: The Lambda Legal Defense fund says the Hawaii marriage case is "fully on track" as legislators prepare to send a proposed constitutional amendment to voters in 19 months. The proposal would give the legislature power to restrict legal marriage to same-sex couples.

Wedding cake baked by PFLAG president Donna Saffir for the "Marriage Celebration"

Adoption Options

Chad Carlson, center, with his adoptive Father and friend.

There are four types of adoption. Private adoption is through a lawyer who works directly with the birth mother. A birth mother may also be found through newspaper ads or friends in what is known as Independent adoption. You may adopt through a public agency; these children generally come from foster care homes. International agencies are the other possibility. Many ethnic minority and "special needs" children are available for adoption. If considering a transracial adoption you will want to seek special resources and guidance to gain the cultural competence necessary to support your child.

If you adopt through an agency, it is important to research several agencies before you make a choice. Talk with people who have adopted through the organization. Some adoption agencies prefer single parents over gay and lesbian parents. Some are open to same-sex couples.

Adoptions by same-sex couples are routinely approved by courts in many jurisdictions. Before you go to court, investigate the record of your local judges. Gay or gay friendly attorneys are the best source of information. Call the Gay and Lesbian Law Association (202-389-0161)for a local reference.

Resources:

Center Kids, the Family Project of the Lesbian and Gay Community Services Center in New York 208 West 13th st New York, NY 10011 (212) 620-7310. A great informational booklet is available from Center Kids for $12.

An Oregon based attorney who is a fountain of information is Jon Terry 503-248-1063. For additional attorneys, call the Love Makes A Family, Inc. office, 503-228-3892

Oregon Agencies which work with gay and lesbian parents: Open Adoption 1-800-772-1115; Heritage Adoption 503-233-1099; The Boys and Girls Aid Society 503-222-9661

Interracial family support & adoption info may be found through PACT An Adoption Alliance 3450 Sacramento St. Ste 239 SF, CA 94118 (415) 221-6957. They publish Pact Press: 'Addressing Issues for Adopted Children of Color'

Susan Rosenthall conducts marvelous classes for people considering parenthood: 503-223-1313.

Advice to Stepparents

In the Love Makes a Family Inc.'s children support group, the experts, stepchildren ranging in age from ten to thirty, spoke on how to best transition into the role of stepparent. This is not an easy task and the people who know the best techniques are the ones directly affected by it, the stepchildren. There were horror stories, victories and a sense of group consensus on effective steps a new stepparent can take that will result in a healthy relationship and a happy family.

The first thing is to consider what sort of emotions the child is experiencing. This is a time of drastic change for a child of any age and it brings on a sense of confusion in some. The experts also spoke about feeling envious and jealous of the stepparent for having to share the affection of the beloved familiar parent. This can be accompanied by a sense of betrayal. These feelings are completely natural and most of the kids agreed the stepparent should know that they will probably be hated at first.

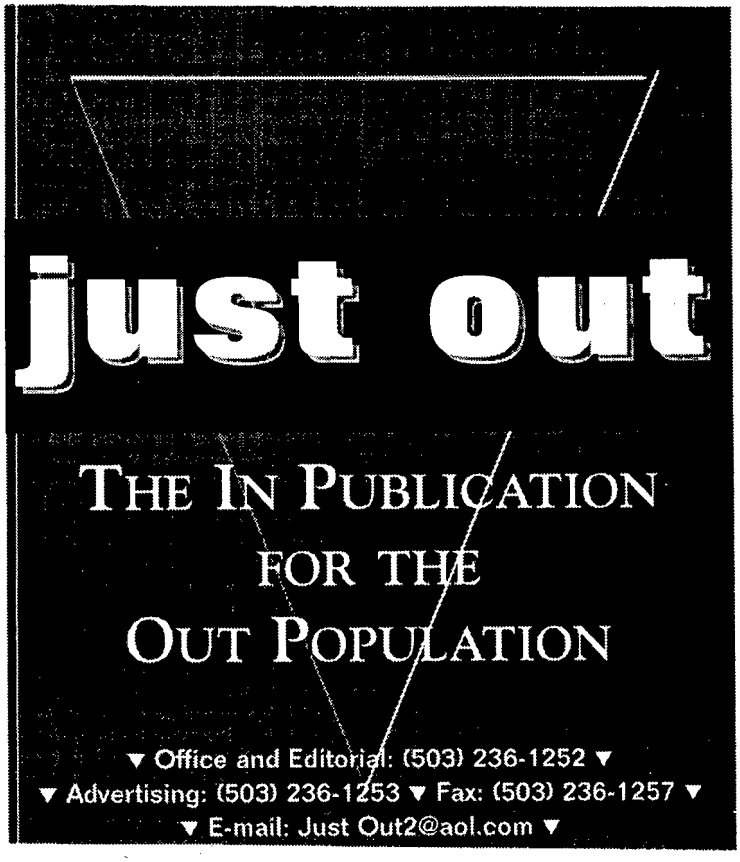
There are ways to come out of this time of transition cleanly. It is most important not to jump in like nothing new is happening. One child explained that his stepmom entered the family without either of his parents sitting him down and having a talk about the changes that were about to happen. He also said that the new stepmom did not stop and try to reasonably adjust the two different lifestyles. Instead she dragged the family into her lifestyle without considering the other factor.

Another child spoke of an effective transition. The new mom took things slow. She acted like a guest in the home until the child warmed up to her. Forcing yourself on the child is not an effective method of getting the child's affection. Letting the children decide for themselves when they are comfortable with you seemed to be an agreeable method with the kids.

If the situation is dealt with in a proper manner, which will be slightly different in various cases, problems with the new parent can be avoided. For instance, a common problem with the new parent was the issue of discipline. Most of the children felt that the new parent has no right to tell them what to do. Since the intruder is not a parent, they should have no say in the child's chores, responsibilities, or behavior. This was avoided in one story I heard by the new parent not putting her own rules on the child, but simply enforcing the rules of the other parent. Of course these issues need to be discussed thoroughly between the partners so the child does not get mixed messages.

The experts have spoken and the advice is clear. After the initial shock, they enjoy having another person around to look up to and love. If you are patient and give the children room, that initial distrust will dissipate and there will be plenty of room for one more in the house.

The Pride Parade is coming up June 21st. Jessica Nelson is our Pride day coordinator. Michael Ferrell is organizing a Hawaiian wedding theme float and Jim Wheeler will pull the Love Makes a Family playhouse in the parade again. Love Makes a Family is providing childcare for attendees and participants. If you can help or know someone who may volunteer, please contact the Love Makes a Family office at (503)228-3892.



Daytime Parenting

The bottoms of shelves are filled with toys and games at Laurie Todd's house. It is no mystery that the place is proofed for the purpose of child rearing. Laurie's parenting happens through her day care program as well as her care for the children of friends whom she calls her heart children. She has a Master's Degree in Human Development and in addition to providing care for four children during the day, she teaches classes at a local college.

Laurie knew at an early age that she did not want a child of her own. When in high school, she read about the population boom and knew the world did not need a baby from her. She grew up in a financially stressed environment and did not want that for her own child. She needs a lot of time and space for herself that is not available when you have a child. She also knew how important being a parent was and she wanted to be a part of the lives of young people and to help them grow and blossom into individuals. She whole heartedly agrees with the philosophy that it takes a village to raise a child and not just one or two parents. She feels that being a part of child care gives you concrete, not just theoretical investment in the future. Also as a radical feminist she sees how society isolates mothers; and so she gives mothers any support that she can.

Laurie's getting into child care was not a life long plan. It happened to her in stages. Although going into childcare had many times crossed her mind, she did not agree with most of the methods happening in day care. Kara Ford of Love Makes a Family,and daughter of Laurie's good friend, was her first heart child and the inspiration to start her own day care center. She started caring for Kara when she was four years old. When Kara was twelve, Laurie got her second heart child. She was caring for this baby part-time when the pieces seemed to fit and her path was clear. She could start her own care center and implement her own ideas of child nurturing.

Laurie's method of child rearing is based on a method developed in Hungary called RIE, an acronym for Resources for Infant Educare. The main idea behind this method is complete respect for the child as a person. For instance, you never scoop a child up from the back. You tell the child what is happening at all times. You communicate with the child about things as simple as picking her up and changing the diaper. Also in this method you never interrupt the child in what she is doing. Children may not have long attention spans these days is because they never get a chance to develop them. A child could be playing with a toy and exploring and all of a sudden, an adult decides that it is time to stop so the child never finishes the thought. Another blow to the attention span is thought to be the continuous movement a child goes through in regular childcare. They are put in one room of care for a few years and then moved to another when they reach a certain age and they never have the time to be adjusted to the care givers. Laurie's daycare focuses on continuity so the children have proper time to adjust to her and the environment. Things are taken slowly so as the children are first figuring out the world, they have the time to do each step completely.

Laurie Todd having lunch with the children.

Laurie takes the children out for a daily walk around the block, an hour or so of exploration. The neighborhood is acquainted with the children which broadens the nurturing village. Laurie feels very fortunate that she has so much support from the parents and the neighborhood. Most child care workers do not have that reciprocated nurturance from the parents. A support that she would add to her list is free massage and chiropractic services for all child care workers for the amount of physical labor they endure and free therapy since working with children brings up all of your own childhood issues. She loves helping to raise the children and working against the early institution that is created for youth today.

Foster Parents Urgently Needed

By: Jim Lyman

If you are single and would like to help a young person through some difficult times, or if you are a couple and one of you would like to consider earning a tax-free income at home, or even if you are retired and still want to remain active with young people, then you should seriously consider becoming a foster parent. Being Gay or Lesbian is not only not a disqualification, but, in my opinion, makes one uniquely qualified to work with kids with special problems. After all, who understands more about being an "outlaw" than we?

Having foster children in your home is a wonderful way of keeping in touch with young ideas, music and language, as well as the kinds of special needs and problems today's kids are facing. You will be constantly learning from these young people and be challenged to help reinvent each other.

In an era of declining social services and with the continued disintegration of the heterosexual model of "family", it is a wonderful opportunity for the gay and lesbian community to "step up to the plate" and demonstrate to the rest of society that we are not the evil people portrayed by our detractors.

Formerly, people became licensed care givers only if they had sufficient income to support themselves and they did not depend upon the foster care stipend to remain solvent. Personally, I still endorse that idea since it allows you to remain independent in case you find child care is not your cup of tea. Now, however, it is possible to become licensed even if it is your only source of income.

Being Gay or Lesbian is not only not a disqualification, but, in my opinion, makes one uniquely qualified to work with kids with special problems. After all, who understands more about being an "outlaw" than we?

Depending on a wide set of variables, the monthly stipend for foster care is roughly between $400- $800 and in some special cases that amount is even more. This income is tax free and can also qualify you for Federal earned income credit. Quite naturally this money is primarily for the child's care, but it is also for your time and energy. We've chosen to use a lot of the money for what I call "travel therapy." Over the past two years we have taken our boys to Hawaii, Canada, Palm Springs, and Puerto Vallarta. Talk about a win-win situation. As you can see, the advantage of not being totally dependent on foster care money allows us greater flexibility in how it is dispensed.

The need for new foster parents is most urgent and, as federal welfare protection is lessened, is likely to become even greater. If you are interested in becoming licensed, you will get prompt information by contacting O.Y.A. caseworker Mike Boyles at (503)257-4300 x227, or, if you wish, I would be happy to visit with anyone regarding our own experiences and to help pave the way for you. Please give the idea some serious thought.

Jim Lyman (503)288-9348

Buying a house together

The two of you have decided it's time to buy a house. This is a big step. Before calling a real estate agent, you should sit down with a pad, pencil and calculator to figure how much house you can afford. The general rule-of-thumb mortgage companies use is that your payment should be no more than about 28% of your joint gross monthly incomes. Next, consider the down payment. A standard is 20% of the selling price of the house. You could pay less, but then you'd probably have to purchase private mortgage insurance (PMI). Another topic you should discuss is whether one of you will be putting more cash than the other toward the down payment, the monthly payments or both. If one of you has a much higher income than the other, you'll need to ask these questions: Will you each contribute according to ability, or will you buy a less expensive house so you can each put in the same amount? Will one of you contribute sweat equity instead of some of the cash? Could this cause a strain in your relationship? Should you have a written agreement about the arrangement?

When you've settled these details you can start shopping for . . . no, not the house, the mortgage. It's often best to pre-qualify for a mortgage before you start looking for your dream house.

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Other Parenting
By: Ron Bloodworth

When asked to write an article about the parental role I play as a school counselor, I thought, "Why me, I'm not a parent." But the more I thought about it, the more I realized that, in many ways, I have been a kind of surrogate parent for many students that I have worked with over the years.

Besides the surrogate father role, I now offer students a positive role-model as a gay man.

For many childhood and elementary students that I have worked with, I've been a father figure, especially for those children growing up in families without a father. In play therapy sessions, we've tumbled and chased in rough horse-play, role-played family dynamics in dress-up clothes, and learned to respect the rights and dignity of others by testing the limits of social interaction. I always strove to maintain that balance of compassion and authority that I knew was important to the healthy parenting of children.

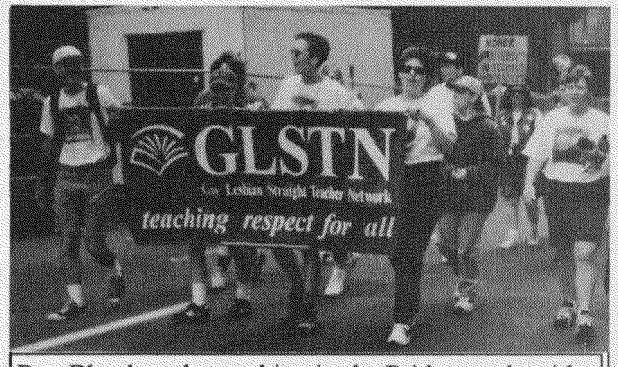
In my work with middle and high school students over the last few years, there has been plenty of opportunity to work in a parenting role with students. Adolescence brings special challenges for adults who work with youth. Issues of self-esteem, identity, belonging, and the dangers of drug use, sexuality, and intense emotional turmoil have, once again, offered me a chance to be the parent in many situations where parents were not present or able to offer the guidance that young people need. In other situations, I've been able to play the "mediator" role in helping students and parents work through difficult issues.

As a school counselor who also happens to be a gay man, I have gained increasing confidence through a gradual "coming-out" process that helped me tap great reserves of energy that were previously trapped in the dark recesses of the closet. Besides the surrogate father role, I now offer students a positive role-model as a gay man. Self-identified gay, lesbian, and bisexual students get to know me in all of my strengths and weaknesses as a counselor, as a gay man, as a human being. Students with a lesbian or gay parent can feel that extra measure of safety that says "here is someone who understands." And heterosexual students have an opportunity to unlearn many of the negative stereotypes about homosexuals that have been perpetrated by myth and ignorance.

I am proud of my counselor-parent role with students at school. And even more proud of the chance I now have to create a safer and more accepting school for students by simply, gently, and honestly being who I am as a gay man.

My wish for the future is that more gay, lesbian, and straight school professionals will work to put the pain of silence and prejudice behind us. Our children's safety, mental health, and aspirations for the future depend on it. It does take a village to raise a child and we all have a role to play; let us simply, gently, and honestly, do it.

Ron Bloodworth is a school counselor with Portland Public Schools. He is co-chair of the Gay, Lesbian, Straight, Teacher Network of Oregon (GLSTN/Oregon), a local affiliate of GLSTN National whose mission is to create schools that teach respect for all regardless of sexual orientation.



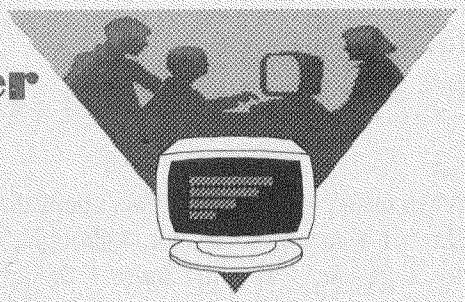
Ron Bloodworth marching in the Pride parade with the Gay Lesbian Straight Teacher's Network

PRIDE MENTORSHIP

This program is geared for Multnomah county youth between the ages of 13 and 19. It is based on the Big Brother- Big Sister program in which youths are matched up with adults who will be able to communicate and relate to the them. This program allows the youth to take advantage of the companionship and advice of someone who has a little more experience and understanding of the world as an out Lesbian/Gay/Bi /Trans.

Although there has been a lack of response from the youth, there has been a tremendous interest from potential mentors. People of Color are encouraged to apply. For more information call the PRIDE Coordinator, Brant Rigby, at Phoenix Rising 224-2292.

Cyberspace Resource Center



There is so much information on the internet these days it is easy to get lost and not find what you are looking for. Listed below are a few resources for kids and adults important for education, networking, and entertainment related to Lesbian/Gay/Bi/Trans headed families. Enjoy the endless information that awaits you.

For Kids

Children of Lesbians and Gays Everywhere (COLAGE) web-site
http://nz.qrd.org/qrd/www/orgs/glpci/colage.htm

COLAGE has started a mailing list for kids who need to talk or just meet other kids of sexual minority parents. If you have any questions about the mailing you can e-mail Mike at **kidsofgays-owner@vector.casti.com** or **kidsofgays@aol.com** To sign up for the mailing list leave a message at **majordomo@vector.casti.com** with the first line of your message stating "subscribe Kids of Gays your name your e-mail address." You can also be published on the web. Any articles that you write related to your family will be put up on the web if you e-mail them to **altkids@cyberspace.org**

Also, for kid chat rooms, games, fun quizzes, writing opportunities, and e-cards, visit Orbit at **http://family.starwave.com:80/kids/index.html** Suggestions and additions are welcome.

For Adults

Gay Lesbian Parent Coalition International (GLPCI) web-site **http://nz.qrd.org/qrd/www/orgs/glpci/index.html**

This web-site is a great source for networking, articles, information, and a listing of support groups near you. Another great parent resource is The Parents' Resource Almanac at **http://family.starwave.com/resource/pra/C_12_5.html#top** This has great tips on family fun, parenting, and good movies.

Gay Lesbian Straight Teacher's Network (GLSTN) website **http://www.glstn.org/** or **http://ftp.qrd.org/qrd/orgs/GLSTN/**

This is a resource to see what GLSTN is up to these days, what is going on in schools around the nation, and things you can do to help out in your children's school.

Marriage Project -Hawaii **http://www.xq.com/hermp/**

Freedom to Marry Coalition **http://freedomtomarry.org**

These two pages have basic information of same gender marriage issues. They also will update you on what is happening in Hawaii and every state. Also included is what will come next and how you can get involved and take action.

Make sure to keep your eyes peeled for the coming Love Makes a Family, Inc. web page.

It's My Pleasure INC.
Gifts & Resources
Supporting and Empowering Women
4258 SE Hawthorne Portland, OR 97215
(503) 236-0505

Professional Financial Planning For The Lesbian & Gay Community.

We're proud to offer this informative brochure that highlights important financial planning issues. Call an American Express Financial Advisor for your free copy.

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LOVE MAKES A FAMILY

A strong community grows from strong family values:
- *love* that looks for the best in each individual
- *integrity* to live the truth of who we are
- *respect* for others, including those who are very different than us
- *non-violence*, freedom from physical and emotional violation
- *support* that nurtures minds, bodies and hearts

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PRECISION DESIGN & REMODELING

Information Response and Membership Form

Return to: Love Makes A Family, Inc.,
PO Box 11694,Portland, OR 97211
PH 503-228-3892; Fax 503-228-3970

Date:_____

Name(s)_____

Address_____
street city state zip (+4)

Phones_____
work home Fax

Additional Family Members: (please list children's ages):_____

_____

☐ **MEMBERSHIP/ contribution**

_____I/We will make a General Membership contribution of _____
(Sliding Scale, $10-$100. No one denied membership due to lack of funds)
_____In addition, I/We will pledge a monthly contribution of _____
_____In addition, list us as members of Love Makes A Family Chapter of GLPCI (Gay & Lesbian Parents Coalition International). We've enclosed and additional contribution of _____to cover the GLPCI newsletter ($10 suggested)
_____Please send our children COLAGE (Children Of Lesbians And Gays Everywhere) mailings.

_____Charge my contribution _____and monthly pledge to my charge card:
Account #_____Expiration Date_____
mm/dd

Billing address_____**Signature**_____

☐ **PLEASE SEND INFORMATION ABOUT:**

___Parent-Child activities ___volunteer opportunities ___KKEY radio program list
___Parent/Teacher/Student Project ___speaker training ___Marriage Registry

____other _____

☐ **FREEDOM TO MARRY RESOLUTION**

Because marriage is a basic human right and an individual personal choice, RESOLVED, the State should not interfere with same-sex couples who choose to marry and share fully and equally in the rights, responsibilities, and commitment of civil marriage.

Signed: _____ _____

(Print Name/s): _____ _____

I will work on, or would like to be involved in the following Freedom to Marry Organizing efforts:
_____Circulating the Marriage Resolution _____Helping to develop an action plan for my area
_____Serving as a contact person for my area (geographic or community)
_____Convening a meeting in my area for a briefing on Freedom to Marry work
_____Other (Please explain)

☐ **PRESS:** _____I/we are available to talk to press _____available for video/photographs

The Quarterly Newsmagazine of Love Makes A Family, Inc.

LOVE MAKES A FAMILY

Creating a Family Voice for Lesbian, Gay, Bisexual and Transgendered People

PO Box 11694 • Portland, OR 97211 • Phone: 503/228-3892 • Fax: 503/228-3970 • e-mail: lmfamily@teleport.com

Queers and Spirituality:

Religion, God, Spirituality. Unfortunately these words often inspire fear, anger, and despair in sexual minority people. Many of us have been deeply wounded by condemnation from our communities of faith. We have all endured virulent political attacks orchestrated and implemented by people who hide their hateful deeds behind "the word of God." Some of us see separation from all things connected with organized religion as the only rational response to the indignities perpetrated by these institutions.

And yet, many of us long for the spiritual nurturing and community support that diverse communities of faith have traditionally sought. This support is especially helpful to maintaining family ties and carrying out the cultural traditions that link generation to generation.

This newsletter comes out during a season that is crammed with celebrations from many spiritual traditions. From Dia de los Muertos through the 12th day of Christmas, from the depths of the winter solstice to lighting the lights of Hanukah this is a time that renews our connections to the traditions of our past. Even while joyfully celebrating these rituals and creating new traditions with our families of choice, we are painfully reminded of the way many religious institutions have harmed our loved ones.

We have, therefore, chosen to focus this issue on ways that some religious institutions are welcoming sexual minority families. In addition to outreach from mainline churches and synagogues, many people find strength in returning to our pagan cultural and spiritual roots. Others are finding ways to nurture themselves and build community through cultural groups such as the gay and lesbian choruses and square dance groups.

Whatever your own spiritual and cultural tradition, and in spite of the pain you may have suffered at the hands of religious bigots, I hope you will find it encouraging to sample this information about the positive efforts some communities of faith are making to genuinely welcome all people.

Just as love is the core value of strong families, faith in the essential goodness of life is the central value of a peaceful society. Winter is a good time to remind ourselves that life is renewed and sustained by the joy we share with each other.(See pages 7-13 for a special section on spirituality)

Bonnie Tinker
Executive Director

A mother and daughter show support for their gay relatives at the Gay Pride Celebration in Mexico City, Mexico

Spanish Language Courses for Lesbians and Gays

by Bonnie Tinker

CETLALIC (Centro Tlahuica de Lenguas e Intercambio Cultural), a non-profit language school in Cuernavaca, Mexico offers a special summer program that includes an introduction to the lesbian community in Cuernavaca and Mexico City. Last June, Bonnie Tinker, Executive Director of Love Makes A Family, participated in this program. "If you want to study Spanish," she said, "this is a great program. In addition to the comfort of staying in lesbian homes the school

continued and in Spanish on page 14

Love Makes A Family, Inc.
P.O. Box 11694
Portland, OR 97211
phone: (503) 228-3892
fax: (503) 228-3897
LMFamily@teleport.com
http://www,divanw.com/lmaf/

This newsletter is a product of many people.

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Ben Leon

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Melissa at Cetlalic

Thanks to Renee for the laptop.

This issue was published with the financial support of the American Friends Service Committee.

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Regular Meetings and Coming Events

1st Monday of every month - 7:00 pm - School District Office
Portland Public Schools Sexual Minority Advisory Group

2nd Monday of every month - 6:00 pm -Augustana Lutheran Church
Portland Parent/Children/Youth Support Groups

3rd Saturday of every Month- 2:00 pm- 5:00 pm - Various Locations
Vancouver Love Makes a Family Chapter
for more information call Tina Conover (360-891-8015)

December 13 - Snowday Play Activity - call the office for information

February 12th -Day to Celebrate the Freedom to Marry
-look for information in local calanders

Look for Bonnie and Alex Tinker on the Ricki Lake Show

March 27- Bonnie Tinker will be the keynote speaker at the Midwest Gay Lesbian Straight Teachers Network Conference in Ann Arbor, Michigan

Love Makes a Family appreciates the support of our advertisers. The apperance of ads in the newsletter does not necessarily imply the recommendation or endorsement of Love Makes a Family, Inc.

Radio Station Sale?

KKEY, the station that carries the Love Makes A Family talk radio program is in the process of a sale. Although the FCC approved the pending sale to Jeannine Jolicoeur Wells (known as JJ McKay) in August, the negotiations have dragged on and are now in their third extension. Although the new owners say they will keep an open minded talk format, Bonnie Tinker, the program moderator, says it is unclear if this will include the Love Makes A Family program. Given that the new sales associate is Ted Piccalo, a man who took the anti-gay side in a measure nine debate with Tinker in 1992, retention of the Love Makes A Family program will indeed test the new owners commitment to freedom of speech.

The most recent rescheduling of the closing date is December 16. The new owners are actually buying the corporation that owns the license, and will presumably honor current contracts. Love Makes A Family has a contract requiring four weeks notice before a change and Tinker is optimistic that it will be honored.

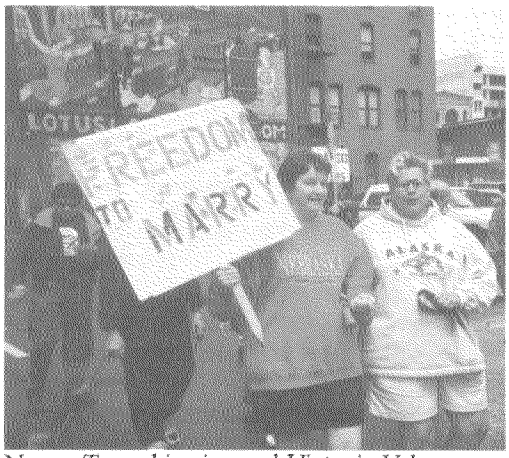
Raising funds for the program has been difficult because of the uncertainty. Contributions are needed to keep Love Makes a Family in a position to negotiate with any new station ownership. Send checks to: Love Makes A Family Radio, PO Box 11694, Portland, OR 97211. Contributions can also be made with credit cards (use the form on the back page).

Love Makes A Family - A Public Dialogue About Lesbians, Gays and Family Values
Wednesdays 7-9AM
KKEY Talk Radio 1150am
Call in numbers: From Oregon 222-5539
From Vancouver: 693-5539

Gay Pride 1997- A Look Back

by Jes Nelson

Stacia Shelton



Nancy Tomaskiewicz and Victoria Velasco

The Love Makes a Family Float

The 1997 Pride celebration was on June 21, 1997. The actual event was the culmination of many weeks of effort, which all began the previous February. When Bonnie asked me to coordinate the Pride event for Love Makes a Family I readily agreed, having much free time and no clue what it would entail. The first step was to register the space, easy enough, except that it was a donated space that had to be negotiated. Love Makes a Family had provided a children's space at Pride for years, but now that the Pride committee was better organized and Pride itself was bigger, the correct size and placement of the kids' tent had to be determined. The float was much less trouble thanks to Jim Wheeler who readied the "little house" and pulled it in the parade.

The next step was funding. Having never done any fundraising other than the girl scout bake sale in eighth grade, I was at a loss. With Bonnie's guidance and Becca's phone work we arranged for Bridgetown Realty to sponsor us. Then, using the Love Makes a Family logo, Becca and I designed a T-shirt and sold spots on the back of it. Celia Lyon and Milynn James from the Equity Group each bought a space, as did the Rosetown Ramblers and Diva Northwest. Each shirt sold for $10-$15 and many were sold at the kids tent. We also got a donation of art supplies from ArtMedia.

The biggest help, however, was the addition of Stacia Shelton to the team. Stacia runs a great in-home daycare in the Hawthorne area and has lots of childcare experience. Stacia designed the kids program, choosing supplies and making gallons of bubble mix and tons of flubber. She also arrived at Waterfront Park at the crack of dawn to set up the area.

Saturday morning arrived cold and blustery. We met a group of volunteers at the train station and decorated the float. Bob Noble donated tons of beautiful flowers to enhance the little house. Soon we were ready to go. We marched to the parade, kids and all, throwing candy and flowers to cheering crowds. We even got our pictures in the Oregonian.

When the parade reached Waterfront Park, we moved our celebration to the kids tent. The afternoon was a wonderfully chaotic mix of parents and kids, blowing bubbles and playing with flubber. And when the rain started, we were the most popular tent there. We offered to watch kids while their parents enjoyed the festivities, but most parents chose to stay with their kids and share the fun. The front of the tent was crowded with people buying T-shirts and signing the mailing lists.

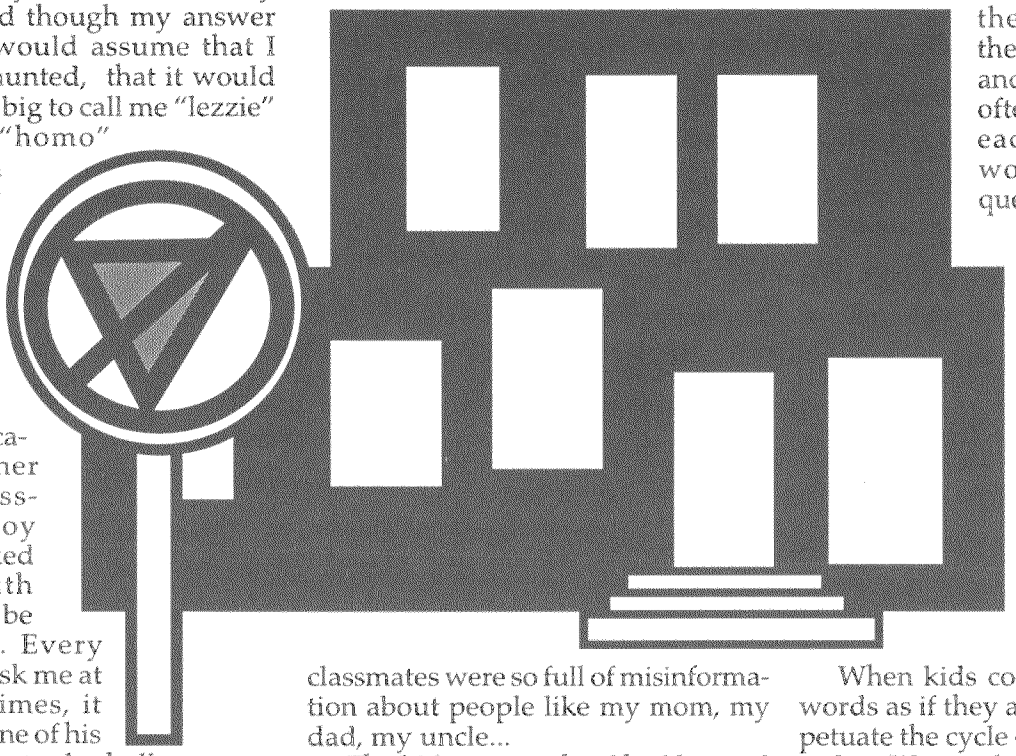
Pride 1997 was a success and a lot of fun for all. I want to thank everyone who helped make in happen including Stacia Shelton, Jim Wheeler, Bob Noble for the flowers, Misty and Bonnie for taking charge of the helium and balloons, Becca for all her efforts, all the T-shirts sponsors and Bridgetown Realty, Victoria and Nancy for their set up and take down help and their work on the Freedom to Marry display, Augustana Lutheran for providing tables and chairs, and anyone else who put in time and effort. I especially want to thank Wendy who did a lot more than she ever signed up for. If anyone is interested in being involved in the Pride celebration next year, please call the office. We would love to have your participation.

Homophobia in Schools

by LizaJane Gray

In 1985, I moved to Estacada, a small rural town of less than 2,000 people. I was living at WHO Farm, an established lesbian land trust. The bus picked me up right in front of the driveway, so everyone knew where I was from.

The kids on the bus were curious, but also extremely prejudiced for the most part. "Are you a lesbian?" they would ask. And though my answer was no, they would assume that I needed to be taunted, that it would make them feel big to call me "lezzie" or "gay" or "homo" even though most probably didn't know the real meaning of these words.



Soon, the taunts and jeers led to physical provocation and further verbal harassment. One boy continually asked me to "go with him," meaning be his girlfriend. Every day he would ask me at least twenty times, it seemed. Then one of his friends in class took chalk and wrote "cool" on everyone's chair but mine — on mine he wrote "gay." Other boys started to grab my body and make lewd propositions on the bus, in the hall, or at recess. This continued until I was in the eighth grade. Then, two girls decided they hated me and wanted to beat me up every time they saw me.

I didn't tell anyone but my mom about these abuses, in part because I didn't want further anger and hatred from the kids to come my way, and in part because at the schools there were no clearly gay and lesbian friendly staff. There was no one I felt I could trust enough at the school to reveal my family situation to, or the harassment that I was receiving because my classmates were so full of misinformation about people like my mom, my dad, my uncle...

The kids at my school had learned that it was okay to hate certain people and harass them, that it was okay to abuse certain members of society because they are different. They probably didn't even know the differentness they were so afraid of, so hateful of. I believe that they were taught these lessons from their parents and a society which is based in one-upmanship, exploitation and fear. Those kids were told by someone that hatred and prejudice are a part of society. But I believe they had a choice. If not in their childhood years, then maybe as adults they will see the injustice, the stupidity, the unnecessary harm that these ugly behaviors unleash — perhaps they will choose to see the big picture, in which we all live together in one community. What those kids were unaware of is what the whole world needs to take heed of — that when one of us suffers, all of us suffer.

I hope that the kids today have someone to talk to in their schools about these kinds of abuses and prejudices. All too often I hear kids insult each other with the words "fag, dyke, queer" and so forth, as if they actually meant "lame, stupid, moron" and the like. These words have been used to insult gay and lesbian people for a very long time, but they are now being reclaimed as empowered queers refuse to be afraid to be known as queers.

When kids continue to use these words as if they are insults, they perpetuate the cycle of homophobic attitudes. We need to tell children the truth, to show them that not all families are alike; some parents are gay, bisexual, straight, lesbian, and transgendered, as are some of their kids, cousins, aunts, uncles. For some family structures to be considered "proper" while others are dismissed as "wrong" is insane. They exist. We need to show the children and the adults in our communities that healthy families function with love, unity, and respect, no matter what they look like. In schools where homophobic slurs go unnoticed or unchecked, where there is no adult for a child of a queer parent to turn to, there is probably a lot of homophobia, and perhaps not just a few kids who are scared to go out to the playground.

Hawthorne Auto Clinic Inc.
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Jim Houser
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New Oregon Laws Benefit Same-Sex Partnerships

by Ben Leon

Representative George Eighmey sponsored and helped to pass three new bills that benefit same-sex partnerships and the gay, lesbian, transgendered communities.

The three new bills allow same-sex and unmarried couples to access certain privileges that only married couples could attain previously. House Bill 3207 allows an individual to choose a guardian before death. A guardian is legally in charge of an individual's remains. In many situations this privilege is taken from a same-sex partner and given to other family members. With the passage of the bill an individual may choose his/her partner or anyone as the guardian. The bill states that "Any individual of sound mind and who is 18 years of age or older, by completion of a written signed instrument or by preparing or prearranging with any funeral service practitioner. . .may direct any lawful manner of disposition of the individual's remains." Another area covered by the new bill handles the issue of anatomical gifts (organs or tissues for transplant). A designated guardian under the new law is responsible for this decision as well.

If an individual does not sign an agreement before death the role of guardian defaults in this order to the following: a spouse (legally married), a son or daughter of 18 years or older, either parent, a brother or sister, a guardian at the time of death, and a person in the next degree of kindred. In this situation a same-sex partner would have no ability to serve as legal guardian after death. However, with the passage of this bill an individual has the ability to choose who will receive these responsibilities. The governor signed House Bill 3207 on July 2, 1997, and it goes into effect as of October 4, 1997.

A second bill proposed by Representative Eighmey deals with issues around adoption. Under House Bill 2693 many unmarried couples wishing to adopt will be saved unnecessary costs. When an individual decides to adopt someone else's child the state requires that a preplacement inspection of the household takes place. Following adoption the state also requires that a postplacement inspection takes place. Each inspection is a cost to the individuals who are adopting.

If, for instance, a lesbian couple, each with a child, decided to adopt the other's child, a total of four inspections would be required even within the same household. However, under the new bill, certain inspections can be waived and thus the adoptive parents save quite a bit of money. The cost of adoption for an unmarried couple under the new legislation is the same as the cost to a married couple. Previous to this bill an unmarried couple, same-sex or not, often faced much higher costs for adoption. The governor signed House Bill 2693 on July 2, 1997, and it also goes into effect as of October 4, 1997.

A third bill which Representative Eighmey helped pass deals with issues of home nursing care. Previously, only a registered nurse, doctor, or a family member (through blood or marriage) was allowed to administer intravenous drugs to a person at home. Thus, if you were a same-sex or unmarried couple one partner could not administer drugs to the other. With the passage of House Bill 2779 an individual may designate any individual to administer intravenous drugs at home. The governor signed House Bill 2779 on July 2, 1997, and it goes into effect as of October 4, 1997.

To read these bills in their entirety you can find a copy on the internet by going to the Oregon Legislature page and searching for the proper bill number. The web address is

http://www.leg.state.or.us/search3.html.

You can also request a copy from Representative Eighmey's office at 231-9970.

Stories about Kids with Gay Parents Wanted

Calling all Kids and Adults who were or are being raised my gay, lesbian, bisexual or transgendered parents!

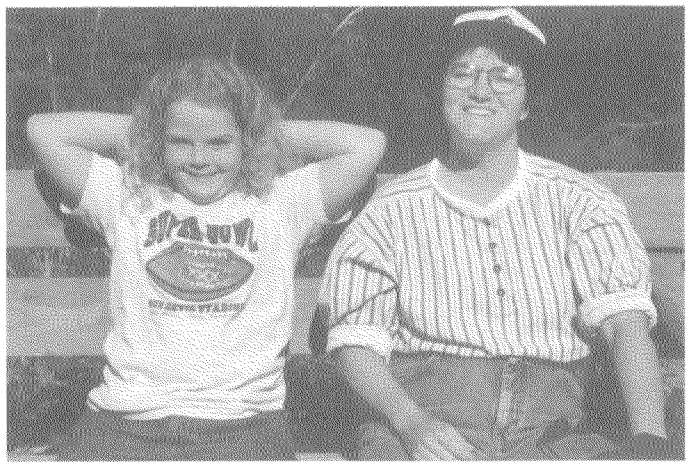
I've lately been wanting to read some stories about kids with gay parents. There aren't enough books with stories like that, so I'm making my own. Are you a child of lesbian, gay, bisexual or transgendered parents. And you want to be out to your friends? Or are you proud of your family and want to reach out to others like you? Do you just have a family story to tell?

If any of these are you, please send your story to me. Also, I will interview you if you want to tell your story that way. I want a diverse collection of stories to publish in a book by and for kids, especially teens. Pass the word along to other kids you know, too.

Carolina Wings
565 Harrison St.
Sebastopol, CA 95472
cwings@sonic.net

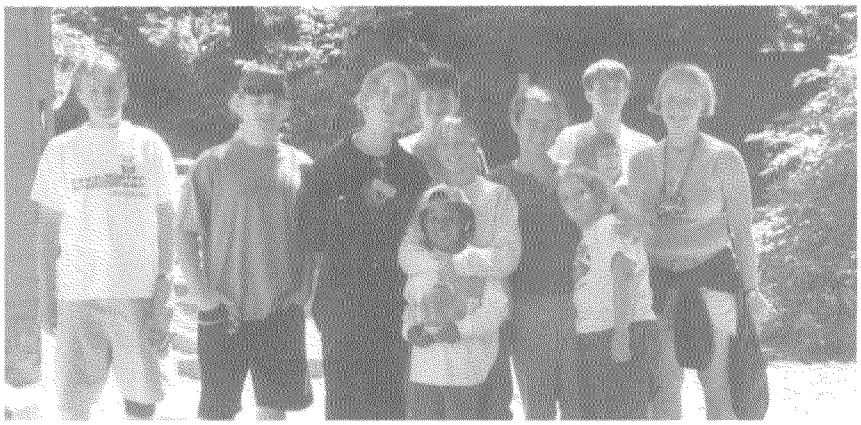
Family CampOUT

by Becca Glaser



Family CampOUT at YWCA's Westwind was wonderful this year. We sang songs, watched children dig holes in the sand, had talent shows, swam in ice-cold water, made bead necklaces and pipe-cleaner crowns. Jes Nelson coordinated the teen volunteers, one of whom I was fortunate to be. It was a lot of fun, although quite exhausting. For information about next year's CampOUT, call the Portland YWCA at (503) 294-7400 or Westwind's Portland Office at (503) 294-7472. There are scholarships available. It is a wonderful place where sexual-minority headed families can feel safe in a supportive community. It seems especially important for children to have this experience where they learn there are many families similar to their own.

Look for information about the Love Makes a Family Photo/ Text Exhibit in the next issue of the Newsletter.



Top: Theresa and Melissa Long
Lower: Alex, Jeremy, Jason, Jon, Chantal, Amanda, Becca, Melissa, Ari, Sera, Guy

Purchasing Property as an Unmarried Couple

by Joan-Marie Michelsen

There are several issues in purchasing property that are unique for unmarried couples. Some title companies are accustomed to dealing with these issues, however many only think they are. Most people are concerned with what will happen to the property if one party passes away. Survivorship is the automatic passing of a title on the death of one party. Many people want to try to obtain Survivorship to avoid probate and complications. For married couples it is easy to have survivorship, because they can hold title through "tenancy in the entirety." That is not possible for unwed couples, who can NOT hold title in the entirety. Some title companies and realtors will still recommend this, but it won't work.

There are two ways to deal with this problem. First, one can take title as "Tenants in Common with Right of Survivorship." If you want to try this you must include the words "with right of Survivorship." This may or may not work, but it is the best solution I have been able to find. The problem is that the courts in Oregon do not really like Survivorship outside tenancy by the entirety. Second, people can do some basic estate planning. I do not generally recommend trusts for normal estates of less than $600,000. If a person has property in California, or specific needs, then a trust may be appropriate. But they are expensive to do correctly, and generally are not needed. If you do have special needs requiring a trust you should go to an attorney experienced in preparing that type of trust. However, it is easy to do a simple will which should not be particularly expensive. Wills have several advantages for unmarried couples.

By drafting wills you can dispose of other assets such as bank accounts, furniture, cars and personal property. Some of these assets can also be held in a way that provides for Survivorship, but this is not always a very good idea, depending on the duration of the relationship. Wills also allow you to control who receives assets. Most of the unmarried couples I have worked with wish to disinherit some or all of their biological family. This can ONLY be done if you have a will. Wills also allow you to choose who is going to administer your estate. Usually it will be the partner. Some people think this will create problems for the partner, but it really doesn't. In fact, if a person has some hostile family members, a will may be the only way to protect the partner.

As much as none of us want to think about estate planning, it really is important and it is not very expensive in most cases.

Finally, and totally unrelated to purchasing property, everyone should be aware of the importance of Medical Directives if an individual does not want to be kept on life support. But I will not go into that here, other than to say if you don't want to be on life support you must execute the proper directives.

MY EXPERIENCE GROWING UP GAY IN A JEWISH COMMUNITY

by Ben Leon

My experience in the Jewish community was essential to my coming out process and the knowledge that I had about gay and lesbian people.

Thinking back, there were three big things that made my temple different from any others. First, I went to the only reform Jewish temple in the city of St. Louis. All the other reform temples were in the suburbs. Second, my temple had a woman rabbi, which is still rare although much less so. Thirdly, my temple openly included gay and lesbian people as participants.

The third difference had a major impact on my experience growing up and beginning to identify as gay. The Gay and Lesbian Havurah (Havurah means friends in Hebrew) actively participated in every part of our temple. Just hearing that the Gay and Lesbian Havurah had prepared this meal, or donated that food, or organized such and such event was extremely important to my ability to come out. This exposure, although not extensive, was instrumental. At an early age I met openly gay and lesbian people. I knew that they existed. And eventually I knew that I was to be one of them. Later, I found out that my rabbi had been performing commitment ceremonies for same-sex partners.

When an institution, in this case a temple, openly and honestly includes gay and lesbian people it opens doors for others.

Religion is a powerful thing. These days I don't consider myself religious but the influence that Judaism had on my life is unforgettable and unavoidable.

I have never taken the opportunity to express thanks for the gifts I received from my temple and my rabbi. I'd like to take the opportunity now to do so. Thanks.

A Short History of Affirmation: United Methodists for Gay and Lesbian Concerns

by Dick Burdon

While many people would like to continue to treat gay, lesbian, bi-sexual, and transgendered people as nonexistent, in reality that is no longer an option. Even though many people have forgotten or do not know about the Stonewall riots of 1969, and the establishment of the Metropolitan Community Church, those events, in part, energized today's gay civil rights movement. The violence which erupted following these events also has been forgotten. But, MCC members were harassed, beaten, and some murdered as reactionaries attempted to stop the movement. If we are to look only at the journey ahead without the perspective of history, we will be discouraged.

The United Methodist Church has been in debate over the issue of homosexuality since the 1970's when restrictive language first got written into the Book of Discipline and the Social Principles. Until that time the question was not an issue because it was not talked about. Around 1970, a group of gay and lesbian members met to discuss how to inform the church on sexual minority issues. Ultimately, Affirmation: United Methodists for Lesbian and Gay Concerns, Inc. emerged. (Later the organization recognized that Bisexuals, and Transgendered persons should be included in the name).

Affirmation undertook a major task: to move the church toward understanding sexual minorities and their inclusion in all areas of the church. Eventually, Affirmation broke into three working parts: (1) a political action, social conscience caucus to speak to the General Church of the needs of sexual minorities; (2) began a publication, Manna for the Journey (later renamed Open Hands), as an educational effort; and (3) launched the Reconciling Congregation Program to enlist open-minded congregations who would study sexual minority needs and who would publicly announce their welcome of all persons regardless of sexual orientation.

Currently, Affirmation works with several ad hoc groups to urge the church to be more inclusive. The work has had an impact on the church. For those hoping for rapid change, the progress has been painful and slow. Fifteen Bishops declared their opposition to the anti-gay stance of the church at the 1996 General Conference. The majority report was again recommended by committee, but defeated on the floor. Yet, the vote was incrementally more favorable than in previous years.

Open Hands reported 142 Reconciling Congregations in the Winter 1996 issue. That work continues to expand; by the Spring 1997 issue, seven more congregations were added. Open Hands has become an ecumenical venture which includes the More Light Churches Network (Presbyterian), Open and Affirming Program (United Church of Christ, Congregational), Reconciled in Christ Program (Lutheran), Reconciling Congregation Program (United Methodists), and Welcoming and Affirming Baptists (ABC/USA). The "parent" organization, Affirmation, continues its advocacy work in cooperation with several other groups.

Dick Burdon is a retired, ordained United Methodist clergyperson of the Oregon-Idaho Annual Conference of the United Methodist Church. Dick was a missionary in Brazil and in Zaire (now the Democratic Republic of the Congo-as it was once before.) Dick also serves on the board of directors of Shalom Ministries, the Oregon-Idaho Conference of the Board of Church and Society, and the National Affirmation Council: United Methodists for Lesbian, Gay, Bisexual, and Transgender People, Inc.

Religion and the African American Queer Community

by Cecil Charles Prescod

Religion has played an historical role in the African American community. The black church has been a haven for generations for African Americans. During slavery, and continuing during the time of segregation the black church has served as the one institution controlled by African Americans. It was in and through the church that the liberation messages were preached, community organizing took place, independent leadership developed, and souls comforted. For lesbian, gay, transgendered and bisexual African Americans the church has been a source of comfort and agony. The African American religious community, as all institutions within our society, is infected by homophobia. However, homophobia is manifested differently in this community. The African American religious community is no more homophobic than other institutions within our society. It could be argued that because the essential gospel message of the African American church has been the liberation of oppressed, this institution might be in the best position to serve as an ally to the oppression of homophobia.

While most queer African Americans who remain active in institutional religious life continue to participate in traditional churches, many queer African Americans are exploring their spirituality outside of the institutional church. Womanist theology, traditional African spirituality, and non-Western religions are some of the traditions that many queer African Americans are practicing. Unity Fellowship is a queer African American movement. This Church, started by Bishop Carl Beam in Los Angeles, now has churches in several cities in the United States.

Religion remains an important part of the life of lesbians, gay men, bisexuals and transgender people who are African American. The contributions and experiences of queer members of the community have enriched the spiritual life of African Americans. Whether as preachers, deacons, choir members or prayer warriors queer African Americans continue to be part of the fabric of African American religious life. The day when this part of the community is publicly acknowledged and supported will be the day when the work of liberation for all people will reach a new plateau.

"My church... A clearing in the woods."

by Ron Schlittler

These are the first words of one song in a popular work for gay men's choruses called "Naked Man." This dynamic series of songs is sometimes said to express the soul of gay men in our time. As a singer in a gay men's chorus, I find it a tremendously moving piece to prepare and to perform; one might even say, a religious experience.

The words of this song have special meaning for me. I have always felt that absorbing the quiet power of the woods, or in other ways experiencing the magic of nature, is the essence of a spiritual experience. No dogma, no rituals, no coerced standards of behavior; just me, and possibly companions, standing in witness of the moment as one in eternal rest and motion with the Infinite.

But, I also understand that church is more than time spent in contemplation of the Great All. Church, as I see it in the world of humankind, is also a place where people come to be among others to share and affirm common values, to work together through day-to-day needs and shared oppressions, and to find joy, peace, and a sense of meaning in life.

I find these qualities in my experience working with a gay men's chorus. Some Lesbian, Gay, Bisexual and Transgender people find this in their weekly square dancing club. Others find it in their work with the local drag organization, leather club, political cause or monthly potluck dinner gathering. We as a people who have known acutely what it means to be outcasts, especially from traditional notions of fellowship communities and often even family, have learned to build the substance of church in other ways.

"My book...This living in the world."

We have learned that the stuff of meaning in life comes from many sources. I can never look to one book, let alone one interpretation of one book, and believe for a moment that it provides the only key. My book is witnessing the journeys of myself, my friends and my acquaintances as we experience the trials and joys we face in our lives.

Even with all of the infighting we can sometimes find ourselves engaged, even with the more righteously queer than thou attitudes we can sometimes throw at one another, and even with the harsh indignities we can find thrust upon us from those who chastise and persecute us for who our God or Goddess made us to be, we are strong. We are always evolving. We are like a loosely associated body of denominations with each of us individually doing our part to enrich our own lives, to find meaning, to minister to one another, and to contribute to the congregations we have assembled.

We have a truth to share from our living in the world. In our many ways, we have learned to endure the bitterest of cups life has to offer, and to do so with astonishing grace, perseverance and good will.

"My faith... This body. Love."

Life As a Mormon

by Jolynn Moore

I gave my allegiance to and dedicated my mind to believing the doctrine that I was taught by the Mormon People, which included my family and friends. I studied the scriptures, all written, translated, interpreted or digested by men. I served in the callings, paid my tithes and offerings, participated in the rituals and wore the secret under-clothing, symbols of promises and consequences whether exalting or damning. I fashioned my entire life by the commandments, rules, obligations and social mores of the people within the group known as the Church of Jesus Christ of Latter-day Saints. I found much happiness there.

I attended four years of early morning seminary during high school, graduated from Brigham Young University with over 30 semester credit hours in Religion, married in the temple, served as a local missionary and numerous other callings, baked bread, bore children with whom I read the scriptures regularly and supported a husband for nearly 20 years. I loved and was loved.

The Cover-Up

I suppose I could have stayed in that life that I had created, with a great deal of help, and continued to swallow the exclusivism that comes with a cult, except that I was a lesbian.

I had discovered conclusively that I was attracted to women at about age 12. I knew immediately that this was not only not okay, but a grievous sin. I learned later that the doctrine of the church was that sexuality was a choice, a person could choose to be heterosexual and should, because otherwise he or she would be denied every blessing imaginable. So at age 12 my discovery became my secret. I believed my social order, if I could choose to be heterosexual I would. I loved my family and my life. I did not want to be an outcast. If being a "good" Mormon person could help me loose my attraction to women then I would be the best Mormon woman that I could imagine. I lived the teachings and guidelines. I studied and prayed. I developed my own angle to the gospel.

The Break

Well, twenty-five years passed. At about age 37 I admitted to myself that my energy to avoid my inner longing and discontent was waning. I admitted to myself that my depressions were coming more often and were more severe. I admitted to myself that I could not choose to be heterosexual, that no matter how perfectly I lived the commandments or how much love and service I gave, God was not going to change my ache and desire to be with a woman, nor did He or She want to. And finally, after I gave birth to a full term still-born daughter, I admitted that I couldn't bear the guilt any longer.

So I changed my mind. I allowed myself to think that God loved me as I was, and that the men who created the Mormon Doctrine might be mistaken. I removed myself from the church about seven years ago. Over a year ago I asked for my name to be removed from the records of the church.

A New Life

I miss many things that were part of my Mormon experience, the respect of my mom, dad, brothers and sister, the community support for my little family unit and the singing. I don't miss the confusion that comes with thinking that the complex problems of the world both macro and micro all have easy answers.

My partner and I are deeply committed to spiritual growth. Together we struggle to create a spiritual experience to support our five children. We are very happy and have many wonderful new friends who share our pursuit. We are grateful for our new community. We all occasionally feel sadness about our exclusion from the larger society.

I am overwhelmed with gratitude for the real relationship I have with my children. They each support me in my new life. They understand that good and gay can both be adjectives describing the same experience. They are happy children inspite of the occasional inconvenience that my being a lesbian can cause in their lives. Words will never adaquately convey the respect and admiration that I have for them. They each one are wise and kind well beyond their years.

The Future

The world is growing safer for us. This is a marvelous time to be alive. And as I told one of my Bishops about eight or nine years ago, its only a matter of time before even the Mormon Church changes its doctrine regarding homosexuals, just as the doctrine of polygamy was changed in 1890, and the doctrine on Blacks receiving the priesthood changed in 1978. It may not be for another 50 years, but for future 'logical' reasons, like overpopulation or discoveries in psychology and DNA research, gays and lesbians will be allowed to be members in full fellowship in the Church of Jesus Christ of Latter-day Saints.

The American Friends Service Committee Gay/Lesbian/Bisexual Program offers information and resources in a variety of areas of interest to the community. The program provides consultation in the area of religion and homosexuality. Workshops and consultation are available on overcoming homophobia and racism; rooting out internalized homophobia; gay/lesbian history; and creating coalitions for social change.

Currently the program is also engaged in creating small home-based discussion groups between gay/lesbian and straight individuals. If you are interested in participating, contact the program director, Dan Stutesman at (503) 230-9427.

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Reconciling Congregations Program

The Reconciling Congregation Program (RCP) emerged in 1982, out of a group of United Methodists interested in gaining a gay and lesbian voice within the church. At the General Conference of the United Methodist Church in May 1984, RCP became public. Two congregations decided to become Reconciling Congregations the day after the conference ended.

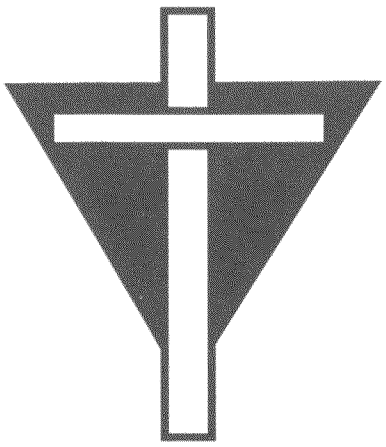
Reconciling Congregations accept lesbians, gay men, bisexuals and their families in order to "heal the gulf" between the United Methodist Church and its lesbian, gay and bisexual members. "To be in ministry to and with lesbians, gay men, and bisexuals involves an attitude of sensitivity and openness to the gifts and graces of each person in the Body of Christ. It requires an understanding that teaching and learning are a two-way process of mutual listening and understanding."

RCP holds three explicit purposes:

1) to strengthen local churches by helping them consider justice and ministry issues arising from the involvement of lesbians, gay men and bisexuals.

2) to support local churches who are willing to be visible servant churches in ministry to and with lesbians, gay men and bisexuals.

3) to identify local churches where lesbians, gay men and bisexuals are welcomed as full participants in the Body of Christ.



AXIOS: Eastern Catholics

AXIOS is an organization of Eastern and Near Eastern Orthodox, and Byzantine and Eastern-rite Catholic gay and lesbian lay Christians. The word AXIOS is a greek liturgical word that describes a truly worthy and deserving person. AXIOS was founded in 1980, in Los Angeles, California in order to address the issue of human sexuality in Eastern Christianity and affirm gay men and women. Members engage in research, dialogue with church authorities, and help with other projects such as the newsletter. AXIOS also offers a variety of literature on theological issues, historical information, information on Saints and buttons. They are also currently publishing a prayer book containing well-known and hard to find prayers in a format suitable for private or public devotions without the need for a priest. AXIOS has 12 chapters in the U.S. and one chapter each in Canada and Australia.

Unitarian Univeralists for Gay and Lesbian Concerns

In 1970, the General Assembly of the Unitarian Universalism Association passed a resolution supporting gay, lesbian and bisexual rights. Ever since, "in the face of widespread homophobia embedded in North American culture" they have supported gay, lesbian and bisexual people in a number of ways. They opened and funded the Office of Lesbian and Gay Concerns and have encouraged ministers and congregations to conduct services of union for same-sex couples. They also advocate openly the inclusion of gay, lesbian and bisexual ministers and created Unitarian Universalists for Lesbian and Gay Concerns (UULGC). Unitarian Universalists operate out of a commitment to "affirm and promote the inherent worth and dignity of every person."

Brethren/Mennonite Council for Lesbian and Gay Concerns

The Brethren/Mennonite Council (BMC) supports "all persons as they seek to know God's will for their lives, including those who are pursuing same-sex relationships, those who are seeking celibacy, and those exploring questions of sexual orientation." The BMC offers a variety of resources to those who are involved. They have two newsletters, *Dialogue* and *The BMC Newsletter*, which are both published three times a year. Founded in 1976, the BMC holds to three main objectives: 1) to provide support for Mennonite and Church of the Brethren gay, lesbian and bisexual people, their friends and families, 2) to foster dialogue between gay and nongay people in the churches, and 3) to provide accurate information about homosexuality from the social sciences, biblical studies and theology.

The Quakers Support Same-Sex Marriage

In July of this year the North Pacific Yearly Meeting of the Religious Society of Friends (Quakers) adopted a statement supporting the legal recognition of same-sex marriages. Over 200 members approved the statement without a single dissenting vote. This statement is not binding for local meetings but does encourage people to act locally to support same-sex marriage. Here are the exact words of the minute:

North Pacific Yearly Meeting of the Religious Society of Friends (Quakers) is deeply concerned that access to civil marriage is presently denied to gay and lesbian couples. This injustice brings legal, financial and social discrimination against lesbian and gay couples and their children. We, therefore, support legal recognition of the marriages of gay and lesbian couples to permit them the same legal rights and responsibilities that pertain to heterosexual married couples.

Metropolitan Community Church

The Metropolitan Community Church was founded in 1968. The Universal Federation of Metropolitan Community Chirches (UFMCC) "put its faith into action by creating a global community of healing and reconciliation and by confronting the injustices of homophobia, sexism, racism and poverty through Christian social action." There are over 300 UFMCC churches in 19 countries around the world. Since its founding UFMCC has performed "Holy Union" ceremonies for same sex couples and allows ordination of lesbian, gay or bisexual people. UFMCC preaches that sexuality is a gift from God and encourages reinterpretation and reexamination of the Bible to see that homosexuality is not considered sin.

More Light Churches

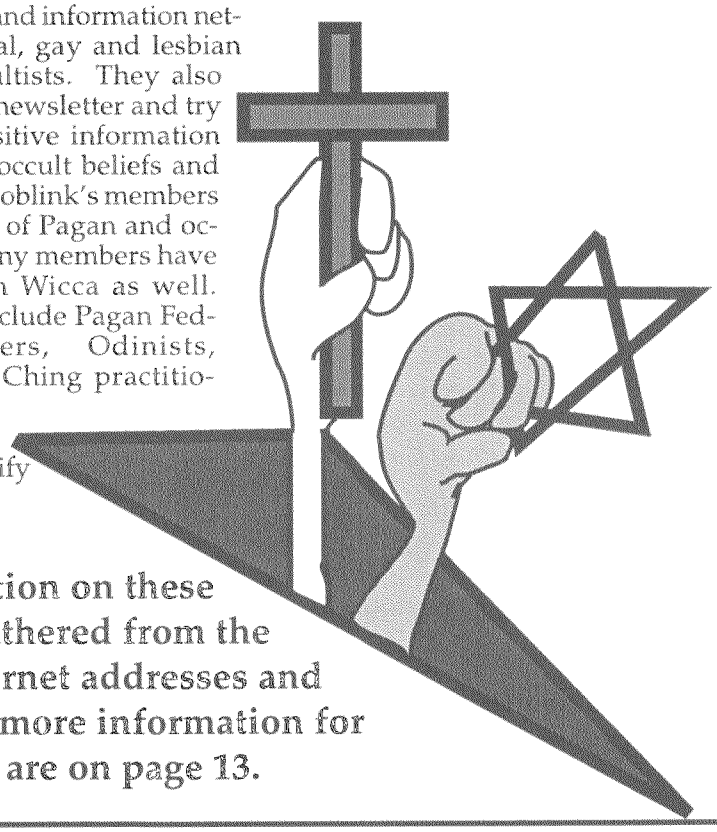
In 1978, the General Assembly of the Presbyterian Church passed a resolution stating that gay and lesbians should be welcomed in membership to Presbyterian churches but could not be ordained in any manner. Gay, lesbian and straight Presbyterians who were angered at the restrictions began adopting resolutions proclaiming their intent to include gay and lesbian people in their churches. In 1992, these churches formed the More Light Churches Network to "strengthen their joint witness to the inclusive nature of the gospel, and to work more effectively to change denominational policies that are a scandal to the Gospel and that continue to oppress and exclude people on the basis on sexual orientaion." As of 1996, there were 73 More Light Churches across the country. The More Light Churches perform same-sex union ceremonies and ordain gay, lesbian and bisexual members.

The United Church of Christ

According to a UCC web page, "among mainline Christian demominations in North America, the United Church of Christ is considered the most welcoming to people who are gay or lesbian." In 1969, two weeks before Stonewall, the UCC's Council for Christian Social Action declared opposition to all laws criminalizing private homosexual relations betweeen adults. Since then UCC has made a number of important steps toward full inclusion of gays and lesbians. As early as 1973, a governing body in the church, the UCC Executive Council, recommended that sexual orientation not bar qualified candidates from ordination. And by 1983, the General Synod, UCC's national body of delegates, passed a resolution recommending that UCC Churches do not use sexual orientaion as a basis for rejecting applicants for ordination. Currently over 180 Churches consider themselves "open and affirming" of all people.

Hoblink

Hoblink (homosexual and bisexual link) was founded in 1989, in order to establish support and information networks for bisexual, gay and lesbian Pagans and Occultists. They also publish a regular newsletter and try to diseminate positive information about Paganism, occult beliefs and sexual variance. Hoblink's members follow a diversity of Pagan and occult paths and many members have had contact with Wicca as well. Their members include Pagan Federation members, Odinists, Hedgewitches, I Ching practitioners, Astrologers, and people who do not identify as Pagan.



The information on these pages was gathered from the internet. Internet addresses and places to get more information for these groups are on page 13.

The World Congess of Gay and Lesbian Jewish Organizations

The World Congress of Gay and Lesbian Jewish Organizations (WCGLJO) was officially formed in 1980, in San Francisco after many years of informal organization. The Congress holds international conferences every two years and is made up of 65 smaller participating organizations many of which are umbrella organizations as well. They have member organizations in North America, Latin America, Eastern and Western Europe, South Africa, Australia and Israel. The main activity of the WCGLJO is to hold conferences and workshops and represent the interests of gay and lesbian Jews around the world in global, national and continental contexts. The WCGLJO is also in the process of applying for non-governmental observer status to the United Nations Economic and Social Affairs Committee and full membership to the World Jewish Congress. A recent vote changed the name of WCGLJO conferences in order to include bisexual Jews.

Family Supportive Faith

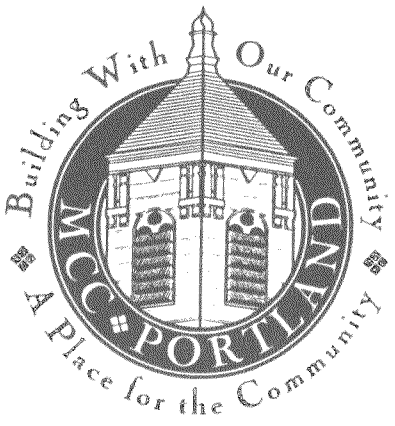
by Becca Glaser

Lynn Clark, an attorney in Ohio, is attempting to adopt her partner's daughter, Emma (Lynn's partner, Nancy Reeves, is Emma's biological and legal mother). It has been a long process, but she has been fortunate to have the support of her religious faith. Lynn and her partner Nancy have been together sixteen years, and spent eight years of that time discussing their marriage with the Quaker meeting in Cleveland, Ohio. Finally, three years ago, the meeting agreed to formally recognize their relationship. In addition, the meeting has passed a minute declaring their support of the pending adoption. This support has taken many forms. The meeting has written a letter of support addressed to the court, and has been generally supportive as a community. Lynn said, "For the meeting to say, 'We are going to publicly support [the adoption] is very nice.'" The national group Friends for Lesbian & Gay Concerns has also been very supportive of her family and are writing an amicus brief for them.

When they first brought the case to court, they took their best shot and pleaded in "best interest of the child." They waited eight months for the Judge's decision. He turned the case down on a purely legal basis. For Nancy and Lynn to gain equal custody, so that Nancy doesn't have to give up any of her legal parental rights, they must be legally married. Of course, lesbians can not legally marry in the United States of America. There are reports that there have been six cases of same-sex parent adoptions in Ohio, but adoption records are sealed, so there is no way to completely verify this.

After the Judge turned the case down, they made an appeal. LAMBDA gave them a very helpful tip. In state codes, laws were once written referring to a singular adult. LAMBDA informed them that laws can be interpreted so that people can do things in plural. For example, in most cases, it is two people who purchase a house. Therefore, two people should be able to adopt under that part of the law. This argument has been used in other areas of the country. They brought this argument to the Lower Court Magistrate and asked if she would be willing to mention it to the Upper Judge. The Upper Judge told them to go ahead and try that by filing an amended petition, which will give them a second chance to plead their case. This is wonderful and unexpected news; the Judge was not obligated in any way to give them a second chance. Lynn and Nancy have dropped the appeal and filed a brief to reconsider their application. There has also been a guardian ad litem assigned.

It is inspiring to see a community of faith being so supportive of Lynn and Nancy's family. With luck, they will have legally recognized equal parental rights within a year.



An inclusive definition of family welcomes you to MCC Portland.

There are "family" opportunities at MCC Portland!

Children's Sunday School!

Adult Sunday School!

The Sunday School season begins again on September 7, 1997.

We offer two children's Sunday School classes, one for the 5 - 9 year olds, and one for the 10 - 15 year olds. Youth of High School age are welcome to attend the adult class.

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Metropolitan Community Church of Portland
2400 Northeast Broadway, Portland, Oregon 97232-1634
tel. 503-281-8868 fax 503-281-1233
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For More Information:

Apostolic Catholic Church in America
5311 13th Avenue South
Seattle, WA 98108
phone: (206)763-2469
email: ApCathCh@aol.com
homepage: http://members.aol.com/apcathch

Association of Welcoming and Affirming Baptists
P.O. Box 2596
Attleboro Falls, MA 02763-0894
phone: (508) 226-1945
email: WABaptists@aol.com
homepage: http://members.aol.com/wabaptists/

AXIOS U.S.A. Inc. Eastern & Orthodox Christian Gay Men and Women
P.O. Box 990 Village Station
New York, NY 10014-0704
phone: (212) 989-6211
email: AxiosUSA@aol.com
homepage: http://www.qrd.org/QRD/www/orgs/axios

Brethren/Mennonite Council for Lesbian and Gay Concerns
Box 6300
Mineaplolis, MN 55406-0300
phone: (612) 722-6906
email: bmc@webcom.com
homepage: http://www.webcom.com/bmc/

Dignity-Gay and Lesbian Catholics
1500 Massachusettes Ave. NW, #11
Washington, DC 20005
phone: (800) 877-8797
email: dignity@aol.com
homepage: http://abacus.oxy.edu/qrd/orgs/dignity/

Integrity- Lesbian and Gay Episcopalians
P.O. Box 5255
New York, NY 10185-5255
phone: (603) 595-4245
homepage: http://members.aol.com/natlinteg/home.htm

Interweave: Unitarian Universalists for Lesbian, Gay, Bisexual, and Transgendered Concerns
167 Milk St. #406
Boston, MA 02215
phone: (617)742-2100
email: alan@spdcc.com
homepage: http://www.qrd.org/grd/www/org/uua/uu-IW.html

National Gay Pentecostal Alliance
NPGA Headquarters
P.O. Box 1391
Schnectady, NY 12301-1391
homepage: http://www.cris.com/~Ngpa

Presbyterians for Gay and Lesbian Concerns
Scott D. Anderson
5805 20th Ave.
Sacramento, CA 95820-3107
email: hn0029@handsnet.org
homepage:http://www.epp.cmu.edu/~riley/PLGC.html

Q-LIGHT Mailing List
Q-LIGHT is an email list directed toward Gay, Lesbian, Bisexual and Transgendered Friends (Quakers)
homepage: http://world.std.com/~rice/q-light/

Reconciling Congregation Program
Mark Bowman, program Coordinator
The Reconciling Congregation Program
3801 N. Keeler Ave.
Chicago, Il 60641
Phone: 713-736-5526
homepage: http://www.ggould.com/tumc/rcp.html

Seventh-day Adventist Kinship International, Inc.
P.O. Box 7320
Laguna Niguel, CA 92607
phone: (714) 248-1299
email: sdakinship@aol.com

United Church of Christ
Hans Holznagel
Office of Communication-UCC
700 Prospect Ave.
Cleveland, OH 44120-1100
phone:(216) 736-2214
email: holznagh@ucc.org
homepage: http://www.ucc.org

Universal Fellowship of Metropolitan Community Churches
8704 Santa Monica Blvd., 2nd floor
Los Angeles, CA 90067
phone: (310) 360-8640
email: UfmccHq@aol.com
homepage: http://www.ufmcc.com

The World Congess of Gay and Lesbian Jewish Organizations
P.O. Box 23379
Washington, DC 20026-3379
email:info@wcgljo.com
homepage: http://www.dircon.co.uk/wcgljo

Hoblink
Box 22, OUT!
4-7 Dorset Street
Brighton BN2 1WA England
http://www.paganfed.demon.co.uk/pf_pd_hob.html

This is by no means a complete list. For more organizations and more information search the web.

CETLALIC Language School continued from page 1

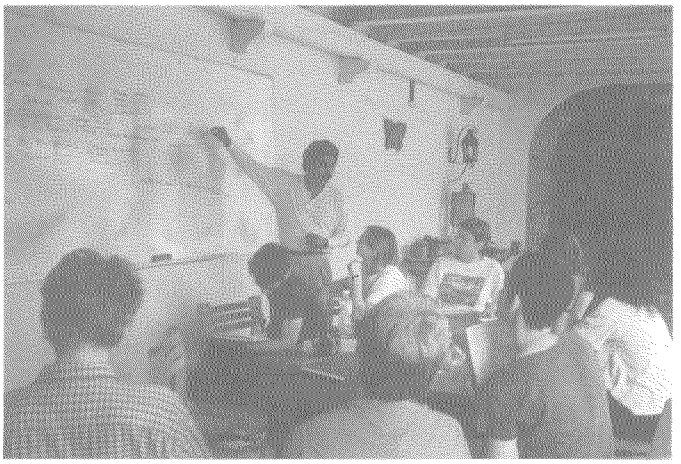
provides information on current cultural and political issues."

Tinker found that it was especially helpful to talk with other lesbian mothers about the issues they face. Although it is a different culture, Tinker discovered that many of the immediate family issues are similar. There are common concerns of how their own sexual orientation will affect their children's relationships with peers. Magua Becerril works with CIDHAL, the oldest feminist women's organization in Latin America, and attended the first UN Conference on Women. Marisela works with a women's video group, Telemanita. "Like most teenagers, their kids seemed mostly concerned with their own activities and friendships and responded to us with the distant courtesy required of offspring when meeting Mom's friends," Tinker said.

The lesbian program includes visits with local women, discussions about the role of the gay movement in current Mexican politics, cultural excursions, and homestays with lesbians or gay friendly people. It is also timed to coincide with La Marcha de Orgullo held in Mexico City. Program participants learned that the Mexico City Pride March attendance has fluctuated over the years. In recent years attendance has been as low as 500 marchers. But the march, from the Monument to the Boy Heroes to the Monument to Benito Juarez, along the historic Paseo de la Reforma, was well attended in 1997, drawing 3-5,000 exuberant marchers. The parade was decked out in a sea of rainbow flags thoughtfully provided by vendors, and included many in colorful costumes. A group of trans marchers from Oaxaca wore native costumes including elaborate headdresses.

Parents and children were also prominently included in La Marcha de Orgullo. There were parents from northern Mexico and Veracruz pushing their babies in strollers. A lesbian mothers' group from Mexico City drove a decorated truck in the parade. The group held its second annual conference last May. Details of the 1998 conference will be published in the Love Makes A Family, Inc. newsletter as soon as they are available.

The third annual Special Program on the Lesbian Movement in Mexico will run June 26-July 17, 1998. In addition to the lesbian program (there will soon be a parallel program for gay men), staff member Melissa Ann Jameson reports that she, Marisela, and Jorge Torres, Director, continue to work to increase the gay-friendliness of all aspects of the school. "As an alternative school, addressing issues of sexuality is a natural and inevitable part of addressing contemporary popular movements in the region. We're very proud to offer programs in which the experiences of lesbians and gay men are central. We still have people who tell us you just can't touch 'those topics' in Latin America, but our participants and local resource people have proven that not only is it possible, it's urgent."



Students at Cetlalic

For further information contact CETLALIC via email at: cetlalic@mail.giga.com, visit their web site at:

http://www.giga.com/~cetlalic, or write to them at:

CETLALIC
Apdo. Postal 1-201, C.P. 62000
Cuernavaca, Morelos MEXICO
tel. (52) (73) 17-08-50
tel./fax (52) (73) 13-26-37

Ric Drury Finishes Research on Gay Parenting

by Ben Leon

Ric Drury, a student who interviewed members of Love Makes A Family, recently completed a final project for a class in Culture and Gender. The project, entitled "Gay Men and Lesbian Couple Parents: Child Development, Social Construction and Challenges," consisted of interviews with four members (two couples) of Love Makes A Family and an analysis of the interviews. Ric interviewed John Weston, Jim McBroom, Shirli May and Debbie Lavery.

Ric's research covered many specific issues. Gender and gender construction is a repeated concept throughout Ric's study. American "gender development and social construction is through the family, education, media and the way we communicate." Gay and lesbian relationships are affected substantially by these factors. Ric also identified other factors that effect gay and lesbian relationships involving children. "The traditional gender patterns of marriage and family roles often hinder our self-evolution. Marital communication, whether straight, gay or lesbian, is influenced or overwhelmed by cultural stereotypes. It's important for "families" to self-define gender, especially if the culture gender model doesn't fit who they really are."

The study raised questions about the challenge of being a gay or lesbian parent. John and Jim responded by saying that "the challenges of parenthood for us were about the same, probably, as for any two parents."

Ric's research concluded that gay and lesbian couple parents "have the potential to provide an environment more "equitably biased" on gender norms of all types for their child." Ric also concluded that "the old false paradigm of the 50's family is still the social norm for family life in the closing century. However, the social presence of gay men and lesbians as committed partners and parents, and successfully raising well-adjusted children into adults, is on the rise."

CETLALIC Programa para Lesbianas y Gays

written by Bonnie Tinker
translated by Melissa

CETLALIC (Centro Tlahuica de Lenguas e Intercambio Cultural), una escuela de idiomas sin fines de lucro en Cuernavaca, Mexico, ofrece un programa especial del verano que incluye una introduccion a la comunidad lesbica en Cuernavaca y Mexico D.F. En junio de este año, Bonnie Tinker, la Directora Ejecutiva de Love Makes a Family, participo en el programa. "Si quieres estudiar español," dijo, "este es un programa muy bueno. Ademas del gusto de quedarse en hogares lesbicos, la escuela porporciona informacion sobre temas actuales culturales y politicos."

Tinker encontro que fue de mucha ayuda hablar con otras madres lesbianas acerca de los problemas con los cuales ellas se estan enfrentando. Aunque es una cultura diferente, descubrio que muchos de las cuestiones cotidianas de la familia son parecidas. Existen preocupaciones comunes sobre como su propia sexualidad afectara las relaciones que sus hijo/as tienen con sus amigo/as. Magua Becerril trabaja con CIDHAL, la organizacion feminista mas antigua de Latinoamerica, y participo en la conferencia sobre las mujeres organizada por la ONU. Marisela trabaja con un colectivo de videos de mujeres, Telemanita. "Como la mayoria de los adolescentes, sus hijos parecieron estar mayormente preocupados con sus propias actividades y amistades, respondieron a nosotras con la cortesia distante requerida de los hijos al conocer a las amigas de mama," dijo Tinker.

Gay Pride in Mexico City, Mexico

El programa lesbico incluye visitas con mujeres de la comunidad, platicas sobre el papel del movimiento gay en la politica actual de Mexico, excursiones culturales y estancias con lesbianas o familias "gay-friendly". Tambien coincide con La Marcha de Orgullo que tiene lugar en la capital.Las participantes en el programa aprendieron que el numero de asistentes a la Marcha ha fluctuado de año en año. En años recientes ha bajado hasta tan solo 500 participantes. Pero a la Marcha en 1997, del Monumento a los Niños Heroes al Hemiciclo de Juarez sobre el historico Paseo de la Reforma, asistieron de tres a cinco mil participantes emocionados. La Marcha parecia un mar de banderas de arcoiris e incluyo muchos disfraces coloridos. Un grupo de trasvestis de Oaxaca participaron vestidos del vestimento tradicional indigena de esa region, incluyendo adornos hermosos tipo penacho. Tambien estuvo fuerte la presencia de padres de familia y sus hijos en la Marcha de Orgullo, hubo un grupo de padres de familia de Veracruz, con sus bebes en carriolas. Un grupo de madres lesbianas de Mexico D.F. asistio en una camioneta muy decorada. Este grupo tuvo su segundo congreso anual en mayo. Los detalles del congreso de 1998 seran publicados en el boletin de Love Makes a Family en cuanto esten disponibles.

El tercer anual Programa Especial sobre El Movimiento Lesbico en Mexico tendra lugar en CETLALIC del 26 de junio al 17 de julio de 1998. Ademas del programa, miembro del personal Melissa Ann Jameson informa que ella, Marisela y Jorge Torres, Director,, siguen trabajando para aumentar de todos los aspectos de la escuela. "Como escuela alternativa, abordar temas de sexualidad es una parte natural e inevitable de tratar los movimientos populares contemporaneos de la region. Estamos muy orgullosos de ofrecer programas en los cuales son principales las experiencias de lesbianas y hombres gay. Todavia hay personas que nos dicen que no se puede tocar "esos temas" en Latinoamerica, pero los participantes en los programas y las personas aqui a nivel local con quien platican han comprobado que no solo es posible, sino urgente."

Gay parents and children at Gay Pride in Mexico City

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Sexual Minority Parents Advisory Group Update

by Melinda Storch

With the exception of finding a better name (SMPAG is just too difficult to pronounce as an acronym!), the Parents Advisory Group has come a long way since its first meeting in February of this year. Called together at the request of Joseph Tam, a member of the Portland Public School Board, a steady group of a couple of dozen parents has been working on issues related primarily to being sexual minority parents. Some of these parents may also have sexual minority children in the Portland schools. The group's purpose is "to provide consultation and advice to support Portland Public Schools (PPS) in creating and maintaining safe, respectful and inclusive schools for children in families headed by and/or including sexual minorities. We believe that family strength is not determined by structure, and that our community is strengthened by sharing our diverse family values."

The group has subdivided into workgroups corresponding to the topic areas of the PPS' Sexual Diversity Task Force (the PPS Staff Committee) – curriculum, training & development, and policies and procedures. The Parents group Curriculum group is working on acquiring books containing sexual minority content from a bibliography they compiled from various sources. The books are on reserve at the PPS Staff Library in the District office; additionally, Love Makes a Family is acquiring an identical set, which is available for review at the LMAF office. The PPS has a very nice system for compiling comments from reviewers that will facilitate the Parents Group making recommendations for classroom use of these materials especially when studying the family.

The Training & Development committee has been working with the PPS Staff Committee group to learn what materials have been developed and presented for sexual minority awareness and sensitivity trainings. The entire PAG has viewed two videos and received an overview of the accompanying training; the subcommittee is looking into further ways that we could be of assistance in identifying areas for training, and providing materials (e.g., "case examples" of both positive and adverse scenarios that have occured in the PPS and what the components were that were successful or could have been improved).

The Policies & Procedures committee is learning what policies and procedures exist with regard to sexual minorities – from the forms being filled out to communications with parents to behavioral expectations of students, teachers, and administrators – in order to identify problem areas from the parents' perspective in the way we and/or our children are treated in the school system.

If you are a "sexual minority parent" (parent or in a parental role) of children in, entering, or having been in the Portland Public School system, and would like to get involved, we meet the first Monday of most months at the Blanchard Administrative building at 501 N. Dixon. And/or call Melinda Storch at 244-6482 if you have questions or would like more information. We'd appreciate your input and help in making the Portland Public Schools a safer place for our children!

Scholarships Available!

The Pride Foundation is offering scholarships to the following people
--Gay, Lesbian, Bisexual and Transgender students
--Gay men and lesbians of color
--Students raised by lesbian or gay parents
--Potential leaders in the Sexual Minority community

These scholarships are for college, creative study, vocational training, Post-Secondary Education

for information call
1-800-735-7287
or email
Giving@pridefoundation.org

Applications are due by February 20th.

Lesbian Mother Brings Her Boys Home

by Ben Leon

Heide Ray, a lesbian mother, was awarded custody of her two sons on August 27, 1997. The custody of Max and Mars, five-year-old twins, had been given to their father after he and his parents filed for joint custody. The court in Austin, Texas awarded the father and his parents temporary custody based on the mothers lesbianism. After a long struggle for money, including a benefit dance and variety show, repeated solicitations and help from the Lavender Families Resource Network, Heidi accumulated the money she needed to hire an attorney.

The trial lasted three days and included personal attacks on Heidi and her "lesbian lifestyle." In the end the judge commended Heidi: "Ms. Ray's sincerity and accomplishements speak for themselves. Ms. Ray has raised these children and is looking out for their future. I believe that these children will be better off with Ms. Ray in Seattle. Even as a Texas Judge I say that."

Check out the new and improved Love Makes a Family Website at
http://www.divanw.com/lmaf

1997 Northwest Sexual Minorities Families Conference

by Jes Nelson

The first Northwest Sexual Minorities Families Conference was held on August 8-10 at the Living Enrichment Center (LEC) in Wilsonville, OR. The purpose of the conference was to teach families how to advocate for themselves in the often homophobic reality we live in. We wanted to discuss the difficulties and joys of being a lesbian, gay, bisexual and transgender parent, and let the kids tell their own stories. Our other main purpose was to create support networks that could continue beyond the conference.

About 20 families gathered at LEC on Friday night. People registered and met one another. We had an ice cream social and played a few icebreaking games before retiring to our cabins for the night. There was an interesting mix of people with various birth and adopted children, grandchildren, transracial families and a few people without kids who wanted to learn more about being a part of a sexual minority family. The biggest bonus was a rather large group of articulate and diverse teenagers who worked with Mike Beebe, former head of Children of Lesbians and Gays Everywhere (COLAGE).

In the morning, after breakfast the kids broke up into age groups and pursued various activities. The teens made buttons and had an active focused discussion with Mike. The youngest kids played and did art projects with Connie Tinker. The middle kids went on a nature hike and made T-shirts. They also filled water balloons for the afternoon.

The adults listened to a panel on school advocacy and stepparenting and then moved into breakout groups. The most popular topic was the ever-challenging concept of stepparenting. A large group of people sat down and shared feelings and experiences, with parents and partners explaining the different sides of raising kids.

The afternoon program consisted of another panel that offered breakout groups on domestic violence, adoption, transgendered parenting, non-custodial parenting and grandparenting. Each expert spoke for a few minutes and then the attendees could attend two breakout groups on the topic of their choice.

The water balloon fight started with a tame balloon toss and quickly progressed to an all out war between kids and adults. 15 minutes later, everyone was exhausted and in varying degrees of drenched. A softball game had been planned and other group games but most people gave in to the beautiful day and the opportunity to sit in the sun and talk with other gay parents. The younger kids blew bubbles and played in the grass. The parents discussed schools and doctors and families of origin. While we talked, a straight couple exchanged vows in the LEC gazebo, with bridesmaids and a white veil and the whole nine yards. It was a strange counterspin to our discussions of marginalization, causing me to feel a little loss at the way our own relationships were not accepted by the mainstream, and a little cynical about the institution of marriage and its origins.

A dance transpired in the Oak room after dinner, with most electing to continue discussions that had begun earlier and had woven together all afternoon. Groups of people talked late into the night while the kids played chase and hide and seek, elated by the unusual treat of the late night. Finally drooping children were carried off to bed, and the talks reluctantly ended.

The next morning, the teens held a fishbowl discussion where they answered questions parents asked. The common thread through most of the questions was "how much have you suffered from being the child of gay parents?" The answers were mostly hopeful, with the teens speaking candidly of being teased, and harrassed, but at the same time discovering who their real friends were and getting in touch with their own strengths. They talked about what they thought made a good stepparent, and how much involvement they want from their parents. I came away from it relieved to know that there were kids who lived through homophobia and thrived, and I gained a new appreciation of the resiliency of kids.

The confernce then ended with people exchanging phone numbers and making plans to meet again. Networks were formed, and that was the biggest goal of the conference committee. We are planning next year's conference already. If anyone wants to be on the committee, please call the office for details.

Last of all, I want to thank all the committee members, and their partners, who ended up doing a lot more than they signed on for. Thanks to all the people who gave workshops or donated materials. And thanks to everyone who attended. We hope to see you next year!

For information call the
Love Makes A Family Office
at (503)228-3892

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Report From Hawai'i: An Update on the Marriage Struggle

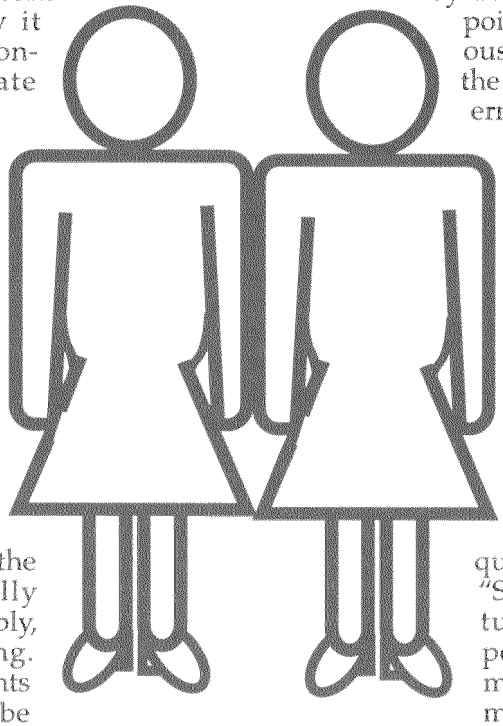
by John Weston (With Jim looking on)

Legal same-sex marriage in Hawai'i is not a fact yet, it is not a fait accompli, it is not a fixed reality, and we shouldn't lull ourselves into supposing it is.

Over my shoulder Jim says, "You're not optimistic enough," and I reply, "I'm only trying to be realistic. Wishing won't make it happen. Money and hard work might."

We're all waiting for the Hawai'i Supreme Court to rule. They have no time limit. They may speak out tomorrow or remain silent until after the Fall, 1998, referendum to the voters, an initiative that, if passed, would give the state legislature the right to describe what marriage may or may not be.

You all know that in December, 1996, Judge Kevin Chang found that the state had not succeeded in a single instance to provide a compelling reason why it could or ought to continue to discriminate against gays and lesbians in the matter of marriage. Before this landmark trial, no state had ever before had to answer charges to prove that the status quo was good for its people.



However, Judge Chang allowed the state to appeal his decision, to send it back up to the Supreme Court. There, the case has been fully briefed and, presumably, the Court is thinking. Yet more oral arguments or information may be invited. Dan Foley, attorney for the gay and lesbian plaintiffs (Baehr v. Hawai'i), has filed papers urging expediency. The other side will try to slow down the process.

Since the state Supreme Court has already come down on our side in 1993, and the makeup of the body remains the same, legal thinkers postulate that it will rule as before. If it does, then the marriage window will fly open. We can rush to Hawai'i and marry before the '98 initiative goes to the voters.

That initiative is a big problem, but will be much less one if the Court rules in our favor first, because if some gay or lesbian marriages have already taken place before the November '98 ballot, it is unlikely they would be annulled inasmuch as no government except Nazi Germany has ever done so.

Should the Court decide in our favor though, the state can - and probably will - move for reconsideration, a further tactic but only a short-term delaying technicality. Foley believes such a move would accomplish nothing, yet the state will try anything to keep the decision unsettled until the November, '98, ballot.

Terms for the Justices, by the way, are ten years, and they are not elected by the people but appointed via a rigorous process within the structure of government. They are not intimidated by threats to their jobs.

As noted above, the '98 initiative before the voters itself will not define marriage but, rather, give the legislature the right to define marriage. The question will be, "Shall the Legislature have the power to reserve marriage to one man and one woman only," or words to that effect. If the vote is Yes, then pressure will be put on the legislature, by the strong and wealthy religious right (in Hawai'i, that's mainly the Mormon Church), to define marriage in the traditional way.

Raising money to fight the November '98 initiative has now become the top concern for Hawai'i same-sex marriage counsel and advocates. Marriage Project Hawai'i (formerly H.E.R.M.P.), backbone of the struggle, declares they will have to generate ten times as much money to fight the '98 referendum as they've had to raise so far - and they're already in debt, though Civil Rights Attorney Dan Foley (a straight, family man) has billed only a fraction of his time spent on the case over the past six years.

Six years! and still, most gays and lesbians across the country haven't contributed a dollar to the cause - a cause, we need to understand, which reverberates far beyond the single issue of marriage. Not everyone wants to marry, of course, but to add the right to marry to our slowly evolving package of civic privileges and protections and responsibilities, is another important step up the ladder to final equal, legal inclusion in our society.

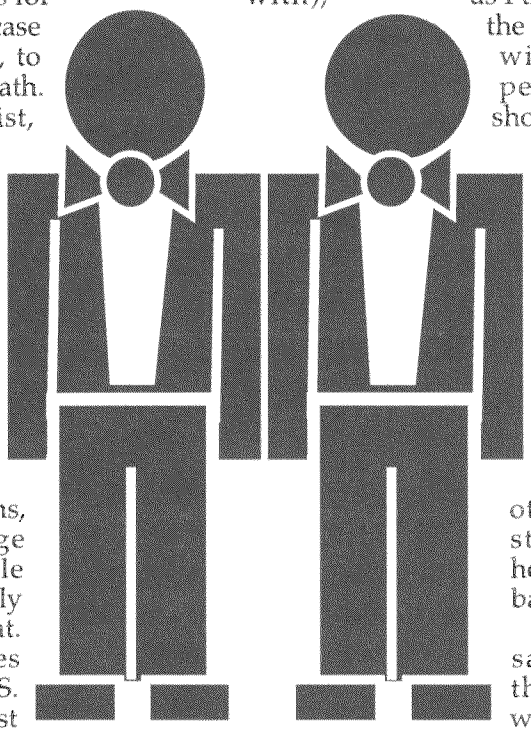
Speaking of money, the Human Rights Campaign (HRC), a national organization now interested in helping Hawai'i a day late, will be trying to raise a million dollars to defeat the November '98 referendum. Had gays and lesbians pitched in back in 1992-3 with two hundred thousand dollars, we would have won and the case would be over. Without funds, HRC and MPH can't operate.

The Reciprocal Beneficiaries Act has been another development in Hawai'i this year, and became law in July. By filling out a simple, notarized form, and writing a check for $8.00, any two persons who are legally barred from marriage (close relatives, same-gender acquaintances) can become RB's. Straight couples who could marry if they wanted to, are therefore excluded. (Watch for lawsuits on that one.) RB couples do not have to be in any sort of committed relationship or even live together.

Benefits for the RB couple might entail medical insurance coverage, joint state tax returns, sharing in retirement benefits, the right to make medical decisions for the partner, etc. So far, the RB program is not a popular alternative, and by gays and lesbians it is seen as another second-class put-down.

Anyone, whether a Hawai'i resident or not, can become an RB in Hawai'i, although for non-residents,

about the only obvious advantage for having the certificate with you, should you be traveling to the islands, would be in case of an accident or medical emergency when one of you could then make decisions for the other. Or in the case of accidental death, to sue for Wrongful Death.



In an ironic twist, five big companies have awakened at last to the implications of the supposedly impeccable RB Act. It has dawned on them that, because there are potentially so many more RB couples than there are gays and lesbians, same-sex marriage might be preferable after all, from a strictly economic standpoint. The five companies have filed suit in U.S. District Court against the State of Hawai'i, seeking immediate relief from having to pay for health care for reciprocal beneficiaries. This action is not seen as an attack on gays and lesbians (big business doesn't usually care about moral issues), but as a defense of their pocketbooks.

The RB Act was doomed from the start because it was built upon insincerity. It intended to withhold, rather than grant, civil rights. It is an attempt to circumvent, rather than embrace. While it might do some good for other couples who cannot legally marry, for homosexuals it is no substitute at all for the right to marry. By trying to appease, yet still oppose, gays and lesbians (thus cooling the heat of the religious right), legislators hoped to make everybody happy by pleasing no one.

If big business succeeds in chipping away at RB (health insurance to start with), as I think they will, the house of cards will topple, as perhaps it should, because it was composed to mollify, to pacify and confuse, to give yet to withhold. One outstretched hand offering a bone while the other, with the steak in it, is held behind the back.

"But," Jim says, "maybe the legislature was working for us all the time." Maybe, this argument goes, by inventing the ridiculous RB Act they were pretending to be against gays and lesbians to pacify the religious zealots while all the time knowing that the RB Act would cause more problems than same-sex marriage and so, by default, we'd win in the long run. And see? Big business now says, given the two alternatives, marriage would be cheaper.

Well, forgive my pessimism on that score, too. I don't believe the Hawai'i legislature could possibly think so far ahead of itself by employing its usual total blankness of mind.

On the other hand, a better head than mine, Dan Foley, remains enthusiastically optimistic that the Court will rule in our favor before the end of the year.

So, we are of good cheer, overall. We have solid reasons to believe, to pull together with Hawai'i, and to support, with some dough, their work. Basic to everything at stake, remember: Without Hawai'i, we have nothing. Without Hawai'i', the question of marriage is moot. The struggle in Hawai'i is not over by any means.

There is a third issue in the wind in Hawai'i, the impending re-vote on whether to have a Constitutional Convention in 1998. The validity of an earlier "No" vote is now in question. The religious right will push for Con-Con because, if it occurs, they'll be able to exert enormous pressure on the convention delegates to remove many existing - not to say future - rights for minority groups. They will attack women, the environment, gays, unions, the Democratic Party, Hawaiian minority values, any religions other than Christian, students, all minorities, marijuana tolerance, immigration law, public servants. The vote will likely take place within two months. Hawai'i constitution calls for the question every ten years.

The fight for marriage is an expensive one. To contribute send money to:

Marriage Project Hawai'i
Box 11690
Honolulu, HI 96828

or Love Makes a Family
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COMMUNITY INFO AND REFERRAL

Information Response and Membership Form

Return to: Love Makes A Family, Inc.,
PO Box 11694,Portland, OR 97211
PH 503-228-3892; Fax 503-228-3970

Date:_____

Name(s)_____

Address_____
street city state zip (+4)

Phones_____
work home Fax

Additional Family Members: (please list children's ages):_____

_____

☐MEMBERSHIP/ contribution

_____I/We will make a General Membership contribution of _____
(Sliding Scale, $10-$100. No one denied membership due to lack of funds)
_____In addition, I/We will pledge a monthly contribution of _____
_____In addition, list us as members of Love Makes A Family Chapter of GLPCI (Gay & Lesbian Parents Coalition International). We've enclosed and additional contribution of _____to cover the GLPCI newsletter ($10 suggested)
_____Please send our children COLAGE (Children Of Lesbians And Gays Everywhere) mailings.

_____Charge my contribution _____and monthly pledge to my charge card:
Account #_____Expiration Date_____
mm/dd

Billing address_____**Signature**_____

☐PLEASE SEND INFORMATION ABOUT:

___Parent-Child activities ___volunteer opportunities ___KKEY radio program list
___Parent/Teacher/Student Project ___speaker training ___Marriage Registry

____other _____

☐FREEDOM TO MARRY RESOLUTION

Because marriage is a basic human right and an individual personal choice, RESOLVED, the State should not interfere with same-sex couples who choose to marry and share fully and equally in the rights, responsibilities, and commitment of civil marriage.

Signed: _____ _____

(Print Name/s): _____ _____

I will work on, or would like to be involved in the following Freedom to Marry Organizing efforts:
_____Circulating the Marriage Resolution _____Helping to develop an action plan for my area
_____Serving as a contact person for my area (geographic or community)
_____Convening a meeting in my area for a briefing on Freedom to Marry work
_____Other (Please explain)

☐**PRESS:** _____I/we are available to talk to press _____available for video/photographs

Issue 11 Fall 1998

The Quarterly Newsmagazine of Love Makes A family, Inc.

LOVE MAKES A FAMILY

Creating a Family Voice for Lesbian, Gay, Bisexual and Transgendered People

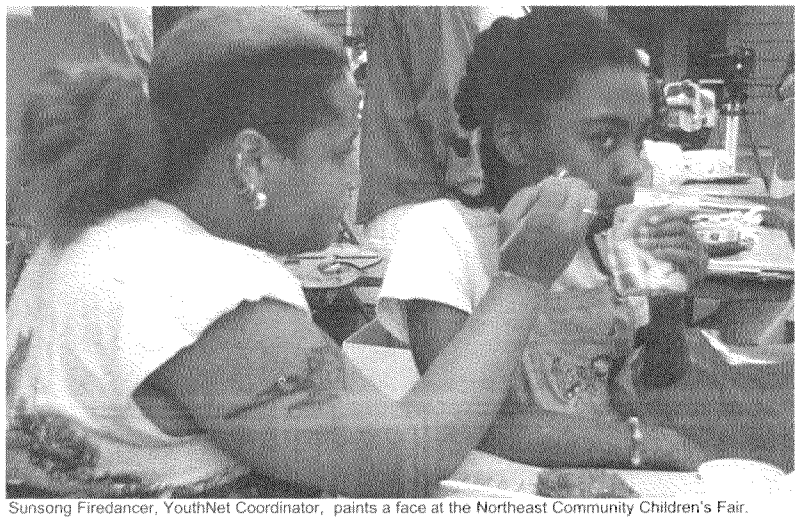
PO Box 11694 • Portland, OR 97211 • Phone: 503/228-3892 • Fax: 503/228-3970 • e-mail: lmfamily@teleport.com

YouthNet Works Hard to Make Resources for Youth Available

by Sunsong Firedancer

Continued on pg 4

The Sexual Minority Youth Services Network, or YouthNet, has been up and running for several months now. YouthNet is working for social change and community involvement by and for youth. We have a dedication to creating a voice for youth which can, and will be heard. As the YouthNet Coordinator, I am very excited about all the ideas and energy being put forth. Some events that we have already had include the Opening Hearts and Minds non-violence training (in order to develop skills of communication) and a panel discussion on transgendered issues. YouthNet also participated in Portland's Northeast Community Children's Fair. At this event we had youth volunteers lead activities such as "draw your family" and face painting. YouthNet handed out literature and displayed the Love Makes A Family photo-text exhibit.



Sunsong Firedancer, YouthNet Coordinator, paints a face at the Northeast Community Children's Fair.

At another presentation of the photo-text exhibit we did a panel discussion for the Campfire Boys and Girls Club on sexual minority youth issues. I have also done presentations on transgendered and bisexual issues in schools with

The Witch Hunt: Youth and the Clinton Crisis

by Mandy Knaul

Continued on pg 7

As a queer youth I am worried about the fate of the liberal world. If anyone should overcome their personal cynicism now it is the youth of America, especially sexual minority youth and youth with sexual minority parents. At a time when our nation's leaders believe we need to teach our children that character is determined by who we have consensual sex with, we need to realize the danger impeachment of the president has to our sexual freedom.

The investigation into Clinton's affair has become a witch hunt. As Kenneth Starr pins the scarlet letter to Clinton's suit, queer youth and youth with queer parents need to pay attention to those who have the power to make political decisions against sexual minority families. Senator Trent Lott spoke after the senate failed to override Clinton's veto of the "partial birth abortion" bill, "This is the year that we can nail down a solid pro-life, pro-family majority in the U.S. senate." If this is the year for pro-life, pro-family (the Christian right's or "traditional" definition of family) when is our year coming? I believe this year holds great opportunities for queer people if we let our voices be heard.

Maybe I am young enough to still think anything is possible, or maybe I am just tired of being cynical. With the president's impeachment our sexual freedom goes down the drain. Without that freedom we really aren't much since this society defines our "charac-

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Photos Bonnie Tinker

Thank you kindly to the Gill Foundation for providing QuarkXPress, the software responsible for our new look, Jeff Fisher for graciously providing the logo and masthead, Astraea Fondation, The Chicago Resource Center, Multnomah County, City of Portland Dept. of Housing & Community Development, and to Celia Lyon for sponsoring The Love Makes A Family activities at Portland Gay Pride Festival.

Love Makes A Family, Inc. Purpose
To work for social change to create a supportive environment within our communities and to provide a public voice for all families, especially those subjected to social, economic, and legal discrimination sue to sexual orientation or gender identity/expression.

Advertising Policy
Though Love Makes A Family appreciates the support of our advertisers, the appearance of ads in this newsletter does not imply the recommendation or endorsement of Love Makes A Family, Inc.

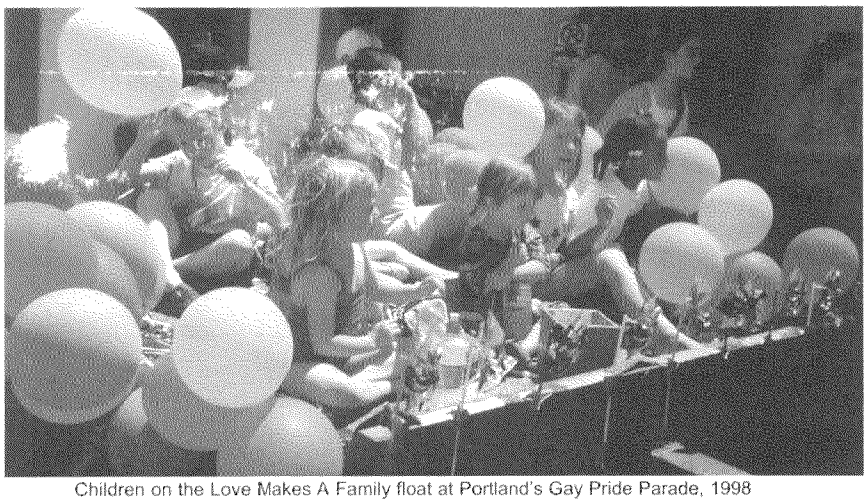
Submit essays, reviews, poetry, photos, artwork, events listings, or editorials to Editor, Love Makes A Family, PO Box 11694, Portland, OR 97211

Advertising rates and information available. Call (503) 228-3892.

Love Makes A Family is published quarterly by Love Makes A Family, Inc., Portland, Oregon

Sexual Minority Youth - the sons and daughters of lesbian, gay, bisexual and trans parents, and youth who are themselves sexual minorities are at the heart of Love Makes A Family, Inc.. For too long they have been left alone and isolated to face a hostile heterosexual world. In school they find no mention of their families nor of their history. At home most of them find parents - gay or straight - who have never shared their experience. This issue is dedicated to their courage and vision.

Bonnie Tinker, Executive Director



Children on the Love Makes A Family float at Portland's Gay Pride Parade, 1998

YouthNet members Joe Jackson, Sunsong Firedancer, and Mark Houser march at Gay Pride, 1998

Low-Income Families Project

by Kerri Dee

Love Makes A Family, Inc. is beginning an exciting project funded by the City of Portland. It's goals are to identify at least ten low income sexual minority families and connect them to existing community based resource groups and professional services. The project will build self-advocacy skills to increase family resources. Families will also participate in monthly family support meetings to develop a community support system. For information call (503)228-3892 and ask for Kerri Dee.

**Kerri Dee is Love Makes A Family's intern from PSU. Kerri is coordinator of The Low-Income Sexual Minority Family Support Project at Love Makes A Family, Inc.*

United Way Extends Provisional Membership

United Way of the Columbia Willamette has accepted Love Makes A Family, Inc. as a provisional member.

During the coming year United Way will continue to evaluate provisional members for permanent member status. If accepted, two of our local direct service projects for sexual minority families, information and referral services, and school based support services will be eligible to apply for funding in the year 2000.

In the Interim, United Way will continue to accept donations earmarked for Love Makes A Family, Inc. during their regular campaign.

Name(s): _____ Date: _____

Address: _____

City: _____ State: _____ Zip(+4): _____-_____

Home Phone: (_____)_____-_____ Work Phone: (_____)_____-_____

Additional Family Members (please list children's ages): _____

_____

I/we would like more information about:

Volunteer opportunities ❑ Family support meetings ❑ Photo-Text exihibition ❑

Speaker trainings ❑ Schools advisory group ❑ Youth NET ❑

I/we are available to talk to press. ❑ I/we are available for video/photographs. ❑

Please add my name to the e-mail list: _____

I/we would like to make a General Membership contribution.

Enclosed is a check for:

❑ $500 ❑ $250 ❑ $100 ❑ $75 ❑ $50 ❑ $35 ❑ $20 ❑ $10 ❑ other _____

❑ I/we cannot make a contribution at this time, but would like to continue receiving the newsletter and Love Makes A Family, Inc. mailings.

❑ I/we would like to make a monthly contribution of$_____

❑ Charge my contribution/monthly pledge (Visa, Discover, MasterCard, or American Express):

Account #: _____ Expiration Date: _____

Billing Address: _____ Signature: _____

For additional information call (503) 228-3892, fax (503) 228-3970, or email lmfamily@teleport.com

P.O. Box 11694
Portland, OR 97211

HOPE FOR A SPANISH LANGUAGE CLASS WITHIN LOVE MAKES A FAMILY

by Gustavo Wong

Hola todo el mundo! Me llamo Gustavo Wong. Hable con Bonnie recientemente y pensamos de que seria bonito de que tuvieramos una oportunidad de hablar en espanol y practicar con nuestros ninos, otros familiares y amistades. Por esta razon estoy escribiendo esta nota breve para presentarme y describir algunas de las posibilidades del grupo hispano.

Yo naci y creci en el Peru de padres chinos. Vivi en el Oriente por cuatro anos antes de venirme a los E.E. U.U. Vivo con mi compnero David quien habla practicamente bien el espanol, una hermana mia, Mary, quien habla el espanol con limite y mi sobrin, Maria, quien le estamos ensenando el espanol.

Me gustaria formar un grupo de habla hispana dentro de la organiacion Love Makes a Family. Mi vision de este grupo es de practicar la lengua espanola de todos los niveles mediante juegos, peliculas, canciones, charlas, esenanza,entre otras actividades. Una sugerencia es de reunirnos antes de las reuniones regulares de Love Makes a Family, los segundos lunes como de 5 a 6 de la tarde. Por supuesto que todo esto es flexible.

Me gustaria invitar a todas personas interesadas a la primera reunion que se tomara cabo para platicar temas que nos gustarian incluir. Para mas informacion y para obtener la fecha y hora de la reunion, favor de llamar a Love Makes a Family al 228-3892 o enviar una nota electronica al lmfamily@teleport.com

Hello everybody! My name is Gustavo Wong. I spoke with Bonnie recently and we talked about how nice it would be to have a Spanish speaking group within Love Makes a Family that can involve our children, other relatives and friends. That is why I am writing this brief note to introduce myself and describe some of the possible activities we can do in the group.

I was born and raised in Peru; my parents were Chinese immigrants. I spent four years in SE Asia before coming to the States. I live with my partner David who speaks pretty good Spanish, one of my sisters, Mary, who has a limited Spanish, and my niece Maria whom we are teaching Spanish.

I would like to form a Spanish speaking group within Love Makes a Family. This group would be practicing Spanish at all levels through games, movies, discussions, songs, lessons, among other activities. One suggestion is to meet an hour before the regular Love Makes a Family meeting on Mondays, say between 5 and 6 pm. Of course all of this is flexible.

I would like to invite everybody who is interested to meet with us and discuss what we would like to do. For more information and the exact date and time we will meet, please call Love Makes a Family at 228-3892 or e-mail to: lmfamily@teleport.com

For Love - and Money!

Celebrate Valentines Day with Love Makes A Family

February 14th from 3:00 to 5:00pm

A beer or soda pop tasting for the whole family at the Kennedy School, 5736 NE 33rd street, Portland

there will also be a silent auction -- if you wish to donate items contact

Love Makes A Family @ (503)228-3892 or lmfamily@teleport.com

YouthNet Works Hard to make Resources Available to Youth

Continued from pg 1

youth panels created from our volunteer pool. We have done many presentations on youth issues. For the future we are planning an open mike poetry reading for November 6th from 7:00 to 10:00pm. YouthNet is also planning to host an all ages benefit jam session to bring together different performers and musicians in January. Politically, we have a racism and homophobia training that we are planning for November, and a forum for all of the service providers and organizations that work with and for sexual minority youth. The forum will be a place for all of us to see what resources are already available for youth and what other organizations are doing. YouthNet is working closely with the county to fulfill contract obligations. YouthNet is striving for a fully multi-ethnic, pan-sexual representation. We are always looking for input and fresh faces. We would like to thank some of our members who had to go away to school and to wish them good luck: Em Saugrey, one of our founding members, Allison Dureu-Sutherland, and Meg Nealis. Thanks also to all of the youth who give their time and energy to keep the project running.

YouthNet first met in mid-December. The county recently awarded a $20.000 contract to Love Makes A Family, Inc. to become the official facilitator for the network. The contract recipient is expected to mobilize a full range of network partners, including sexual minority youth, clergy, business representatives, service providers, and policy makers; enable youth to take an active part in leadership; help articulate the network's agenda; and assist members in going to policy makers to advocate putting time, effort and money toward the agenda. Love Makes a Family, Inc.'s proposal for YouthNet was created in consultation with Phoenix Rising Foundation, Outside In, the Sexual Minority Youth Recreation Center, Metropolitan Community Church of Portland, Brother To Brother, Portland Public Schools, Lesbian Community Project, and Roots and Branches. Sunsong Firedancer is the part-time Network coordinator and Aaron Scott is the teen intern co-coordinating YouthNet.

If you want more information about YouthNet contact Sunsong Firedancer at (503)227-1981

Photo-Text Exhibit to be Introduced in Public Schools

Love Makes A Family: Living in Lesbian & Gay Families is a collection of photos of life within lesbian and gay families. Text edited from interviews with each family member accompanies the images to offer each photographed person's personal thoughts about living in sexual minority families. These images and text invite the audience to challenge the "traditional" definition of family by revealing those families that stand outside of that definition in some way or another. The mission of the photo-text exhibit is to combat the invisibility that all sexual minority people face. The photo-text exhibit proves that sexual minority people will no longer allow others to pretend that sexual minority headed families do not exist.

Recently, Love Makes A Family, Inc. put together a panel at Lincoln High School to discuss the importance of the exhibit and why it needs to be available to students and their families. The panel consisted of a lesbian mom, a PFLAG member, a gay step-parent, and two youth staff members of Love Makes A Family (who did their best to represent the perspective of queer youth). The panel spoke to the vice principal of Lincoln high School, Ken Fong and members of LSAC (Local School Advisory Council). The audience was very supportive of the exhibit and believed the exhibit should be shown at Lincoln High School. The question that seemed to come up most often during the forum was how do schools address the issues involved with sexual minority parents and sexual minority youth within an educational atmosphere? Members of the panel came up with a simple answer: Incorporate sexual minority people into all aspects of the school in an effective but casual way. Alison Gallo, one member of the audience, said, "Why make a big deal out of queer issues? If you hold an assembly to announce the exhibit it will seem like something out of the ordinary. Why not introduce the ideas about queer culture the way that any other idea is addressed? October is Gay History month, so announce that over the intercom the same way someone would announce Black History Month."

Another member of the audience brought up the idea that exhibits like this should also be shown to younger children in elementary schools because these children are at the age that opinions form about how the world around them works. This idea led to a long discussion about who should see this exhibit and who is ready for it. Many of those in attendance believed that any time is the right time to teach diversity.

The mission of Love Makes A Family, Inc. is to create a family voice for sexual minorities. All of those in attendance were extremely supportive of the mission behind the photo-text exhibit. Everyone had their own good reasons why it is important for students to view these photos. Everyone seemed to agree that the most profound reason for putting this exhibit up was to give a family voice to queer people and to combat the invisibility so many sexual minority people face today.

Photographs in the photo-text exhibit were taken by Gigi Kaeser and interviews were edited br Pam Brown and Peggy Gillespie. This exhibit is produced by Family Diversity Projects, Inc. The Love Makes A Family photo-text exhibit will be shown at MLC (Metroploitan Learning Center) on November 11. Call (503) 228-3892 for details.

Sexual Minority Parents Advisory Group, Or SMPAG

The Sexual Minority Parents Advisory Group, or SMPAG is a group of Portland-area sexual minority parents demanding safer schools for queer students and students with queer parents. SMPAG wants to make sure that harassment is not tolerated in schools so educational institutions can maintain a safe and positive learning experience for everyone. Assistant to the superintendent, Pat Burke, keeps close relations with SMPAG. Burke has been working with SMPAG to make queer resources more accessible to Portland-area schools. At the beginning of this school year students received an informational packet that for the first time included services especially for queer people.

Bonnie Tinker, vice chair of SMPAG and also executive director of Love Makes A Family, Inc. had hoped a separate SMPAG brochure could be included with the packet. This brochure did not get a spot in the packet after questions came up about district regulations. Still, members of SMPAG were very happy when the district included a letter and resource list from SMPAG into the packet.

So far, there have been a few calls to Love Makes A Family from parents who are curious as to what is a sexual minority parents group. Most of the time, the calls are from parents who just want to know what a sexual minority is or how they can find family resources. Love Makes A Family received very little feedback from parents about the listing in the packets.

Lianne Thompson is SMPAG's chair and also a lesbian mother. Thompson has goals for SMPAG in the new year. "We're here, we're queer, and we are moms and dads that are active within the Portland area schools. In the new year we want to create a safe place to support families headed by or including lesbian, gay, bisexual, and transgendered people so that we can nourish each other. We want to let the world know that we exist and we want strong families and safe schools for everyone."

This year SMPAG hopes to work with school curriculum in order to make schools more queer friendly. The Oregon Affiliate of the Gay, Lesbian, Straight Education Network has planned many activities to help with the curriculum.

SMPAG meets regularly with district representatives to discuss issues with Portland area schools. The queer resources within the school information packet is just the beginning of SMPAG's plans with Portland schools. The group wants to continue a plan to make schools safer because it is crucial for any learning enviroment to be hate free. SMPAG believes making queer resources accessible to parents and children is the beginning of this plan.

WHAT IS THE SEXUAL MINORITY PARENTS ADVISORY GROUP?

SMPAG is a community group of sexual minority (lesbian, gay, bisexual, and trans) parents and parents of sexual minority students.

WHAT IS OUR PURPOSE?

SMPAG provides consultation and advice to support Portland Public Schools in creating and maintaining safe, respectful and inclusive schools for children in families headed by and/or including sexual minorities.

We believe that family strength is not determined by structure, and that our community is strengthened by sharing our diverse family values.

HOW WE ACCOMPLISH OUR GOALS

Consultation with Portland Public School Administrators
Monthly Meetings
Special Project Committees
Speakers

DIVERSITY IS A POSITIVE FAMILY VALUE

SMPAG WELCOMES NEW MEMBERS AND IS A SOURCE FOR INFORMATION

SMPAG welcomes new members (parents, parents of sexual minority youth, and other parents residing in the Portland area) who will work constructively toward achieving our goals.

Referral to Parent Advocates
Resource Referral
Photo-Text Exhibit.

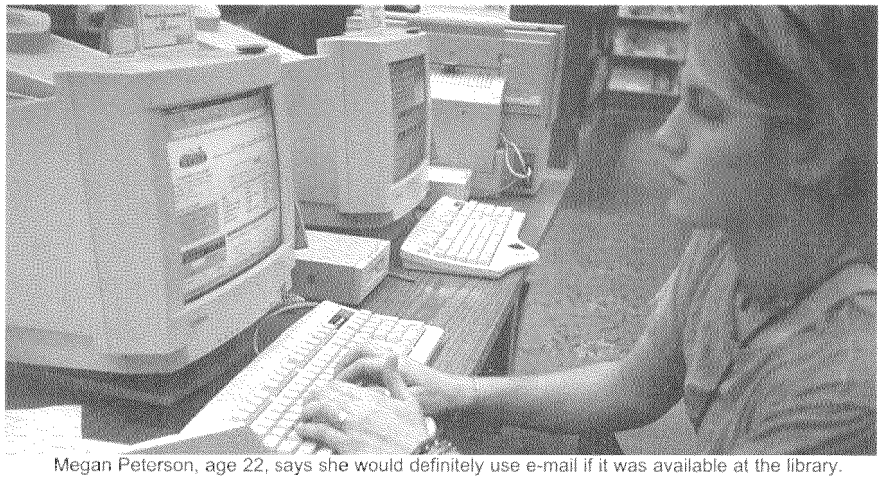
SMPAG
P.O. Box 11694
Portland, Oregon 97211
228-3892
E-MAIL:
SMPAG@teleport.com

The Sexual Minority Parents Advisory Group meets the 1st Monday of every month at 7:00pm at Portland Public Schools District Office at 501 NE Dixon Street.

Left: SMPAG brochure that was to be included in the packet handed out to schools at the beginning of the year. Although the brochure was not included because of questions about district regulations, a letter from SMPAG with a families resource list was distributed by Portland Public Schools to all 58,000 students in the District. For more information about the Sexual Minority Parents Group contact Love Makes A Family at (503) 228-3892. Or e-mail: lmfamily@teleport.com

WHAT'S THE DEAL WITH E -MAIL ACCESS AT THE PUBLIC LIBRARY?

by - Heather Springer



Megan Peterson, age 22, says she would definitely use e-mail if it was available at the library.

With so many places where e-mail access is for sale or a benefit of membership, enrollment, or employment, one would think the public library would be able and willing to allow patrons this service gratis. But e-mail, though used by many in the public library, is officially not allowed. This rule has shocked and surprised many patrons, as most computers are equipped with on-line browsers that make most e-mail access simple. Particularly since there is not the staff to monitor the "no e-mail rule" and patrons using e-mail are generally 'caught' at a slow time, when it seems most ridiculous that their activity should be called into question.

Library staff in Multnomah County have a very well thought out explanation for this restricted access. The first reason, says Deputy Director of Public Services, Ruth Metz, is that the policy is in keeping with the library's mission to provide computer access to resources and on-line data bases that the library subscribes to. "The library does not provide personal computing services like e-mail, chat rooms, word-processing, or games." If access is opened up to these uses, it is thought, no one will be able to use the computers for research. Metz went on to say that this has already become a problem, as patrons will sometimes use a computer for the entire allotted time of one hour, then go to another room in the library and use another full hour, and so on for most of the day. This keeps the oppposition to e-mail high, as it is perceived that e-mail users are the biggest culprits of this on-line abuse.

It is important to remember that the bulk of would-be e-mail users in the public libraries are youth. Youth do not typically have access to e-mail at school (certainly not during the summer), and few youth have jobs where they are allowed or able to access e-mail. True, a growing number of families have personal computers that are hooked up to modems in their homes, but this is also only the case for a select group: the middle and upper classes. So what does a youth do in the summer to keep in touch, make appointments, learn about job and volunteer opportunities? They go to the public library to access e-mail and they are told to log off.

So what does youth do in the summer to keep in touch, make appointments, learn about job and volunteer oportunities?

One youth commented that e-mail is the only way she was able to keep in touch with friends while out of state this summer. "I don't think the people at the library knew my friend and I were on (using e-mail), so we had to be fast, but where else were we going to do it." Other youth have commented that e-mail should not be lumped together with computer games and other personal computing. Some youth use e-mail as their primary way to find out about job and volunteer opportunities. "It's faster than regular mail and a lot more reliable than phone messages for those of us still living at home!" And increasingly, e-mail is being used anyway.

Some at the Multnomah County public library seem to have recognized this dilemma. Metz says that they are not opposed to allowing e-mail access in the library, but must first assess the capacity their computers have to manage e-mail users. This will be a part of the branch-wide testing which will be conducted beginning in September. The test will give the library "use data," and will identify peak times, frequency, and duration of access to all on-line data bases, as well as e-mail use. (e-mail use will be officially allowed for the duration of the test only.) This, Metz says, should provide more answers about the capabilities of the library's computers to provide e-mail access. At that point the decision may be made to install automated cut-offs in the computers after the alotted time limit has been used, to allow e-mail in conjunction with that, or continue to disallow it all together.

Library administrators and community members should be urged to listen to youth...

Library administrators and community members should be urged to listen to youth who express concern over the public library system's restrictions against e-mail use. In a culture where information has already become a commodity, the library has provided a haven for free access to information. This trend should be continued by focusing on the needs of e-mail users (especially youth) and not on-line abusers. Please support this service in your community.

The Witch Hunt: Youth & The Clinton Crisis

Continued from pg. 1

ter" by our sex lives. The old white men in control of this country are sitting around tables in The Televised States of America, picking and prodding into every nook and cranny of Clinton's private life trying to figure out how they can justify this impeachment with a perjury charge. It is all about sex to these officials, and that Clinton has supported policies that Republicans do not agree with.

Sex, that act that we all do or think about, has got these men saying the most ridiculous things. Christian Coalition founder, Pat Robertson describes the oval office as, "The playpen for sexual freedom for poster child of the 1960's." House Majority Leader, Dick Armey said that, "Liberals are stuck in the 1960's, while the rest of America has gone on." These men who have continued to hunt for witches, adulterers, perverts, and other sinners since the beginning of civilization are the only people stuck in time.

Representative of Colorado, Scott McInnis has stated that the American government should follow the same standards as the Boy Scouts do. McInnis compared the Clinton situation to a football game. According to this representative, the roll of a quarterback is comparable to that of the president of the United States. He compared the president's adultery to a quarterback breaking his arm and then advised America to say "I love the quarterback but he can't pass the ball."

For the right wing, otherwise known as the Republican party, this "crisis" has nothing to do with dishonesty; it is about "traditional" family values. These men are once again telling America that the choice between good/bad character is teetering on our sexuality, and we better behave ourselves.

This is the year that the youth of America are learning that who you have sex with is not a private matter even when it is between two consenting adults. This act can be judged by your family, friends, workers, and in this situation the entire world (except for those countries who refuse to publish anything on this case. Hats off to them!). There is dishonesty here, but none of it is being told to the grand jury. Clinton lied to his wife and that should be something that is kept between them. The other lie is coming from government officials when they say this "scandal" coverage is being broadcast so the American people can judge whether or not Clinton is committing perjury. I am glad to see that Americans are not so naïve, judging from the polls. A great majority of the country does not believe Clinton should be impeached or resign. But many officials are saying that the polls are not accurate or that they do not matter. Government officials do not want to see proof that Americans still believe in a president who defied one of the Ten Commandments .

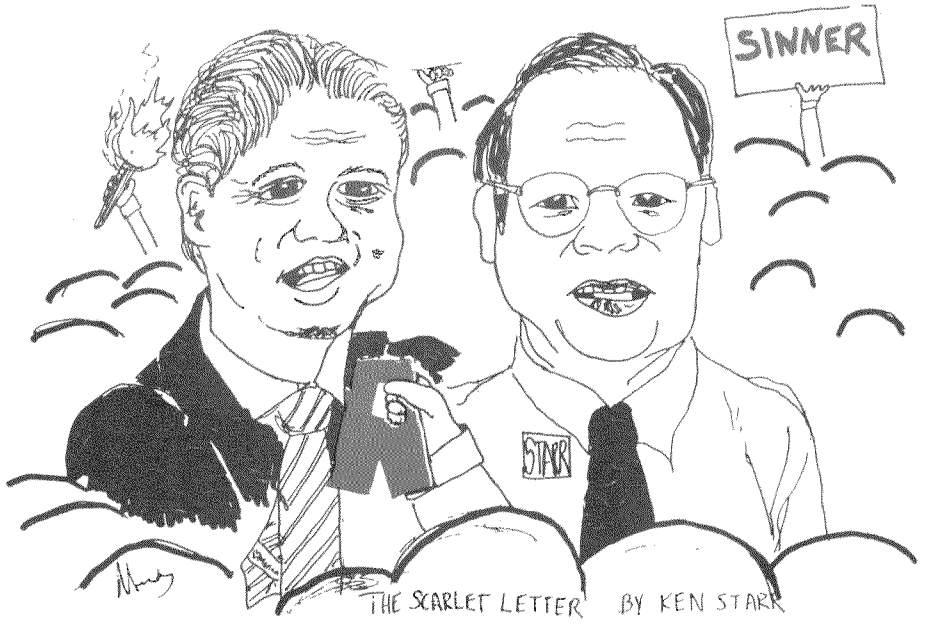
The sexually explicit material of this case has created a bias in the minds of many public officials. The same officials are deciding the fate of this president, the fate of the nation, and the fate of the sexually free. Public officials keep saying, "protect the children." Some of these officials are probably also saying, "protect our children from homosexuals." Linnea Due states in her book Joining the Tribe, "... (we) pretend that we protect our kids from sexual knowledge in spite of the fact that we live in a highly sexualized culture."

The president is on trial for "cheating" on his wife; he has not cheated the country, the grand jury, or women. I do not condone what the president did but I certainly do not condemn it. I have been condemned all of my life for being queer.

I am 20 years old and I am sick of witnessing so much ignorance in American government. We have the time and energy to write letters, speak up, and raise hell for our rights! If the Republican party succeeds in impeaching President Clinton and electing more conservative, right-wing officials to office, a large wall will be put up between our political agenda and liberal politicians.

While queer people's fate lies in the hands of the Republicans, stay strong, sexually free, and political.

Check the Internet to keep up with government official's agendas. If you do not have access to a computer, then read your local newspapers. Contact your local library and get addresses of the officials that support queer issues and write to them with your support.



Parental Guidance in The Great Uncharted Territory

by Jon Adams

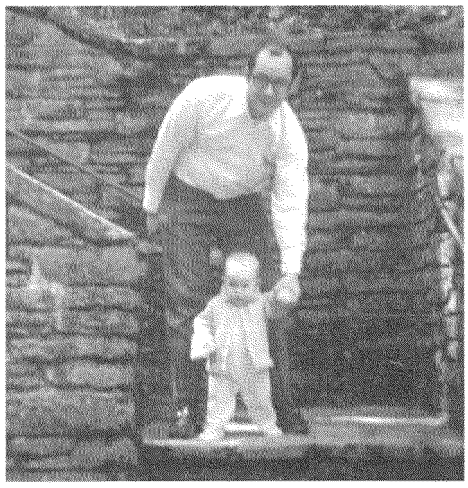
Continued on next page

When I first agreed to write this article, I figured it would be cathartic to write about my upbringing. It is in a way, but I hope this doesn't get too gut-wrenching. I can remember how annoyed I was at my father's complaints about the difficulty of his life. As someone who was raised by a divorced gay father, it's both easy and difficult to make assumptions for all children living in a gay (just to save paper, from here on "gay" equals gay/lesbian/transgendered) environment. I'll do my best to point out certain qualities that I feel are both universal for any child in this situation, but also particular to it.

I spent the majority of my childhood in Grand Rapids, MI, which is heavily populated by members of the Christian Reformed Church. The CRC is one of the most conservative churches in Christianity. Some might question if I have come to terms with my upbringing. I think that I have, but I feel it is necessary to go back and remember how I felt in order to explain what I did. So here we go:

One point that I think is universal in a closeted situation, is what I call "coupling hypocrisy." That is, the child noticing the hypocrisy of their parent(s) coupling with that of society to create a machine of paradox. Children are trained by elementary education to avoid being different. Being unruly or disinterested in the pursuits of the class can cause a child to be singled out for punishment, which the child naturally extrapolates to aspects of his/her personal life. Having gay parents creates a feeling of being outside the norm. As a child, I remember having feelings of exclusion because of this, although my father's sexuality had nothing to do with my classroom environment (he was closeted until I was ten). My father instilled a certain amount of respect for the system in me: I was a gifted student, I had plenty of friends (none of whom knew about my father), and by all external accounts I was a "*well-adjusted*" child. Well, I knew that if anyone found out about my dad, I would have been pilloried, so I *adjusted* myself. My father didn't have boyfriends, he had "buddies." He didn't go out on dates, he "went to the bar." I knew about my father's sexuality for years, but it wasn't talked about until I was ten. At this point, my resentment began to build because he expected me to conform to the requirements of society, when he himself was so obviously in violation of them. Added to the mix was the fact that the local media still portrayed gay people as perverts and child-molesters. I actually understood why my father wanted to live in such a town, within a culture that was so closeted. The only thing about him that wasn't conservative was his sexuality. He owned an autographed copy of Richard Nixon's autobiography. I think he was really a closet libertarian though. The main reason we stayed was so I could remain close to my grandparents, who were instrumental in raising me.

When gay parents attempt the noble task of creating a well-adjusted child in a non-traditional relationship, it raises the question: How do you expect to create a state of normality within the context of a socially non-acceptable relationship. At this point I expect most of you to be thinking: "What is normal anyway? There is no such thing as a normal family." There are degrees of stress in everyone's upbringing, and if you happen to be gay, there's a source for plenty of friction. You may have gone through the problems of dealing with your own sexuality and the ramifications it had within your family, but your child will have to deal with them in a completely different light. Parents sometimes mistakenly feel that their child will always "love them for who they are," but this isn't set in stone. Especially when society's response to "who you are" creates problems for your child in an environment where you can't protect them. To make up for this, some gay parents (mine included) become overprotective of their children. As a parent, you may feel somewhat responsible for how your orientation affects your child, so you try to assuage any bad feelings (either yours or your child's) by being obsessed with how your child is feeling.



Jon Adams as a child with his dad

Upon reading some of my father's journal notes, I realized he thought I was depressed, but he tempered it by saying that I plugged along seemingly without any care. That's because I was damn good at *adjusting* myself. My father maintained relations with women until I was five, so it made me feel as though I was being deceived. His concern was tangible, but did nothing to change the difficulty of my life. I don't think this applies as much to a child who has always known their parent(s) to be gay, since the child doesn't have to deal with feelings of deception.

It's a little hard for me to imagine what living in a household with two gay parents would be like, but my father had a couple of live-ins when I was a kid. It was always kind of tenuous though, because my father had a short temper that was difficult for most people to stand for very long. It seemed as though the men who moved in were more sympathetic with me, and sometimes it was an odd sort of mothering protection they provided. It was positive having this person

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Dear Friends of Love Makes a Family,

We hope you will join us in an upcoming research project by agreeing to participate in our study or by telling someone else about this vital work. The effect of this study is working towards reducing stigma and for the support of families and children of gay, lesbian, and transgendered people.

We are looking for people from all walks of life and locales who were raised with what was a family secret of one or both parents being homosexual. To be a part of this important effort of addressing the effects of the closet, you must be 18 years of age or older and have learned of your parent's homosexuality after the age of 14. Subjects will be sent a survey of just two pages front and back. Your responses will remain completely anonymous, and you will have the opportunity to indicate your interest in a follow-up interview process.

We are a team of researchers who are passionate about this project. One of us was raised with a family secret about her father's homosexuality. We are gay and straight working together so that counselors, clergy, and individuals themselves will understand the developmental results of this family secret.

Tear off the form below and enclose it in the attached envelope if you wish to be a part of this study. Questions or additional comments can be sent to Paul Murray, Ph.D. Southern Oregon University, 1250 Siskiyou Blvd. Ashland OR 97520. E-mail: murray@sou.edu; fax: 541.552.6988; phone number: 541.552.6985.

Please tear off at dotted line and enclose form below in the pre-addressed envelope
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_____Yes, I am 18 years of age or older and I learned of my parent(s) homosexuality after 14 years of age.

NAME:_____
first middle initial last

ADDRESS:_____
street apartment number

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city state zip code

PARENTAL GUIDANCE IN THE GREAT UNCHARTED TERRITORY

continued from page 8

around because it seemed to make things easier for my father, but there are always ways to exploit it further when you're a child. For me, the best way to get around my father's ire was to automatically question any accusation: "I don't know how the TV broke. Ask Joe, he was watching it last." My father was a lawyer, who was well-equipped to win irrational arguments with rationality. Any way to avoid his temper was a golden opportunity, so I welcomed most of his lovers with open arms and an evil grin.

As far as socializing was concerned, it's easy in a closeted situation. No hand-holding or kissing in public ("But my, those guys are walking mighty close to each other."). Conversations are kept very banal and asexual to avoid any slip-ups in public. Sometimes it felt as though my father used me as a cloak to disguise dates as "just a couple of guys hanging out." A very frightened but intelligent way to live if you want to avoid problems. After my father came out, things were a little different. As a teen, I had reached a point where I would go to gay establishments with my Dad. On one occasion we went to a restaurant where a drunk was in the lobby. "Hey, Faggot!" he slurred. The people standing around seemed to be embarrassed more than anything. At this point, I seriously questioned my father's assertion that violence was wrong, but I walked into the bar with my Dad and his date anyway. I couldn't help but project that man's hatred onto myself, as I am undeniably a part of my father. It's important to note this reality. It's incredibly difficult to keep your mouth shut, and swallow your emotions when the words "faggot," "dyke" or "queer" are used in a derogatory manner by people who don't have the *right* to use these words. As with the word "n_____," it creates feelings of low self-esteem, hurt, and despair. But when you're closeted, it's an added shame, because you feel as though there is nothing you can do or say to right the situation. Gay parents should recognize this, and frankly, give your children respect because we put up with this for you. I carry some hostility to this day, and I wouldn't be surprised if other children do also.

I couldn't help but project that man's hatred on to myself, as I am undeniably a part of my father.

I can only postulate at the experiences of children living in two-parent multi-sibling family situations. It would be presumptuous of me to think that the extra parent adds to the stability of the home, and the extra siblings to their solidarity. I always thought that it would, and often fantasized about having a brother or sister I could confide in.

All in all, I think it's a step forward for the gay community in general to publicize the existence of gay-parented families. But herein lies another problem, when parents feel they need to share the Gay Pride experience with their children. My father saw no point in taking me to Pride functions, primarily because he didn't feel the need to subject me to the experience of walking in a fishbowl. If he were still alive today, I would most definitely walk in a parade with him, but that's because I've had the time to sort out who he was as a person, not just as my father. After all, your children might not feel identification with you as a gay person, so much as a parent. Unfortunately, because our society needs to acclimate its eyes to see our form of family, the responsibility falls on the children. My only request is that you respect the right of your children to participate or not participate in this celebration. Some of them need time (especially if they are new to your reality), so please show them the respect that's due and give them time to come to terms with who you are. They may feel that this event merely exposes a major anomaly of their life, in a time when they are trying to figure out who *they* are. Be aware of this and politely request that your children join you, instead of demanding it like some parental right. Remember the discomfort of participating in a school dance or some other gender-specific function because you were told to do it?

...Because our society needs to acclimate its eyes to see our form of family, the responsibility falls on the children.

Although there were a lot of issues between my father and myself, and we never had the opportunity to work all of them out, there was a lot of love as well. He contracted HIV when I was 14, and then waited to tell me about it until I was 19. At that point he had ARC, and he eventually passed away two years later. When I left for college, it was like a pall was lifted from my life. I had gained the freedom to make my own decisions, and hadn't begun to sort out the good from the bad about my youth. Finding out about his illness wasn't necessarily a surprise, but I was still in shock. My father hadn't learned how to treat me like an adult, and we still argued like a child and parent. I almost think that his impending death made him want to treat me as his child for as long as he could, which I guess I allowed him to do. In the long run though, it left a lot of unanswered questions in my mind. I guess that's one of the reasons I come to the meetings at Love Makes A Family.

Learn from your history, realize that your children are incredibly unique, and respect them for it.

Attention! Kids with sexual minority parents... What is your experience? How do you react to Jon's article? Send your comments to Love Makes A Family Newsletter PO Box 11694 Portland, OR 97211 or e-mail: lmfamily@teleport.com

Remember the Good Shepard

by Mandy Knaul

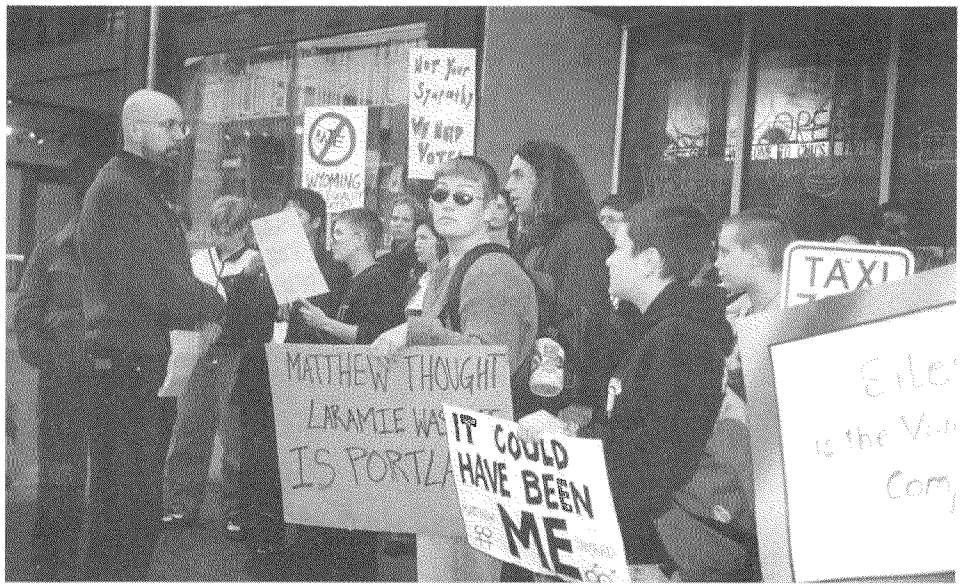
The crimes against Matthew Shepard serve as an awakening for many of us. What was done to Matthew Shepard will always be a reminder that hate is being taught all over this nation, in schools, in churches, and in politics. There is no doubt that this murder was a scare tactic for the queer community. Russell Henderson and Aaron Mckinney tried to beat the gay out of Matthew Shepard and then put him on display like a scarecrow to scare queers out of their community and to prove that they had no shame ridding the world of one more faggot. These two boys believed they could scare the queer out of Shepard just as the Christian right-wing believes it can with its campaigns to reform homosexuals. In a world where homophobia is often a silent weapon like a quiet laugh or a whispered insult or threat, this crime has made hate visible once again. The death of Matthew Shepard woke up the world to vicious hate crimes against sexual minorities. This is just the most recent murder in a long history of terrorism against those labled "different," whether it be because of race, ethnicity, class, religion, sex, etc. How long will it be before Americans dose off to the world around them again?

The queer community is saying we will not tolerate this kind of abuse. Let us not tolerate any kind of abuse, especially the subtle homophobia that goes on in everyone's town. The lesson from this crime for the queer community is to learn to confront homophobia in its simplest forms. Do not let the force of homophobia go without confrontation. No one should make the mistake to believe that his or her community is immune to this kind of hate. Laws help punish criminals and show that a community has progressed, but laws do not prevent hate. We need more than laws; and I do not want to hear the words "at least." Queer people should never settle for less. The queer community needs to take action while remembering that education, strength, and pride are the closest cures for fighting the disease of homophobia. How many more minorities have to suffer before difference is considered beautiful, and the teaching that being unique is a good quality is truly learned in our schools? How many more Shepards must come along before the Christian right starts a campaign to "reform" people like Russell Henderson and Aaron Mckinney instead of queers?

The queer community needs to be in a state of awareness not only for safety, activism, and emotional health issues, but for improvement in its own community. How can we expect the world to overcome hatred when sexism, racism, classism, and homophobia exist within our own community? How long will it take for transgendered people to be completely welcomed into our queer community? How long will it take for homeless kids to have a voice and speak about what it is like to be queer and on the streets? When will low-income people be given leadership roles in the queer movement? We often call our organizations lesbian, gay, bisexual, transgendered, but are we really all working together. We must stop our separatism and become a strong movement free of hate or we can never expect the world to do the same. Remember Matthew Shepard and take advantage of whatever power, strength, or love you have to stop the teaching of homophobia in our "Sweet land of liberty."

There is a Matthew Shepard Essay Contest open to all Oregon public, private or home school students in grades K-12 (entries received from outside of Oregon will be judged in a seperate category). The essay question is: How did the circumstances surrounding Matthew Shepard's death affect your life and how might you create change in your school and community. Describe your vision for the future.
Scholarships will be awarded.
Contributions to the scholarship fund are encouraged. Send your completed essay, with your name, address, grade, age, telephone number, and school name via US. mail or e-mail, to: Saffir 2057 Summit Drive Lake Oswego, OR 97034 e-mail: Saffir@teleport.com
For more information contact Mark Houser (503)283-7606 safeschools@triax.co

Written on a brick wall beside The Dirty Duck Bar in Northwest Portland.



A group of youth led by two young women from Wyoming marched through downtown Portland before a memorial for Matthew Shepard on October 18. Before entering the memorial site they stopped to hear Mark Houser, (L) old adult consultant to YouthNet, tell about wearing yellow ribbons to remember Matthew.

Before the memorial in Pioneer Square (Portland), Melissa Rudd joined other youth to speak to the gathering audience. Melissa, who was raised in Jackson Hole, Wyoming read a poem she wrote for Matthew Shepard.

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Ma Vie En Rose (My Life In Pink)
Directed by Alan Berliner
Review by
Allison Duren--Sutherland
Member of YouthNet Council

When we are very young, we know that anything is possible. We have not yet learned the rules, rules that are not necessarily dictated by fact, rules that society forces upon us, because that's the way it's always been. Little boys hit a certain age and they're too old to dress up in dresses any more. They are told they should want to be, "Not pretty, handsome." Adults begin pairing them up with little girls, with whom they would make a "lovely couple." The time has come for the child to start becoming "a man." A choice must be made. To conform or to be ostracized. Suddenly a distinction becomes clear. Some of us are boys. Some of us are girls. We must behave accordingly.

"We're going to marry when I'm not a boy," says Ludvic, of a new male friend, to his grandmother. "You've got a lot to teach me," she replies. It's true. The Lefabre family has a lot to learn. But then, so many people do. Seven year old Ludvic Lefabre wants to be a girl. He's certain that some horrible mistake has been made by God who will surely correct it in time for him to marry Jerome, his new best friend. Then the rules intrude. He mustn't wear dresses, he mustn't want to marry other little boys, he must cut his hair. "You're a boy," he is repeatedly told, "not a girl." No matter how hard he tries Ludvic finds he cannot change this inescapable fact. His differences cause his friends to abandon him, his brothers to stand by as he is beaten up by the soccer team, and his father to lose his job. At the ripe age of seven, Ludvic tries to commit suicide by climbing into the freezer in the garage. This movie makes people who don't cry at movies cry. It is not a romantic and contrived tragedy. It is a real tragedy that continues to happen in the real world.

We're going to marry when I'm not a boy.

My Life In Pink is beautifully made. The colors and the lighting perfectly reflect Ludvic's transition into the awareness of his own differences. When Ludvic still believes anything is possible, the sun shines brightly on him and his family. The predominant colors are red and pink. When things change, when the differences become painful and inescapable, when the repercussions begin, the colors change. Costumes shift to blue, light becomes harsher and there are more shadows. Even the magical doll Pam, Ludvic's heroine, abandons her bright red dresses for others in a deep blue. The look of the movie is shaped by the state of Ludvic's mind.

THE LOOK OF THE MOVIE IS SHAPED BY LUDVIC'S STATE OF MIND.

The most astonishing thing about this film is the performances by the children. They are believable. This is an accurate look at childhood, the contrast between the worlds we create for ourselves when we are young, and the real world that we are forced to live in. In our own way we each have gone through Ludvic's struggle to exist in the world that is so unlike what we imagined it to be. Unlike many movies that reflect on childhood, *My Life In Pink* rings true.

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Joining the Tribe : Growing Up Gay & Lesbian in the 90's
By Linnea Due
A Review by Mandy Knaul

Joining the Tribe is a compelling look into queer youth and the issues that come along with the package of being a queer kid in the 90's. These issues include the inevitable coming out, hanging out, family values, and friendship. Linnea Due gives us a look into these young people's lives and lets us see them as hopeful, sad, angry, and challenged soldiers of a new generation; a new definition of queer.

This is a monumental book in that it makes us realize that being queer is no harder or easier than it used to be, it has just progressed into different terms of challenge.

. This book also lets us know that something is happening in America that has rarely happened before; people are growing up with a queer identity. In a country that does not accept that children are sexual, children are recognizing their sexual fate and coming out with their truth to their friends, family, and most importantly to themselves.

The story of queer youth is so underreported, but this book is a tribute to those growing up queer. Due makes those who do not believe queer youth exist bite their toungues. This book documents these kids' lives in an honest portrayal of a new puberty that many of us will have to face in the generations to come.

Coincidentally, the very first story is called "The Boys of Portland." This story talks about "The City" being the only hangout for queer kids in Portland Oregon. This story documents those who frequent the club. This story is very informative and deals with the issue of the Christian right and its seige on queer life within the state of Oregon.

The writing style of the book is very casual and filled with a lot of dialogue This dialogue creates a definite attitude for the real life characters in the book which makes for a very easily read and almost storybook style.

The stories within are witty and charming, while also compelling and important. These stories cover all crucial social issues such as racism, classism, sexual abuse, and AIDS. Due turns over every stone in order to find the motivation and strength of queer youth in the 90's and where these driving forces come from.

Due thoughtfully recognizes that everyone has a different story and voices of queer youth need to be heard to preserve the welfare of our community's generations to come. This book is groundbreaking because it is the first to examine the insides of American queer youth in this decade. This book is the beginning of an examination into what it is to grow up identifying as queer.

The issues of telling your parents, coming out to your school, hanging out, and coming to terms with being queer in high school have never been clearly examined because until now no one was free to grow up openly identifying as queer.

I recommend that all queer youth and their parents read this book in order to celebrate the beautiful and confront the ugly issues that arise when "joining the tribe." I also want to encourage youth to have a voice about growing up with a queer identity because it is crucial for every community to recognize the stories of its youth.

This is a good start in the business of documenting lives of queer youth. I hope that more books follow and give each generation a voice.

Joining The Tribe: Growing Up Gay & Lesbian in the '90s is written by Linnea Due. Also by Linnea Due:-*High And Outside, Give Me Time, and Life Savings, Dagger: On Butch Women*
I recommend *Dagger: On Butch Women*, also.
If you are interested in doing a review read the book, go see the movie, or listen to the CD and then start writing! Send reviews to Love Makes A Family,Inc., PO box 11694, Portland, OR 97211 For more details call (503) 228-3892

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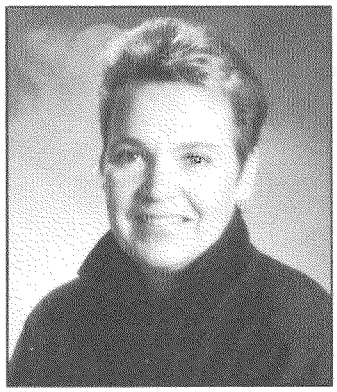

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Love Makes A Family Calendar Listings

Meetings

Portland Love Makes A Family Parent/Children/Youth Support Groups. Augustana Lutheran Church, NE 15th & Knott. 6:00 pm, 2nd Monday of every month.

Sexual Minority Parents Advisory Group (SMPAG). Portland Public Schools District Office, 501 NE Dixon Street. 7:00 pm, 1st Monday of every month.

Vancouver Love Makes A Family Support Groups 2:00 pm - 5:00 pm, 3rd Saturday of every month. Call Tina Conover (360/891-8015) for locations

The Sexual Minority Youth Services Meeting every other wednesday Contact Sunsong Firedancer at 227-1981

Would you like to have a group meeting in your area? Contact the office to meet others from your community who are a part of Love Makes a Family, Inc.

Love Makes A Family Photo Text Exhibit

November 12-25 at MLC (Metropolitan Learning Center) NW 20th & Glisan, Portland, OR Contact Love Makes A Family for details

Oct. 28 - Nov. 23 at Dwight Englewood School Englewood, NJ

Oct.26 - Nov.16 at the Attorney Generals Office, Olympia, WA

Nov.16 - Mid Dec. at The SanFransisco School, SanFransisco, CA

Nov. 5 - mid Dec. in Palm Springs

Dec.7 - 21 at Winchester High School Winchester, MA

Plan Ahead...

Party ! Valentines Day Beer & Soda Pop Tasting and silent auction. Feb.14 at The Kennedy School NE 33rd, Portland, OR from 3-5pm

Gay Pride: Does your Gay Pride celebration include activities for children? Contact the office for ideas or to volunteer to plan activities in Portland.

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LOVE MAKES A FAMILY

Creating a Family Voice for Lesbian, Gay, Bisexual and Transgendered People

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Time to Join the PTA

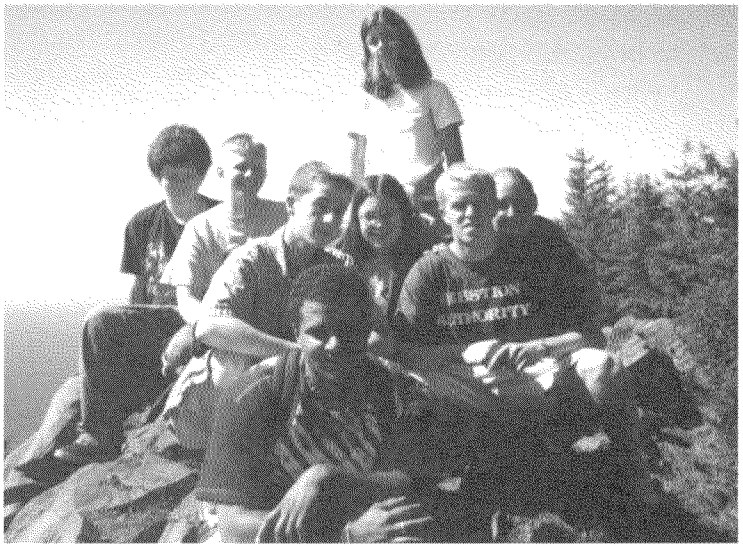
By: Bonnie Tinker

My spring cleaning this year includes moving the PTA (Parent Teacher Association) from my "school social activities" file to my "exciting grassroots movement" file. Throughout our children's school careers we've been pretty typical PTA moms: we pay our dues in the fall, attend at least one of the annual fundraising activities and dutifully buy a bunch of plants during the school-wide sale. But last month I attended the Oregon State PTA Conference and discovered a people's movement that is alive and well.

Back in 1994 we turned to the PTA for support when the Oregon Citizen's Alliance was trying to drive us right out of our children's schools. The resolution they passed back in 1994 remains an active part of the Oregon State PTA's policies. Right there in the Oregon Annual Convention notebook under Health and Welfare Policies and legislative action program for 2000-2002 it says: "The Oregon PTA supports federal and state legislation toward the following goals.... #14 "To oppose all legislative attempts to suppress information about family diversity and sexual orientation."

This commitment was reflected in workshops offered at the convention. A workshop on dangers of teen suicide, included information about the increased risks to lesbian, gay, bi and trans youth. The workshop on Bullying and Sexual Harassment Intervention Prevention acknowledged that children of lesbian and gay parents are at increased risk for harassment. And when I shared my concern about this issue, heads around the room nodded in support.

Katherine Firestone, President of the PTA of Oregon, is clear about the organization's commitment: "The PTA has always dedicated itself to the belief that NO CHILD should suffer because a few people believe that the child isn't being raised according to a given individual's standards. Every child deserves respect, love and caring, adequate health care, and the best public education



Love Makes A Family, Inc. chapter of COLAGE went on a weekend retreat, funded by Multnomah County, to the Oregon coast last September. Call Love Makes A Family to find out about summer activities for teens or to

SCHOOL CENSORSHIP PROPOSED FOR NOVEMBER BALLOT

Turn to page 4 for details.

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Thank you kindly to the Gill Foundation for providing QuarkXPress, Seattle Film Works for film processing, Thomas Christian for all his help with the zip drive, and Jeff Fisher for graciously providing the logo and masthead on short notice.

Love Makes A Family, Inc. Purpose
To work for social change to create a supportive environment within our communities and to provide a public voice for all families, especially those subjected to social, economic, and legal discrimination due to sexual orientation or gender identity/expression.

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Love Makes A Family is published quarterly by Love Makes A Family, Inc., Portland, Oregon

Thoughts From The Antioch Intern

By: Stephanie Perron

Stephanie is the intern from Antioch College in Yellow Springs, Ohio. Every four months a new intern from Antioch College arrives in Portland to work at Love

For the past two weeks I have been trying to write something profound for you to read. I was going to pull in some inspiring quotes from incredible women writers. I was going to research some important issue, present you with the facts, and tell you why you should get involved. I was going to be witty and charming and touching all in one. I'm still sitting in front of this computer, though, and all I feel I can do is tell you how my life has changed in the past few months and hope that it causes a reaction from you.

Six months ago I read a college student's paper where he declared that "Queers should be shot in the back of the head." I left my class where that was read to go to my job where I worked as a tutor, only to listen to my kids discuss all the "fags" at their junior high. I left my work to go home for Christmas and have my shaved head be the source of laughter for some family members and pain for me. And in January I hopped in my 1988 baby blue Chevy Beretta, and left my New England home to drive to Portland, Oregon and make a new start.

It's about being bold and doing it

I began interning at Love Makes A Family on January 18th. I will be honest with you - I was scared to work here. Why? There are many reasons, but I will give you the top two. 1) I was afraid I wasn't as educated on queer issues as I should have been and would not be of much help. 2) I was afraid of how my family and friends from back home would react to me interning for a queer organization. Since arriving in Portland I have learned many important things, and since I have a captive audience of three thousand people at the moment, I am going to leave you with some thoughts that have changed me.

Being an activist - making a difference - is not about reading every book and being able to quote famous authors. It is not being involved with every single project happening at the moment, or leading them. It is not about yelling only to have your voice heard and stifling other voices in the process. It's about being dedicated. It is about rolling your tired body out of bed in the morning when you feel like hiding under the covers is your only option. It is about listening to people talk with more than just your ears - you have to hear them. It is about seeing the connections between multiple oppressions and finding a way to build coalitions. It's about putting yourself in check and educating yourself when you have been ignorant. It is about opening up your heart and letting people, in all their different elements, into your life. It is about taking all your experiences with you when you leave, so that when you hear a stranger or a friend or a family member say something unjust, unfair, ignorant, or cruel - and everything inside of you screams that they are wrong - you can call them on it. And maybe they will listen, and maybe they won't, but know that you are creating change and you are making a difference. It's about being bold and doing it afraid.

Look for Kathy Keleher - the next Antioch Intern. She will arrive in Portland in May and work through the summer!

Interview With Debra Chasnoff

By: Stephanie Perron

Debra Chasnoff is an Academy Award-winning documentary film maker whose work includes "It's Elementary," broadcast on PBS, "Deadly Deception" and "Choosing Children." She works with Women's Educational Media, and I had the honor of interviewing her in March.

SP: I saw "It's Elementary" in an education class last term while I was in college. My friend and I borrowed it from our professor and watched it over and over again because we loved it. It made us cry because it was the first time we had seen a film that introduced lgbt issues in schools in such a positive way. You made that documentary through Women's Educational Media (WEM). Can you tell me a little bit about that organization?

DC: We're a non-profit film and video production and distribution company.

SP: How did you get involved with Women's Educational Media?

DC: Well, I made my first film under the auspices of WEM. It's called "Choosing Children" and it's the first documentary that looks at the idea that lesbians and gay men could become parents.

SP: That's great. Since I'm more familiar with "It's Elementary" can you talk about what motivated you to make that documentary?

DC: In a nut shell we basically wanted to challenge people to rethink their assumptions that elementary school is too young for kids to learn about gay people. If we're serious about trying to prevent prejudice we really need to do more at a younger age to help kids have a better understanding of different groups in our society, and understand that there has been a huge institutional silence around talk about gay people with kids. Also, we wanted to show people some inspiring ways that teachers are doing that.

SP: I'm wondering how you found schools that were willing to be in "It's Elementary." I'm assuming it must have been a difficult process.

DC: Well, it took us about two years to find the schools that are in the film. We did an enormous amount of research at educational conferences and networking with educators who were, at that time in the early '90's, just beginning to do some work in this area.

SP: I'm an education major in college and something that always amazes me is that you will often come up against the argument that kids in elementary schools are too young to talk about gay and lesbian issues, but when you look at the kids in "It's Elementary," they're amazing. They're smart little kids who don't have that ignorance right now.

DC: I think people really underestimate children's intelligence, first of all. And second of all, there's also the erroneous notion that if we talk about gay people in schools that the teacher's going to be responsible for "introducing the topic." What we tried to show in the film is that with most of this topic it's about what they've been exposed to. Are we going to let their education stop there or not?

SP: Can you tell me a little bit about the new documentary "That's a Family?"

DC: We're finishing it up in the next month or so and then we'll be releasing it this spring. It's a documentary that puts into practice what "It's Elementary" advocates. Namely, it's an actual multi-cultural resource for the classroom that is inclusive of gay and lesbian people. In this case the topic is families, and it's a video for kids that talks about all different kinds of family structures and issues that families face. It includes families with gay or lesbian parents. Again, like "It's Elementary," it's all done from a child's point of view.

If we're serious about trying to prevent prejudice we really need to do more at a younger age to help kids have a better understanding of different

SP: Do you have any suggestions for teachers who want to introduce gay and lesbian issues in their classrooms, but work in schools where either the administration or community do not support that?

DC: Well the main thing is that people need to have support when going down this path, and sometimes that's really difficult for a gay or lesbian educator to take leadership on this issue. It's really important to find allies on your staff - heterosexual teachers and parents in your community who support you and share your vision. One of the things that can be done is to show "It's Elementary" at faculty meetings or informally to say, "Look, here's something that people at other schools are doing about this. Let's talk about how these issues are affecting our students, and what we can do about it."

SP: I think that often when people work for non-profits they are bound to get that "burned out" feeling sometimes. What keeps you motivated?

DC: Well, when you're a documentary film maker it doesn't get any better than seeing the kind of impact you've had on people. When you get to see people responding to what you're making and all the work you've

(Continued on page

Another Divisive Anti-Gay Initiative from the OCA: Bringing Discrimination into Oregon's Schools

Information provided by Basic Rights Oregon

According to Basic Rights Oregon, the Oregon Citizen's Alliance needs approximately 67,000 signatures to qualify the "Student Protection Act" for the November ballot. In the past the OCA has collected up to 92,000 signatures when needed. It is time to get involved and stop the OCA. Call BRO at (503) 222-6151 to find out how you can help.

Here is the actual text of the initiative:

Certified Ballot Title: Prohibits Public School Instruction Encouraging, Promoting, Sanctioning Homosexual, Bisexual Behaviors

AN ACT:Relating to the instruction in ethics and morality. Referred to as the "Student Protection Act"

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OREGON:

Section 1. ORS 336.067 is amended to read (new section):

(e) Sexual Orientation as it relates to homosexuality and bisexuality, is a divisive subject matter not necessary to the instruction of students in public schools. Notwithstanding any other law or rule, the instruction of behaviors relating to homosexuality and bisexuality shall not be presented in a public school in a manner which encourages, promotes or sanctions such behaviors.

Section 2. ORS 659.155 is amended to read (new section):

(1) Any public elementary or secondary school determined by the Superintendent of Public Instruction or any community college determined by the Commissioner for Community College Services to be in noncompliance with provisions of ORS 336.067 (e) or ORS 659.150 and this section shall be subject to appropriate sanctions, which may include withholding of all or part of state funding, as established by rule of the

("PTA" continued from

that we can provide."

In Advocacy workshops presented by National PTA Vice President Vicki Rafel and State Vice President Lisa Thirkill I learned that the PTA backs this commitment with a comprehensive platform to support safety, welfare, and a quality education for all children. At their meeting April 16, the state board of Directors reaffirmed their opposition to all legislation that discriminates against our families in schools- including the proposed ballot measure currently being circulated by the Oregon Citizen's Alliance and the Christian Coalition.

PTA recognizes that the school discrimination and censorship measures are only a part of a comprehensive attack on public education. The Oregon PTA is focusing on some very real threats to the already fragile funding system that is used to run Oregon's public school system. One of these threats comes from a proposed tax cut initiative that would result in a cut to schools of $323.1 million, forcing a 30% cut in state programs. "While it may sound dramatic, " said Lisa Laursen Thirkill, Vice President for Legislation for the Oregon PTA, "the reality is that if this proposal were passed into law, it would essentially mean the end of the public education system in the state of Oregon."

PTA was there for lesbian, gay, bi and trans students, teachers and parents in 1994, and they are with us again this year as we fight for equality for our students in public schools. It's time for the LGBT community to return this support for all children and for public schools. I hope you will all join me in taking the following actions:

1. Support local school funding measures while continuing to insist on equitable, full funding for all public schools, including those in poor districts with a low tax base. In Oregon this means voting for local option levies. In Portland, join members of SMPAG (the Sexual Minority Parent's Advisory Group) for phone banking on May 11 (call 471-1522 for more information) - and remember to vote YES on 26-2 and YES on 26-1!

2. Oppose all efforts to undermine the public school funding base. The attack on school funding may be disguised as a tax cut for ordinary citizens, but usually benefit upper income more than low and moderate income taxpayers.

3. Join the PTA in calling for common sense gun laws to protect our children. Join the Million Mom March in Washington DC, or Portland, OR on May 14 (see calendar).

Most importantly, get involved with your neighborhood schools. Join the PTA!

Part of the National PTA mission is "to encourage parent and public involvement in the public schools of this nation. Firestone says," Anyone can join a local PTA - we have a lot of units that encourage neighbors, or local businesses, or grandparents to join and support what they do. It's a great way to get the surrounding community involved - they should receive the local school newsletter, be invited to events, and be involved to whatever degree they choose."

To contact the PTA in Oregon call 503-234-3928. For other state office contact information, check out the National PTA web site at www.pta.org, email them at info@pta.org, or call them at 312-670-6782.

Ain't I A Student

By: Emma Rood

I am writing this letter to bring to light an upcoming threat to the queer community. As some of you know, the Oregon Citizen's Alliance is up to its old tricks again. Yes, they're back. And this time they're targeting someone I have a deeply personal and vested interest in - Me.

The OCA is currently collecting signatures to place on the November Ballot an initiative which they are terming the "Student Protection Act." I beg to differ. Basic Rights Oregon has taken to calling it the "Student Discrimination Act," a moniker with which I whole-heartedly agree.

> . . . this time they're targeting someone I have a deeply personal and vested interest in - Me.

This initiative, which "Prohibits Public School Instruction Encouraging, Promoting, Sanctioning Homosexual, Bisexual Behaviors," is (in my humble opinion) a direct affront to gay rights in general and my rights in particular. As a lesbian high school student, let me hasten to reaffirm what is undoubtedly already running through your minds: this initiative is a very bad thing.

Due to its ambiguous wording, this initiative could be interpreted in a number of different ways. At the worst, good teachers could be fired just because they are gay or lesbian, counseling and support programs for gay youth would be banned, books and curriculums written by famous gay people (such as Plato) would be banned, and AIDS/HIV information, as well as other important topics, could be pulled from health classes. At the very, very best, queer youth would have to walk around with one more message telling us how wrong and unacceptable we are. With the suicide rates being what they are, we really don't need that.

This initiative is blatantly unfair; not a word is mentioned about the negative portrayal of homosexuality. It is essentially giving the OK to gay bashing. If any other minority was being attacked like this, the initiative would be killed without a second thought. As members of the queer minority, however, we have to worry for the next six or eight months over whether or not we're going to be safe in our schools next year.

I'm the president of Wilson High School's Gay-Straight Alliance, and I'm proud of the fact that we exist, and that sexual orientation is mentioned in the non-harassment section of the school rules. This initiative would destroy an awful lot of hard work from the past several years, as well as the self-esteem of a lot of gay teens. Please, don't sign any petitions that would allow this initiative to get on the ballot, and if it does, don't vote for it. But more importantly, spread the word to everyone you know to do the same thing. Basic Rights Oregon and Love Makes A Family, Inc. are working to combat this initiative, and I'm sure they would welcome any kind of support they can get, be it a donation or money or time, or just a promise not to vote for this so-called "Student Protection Act." This initiative certainly doesn't protect me and, to paraphrase a famous black-rights activist, Ain't I a Student?

Queer Seniors Kicked Out of School

By: d. maria (mariah@efn.org)

On Thursday, March 30th the fourth and fifth grade students at Awbrey Park School in Eugene's Santa Clara area were treated to a special assembly - a performance by the senior acting troupe called ENCORE THEATRE. The presentation was written especially for elementary age students about these seniors' lives with the sole purpose of bridging the gap between generations. By Friday evening three network TV news channels and a few radio stations had stories on this assembly based on a video tape sent to them without the school or ENCORE'S knowledge. By April 7th a special parents' meeting was held to hear parents needs for future school events. The media were present at this meeting and covered this (non)story extensively.

> . . . bridging the gap between generations

I attended the parents' meeting, during which the principal, Mrs. Moses, apologized profusely for not sending a notice to parents prior to the assembly notifying them of possible controversial material. The room was full of hostility. One parent spoke out in support of the principal, but not the play content. Two parents objected to the play's content for the following reasons: one performer stated she was a lesbian, one described a sexual molestation incident, and one mentioned her father's suicide. After several people spoke with pure hatred into the microphone, I could not contain myself. I spoke in support of the principal and the diversity content of the play, and came out to them as a lesbian parent. I have custody of one of my grandsons who attends Awbrey Park School. Though he did not see the play as he is in second grade, I wish he had. The performer who said she was a lesbian is old like me and he would have felt validated in the context of his peers.

According to Mrs. Moses, the play's content seemed to be well received at the time. The parent's objections came later and were a complete surprise.

Most of the parents' objections have been dropped since the meeting and several other teachers and parents have offered Mrs. Moses and myself support, but behind the scenes the poison continues. Encore has had 10 school performances cancelled even though they have removed the so-called offensive content.

I believe this is just the beginning. I believe we can expect one incident after another around Oregon, with the proposed ballot measure. The Eugene chapter of Love Makes a Family, Inc. had planned a district wide meeting of lesbian parents to be announced in the school newsletters. I doubt we will be able to do this now. At least not this way.

Full Spectrum : Gay / Straight Alliance at Century High School

By: Century High School's GSA

Note: This article was written by Kristen Lambert, Heather Vanderzanden, Becky VanWormer, and Kathy VanWormer - four students involved in Century High School's Gay / Straight Alliance, and has previously been published in an Oregon GLSEN newsletter.

Kathy VanWormer

Full Spectrum, Century High School's gay/straight alliance, began in 1997, the year the school opened. It was started during a time when the issue of having such clubs at school was a touchy subject at best. This provided a lot of red tape for the members and leaders to dodge.

The idea for Full Spectrum began in a third year Spanish class, in which the teacher, Mrs. Helwig, read an announcement concerning the guidelines for any new clubs the students wanted to start. The idea for a gay/straight alliance was brought up, and Mrs. Helwig said that she would be the staff advisor for the club if the students could find a few more members.

By student efforts the interest in the club grew large enough to merit an official club (10 members or more), and meetings were held every Wednesday. Great care went into the creation of the non-exclusive mission statement, which was eventually released to the administration for approval.

the club was meant to etch away at the homophobia and help to shape the next generation to be more open-minded.

The members, leaders, and staff of Full Spectrum wholly believed in its necessity and morality, so therefore everyone was surprised when the principal would not allow the alliance to gain full club status. Apparently he was disturbed by the potential backlash from parents in the community who could get upset about having such a liberal club in a publicly funded school. Many of the members knew that this is one of the best reasons to have such a club. With a purpose of making information about homosexuality available in the school and teaching staff members to stop anti-gay harassment, the club was meant to etch away at the homophobia and help to shape the next generation to be more open-minded.

Even with this rejection, the club still met informally every Wednesday morning. Our solitary staff member talked with the principal in the hopes that he would understand how much Full Spectrum could benefit the school. This was not always completely effective. At one point the principal said that she could go to the club only to tell the students that they were no longer allowed to meet on campus as a group. This, of course, met with disagreement. The president and other members made appointments with the administration to present the purpose statement and explain why the alliance was necessary and harmless. Eventually one of the vice-principals decided to support the group. We began to feel administrative support.

At a higher level, Mrs Helwig began to discuss the issue with Mike Caughell, (now one of our teachers and your GLSEN president) who was at that time, President of the Hillsboro Education Association. He began the discussions with the district Superintendent, and brought forth the legal issues to the district if our club would not be allowed. It was through him that we learned that similar clubs were meeting at Glencoe and Hilhi High Schools (also located in the Hillsboro school district) . Through working from many angles, the club was finally told they could meet and promised club status in the coming year.

Becky VanWormer

The second year of Full Spectrum Club was our best year so far because of one event: The Jag Fest Carnival Booth. It was the best thing our club ever did.

We had everything rainbow possible around the booth - balloons, signs, streamers. We sold rainbow antenna balls, rainbow popcicles (the cheapest item in the entire fair and therefore quite popular), assorted rainbow trinkets, and, most of all, rainbow face painting. We painted every color, shape, type, height, size of face available. We never once heard a single negative comment towards our cause, but we did hear a lot of questions. "What does Full Spectrum mean?... Oh! I have a (friend, brother, cousin, fill-in-the-blank) who's gay! I didn't know there was a club for him/her at my school!"

There is one more detail I forgot to mention: We gave out complimentary rainbow ribbons with every purchase, or if someone just wanted one. They began to stand for peace, acceptance, and love. I saw just about everyone wearing one - even certain staff members who had opposed our club from the start.

Kristen Lambert

This year's highlight has been the holiday party. We planned this night for almost two weeks, and had sent invitations to the groups at Hilhi and Glenco. By the end of the evening there were almost a dozen of us there. We watched "Out of the Past," a documentary on historically famous homosexuals, who had contributed to the world, and yet no one knew of them. Being able to watch the struggle for the teenagers to continue to meet in a Gay Straight Alliance, made me grateful that Full Spectrum has in retrospect survived and thrived easily.

Even though I personally am not a homosexual or bisexual, I know what it's like to be considered one just because of my short hair or my best friend. For once I was able to voice these pent up feelings that no one had listened to. We all were able to share our struggles with what we think is right and who we are. Earlier that night I had lied to my par-

ents, telling them the party was for another club because they have never dealt well with homosexuality. Yet as I came home I felt a renewed strength to make known what I stand for. I resolved to confide in my parents that yes indeed I went to a party for Full Spectrum which is a club that stands for equality, the neglected kind of equality, and that yes I was surrounded by either homosexuals, bisexuals, or straight supporters. My parents never shared their opinion of the matter, but were thrilled that I had opened up to them. I felt relieved and proud of what I stand for, as should everyone.

Heather Vanderzanden

This year we plan to speak at assemblies, on panels, to students, and educate the faculty here at Century. It is one small step closer to making a difference. We still have a long way to go, but with Mrs. Helwig by our side for three years the only direction we can go is up. I couldn't think of a better person to be there for students, to help them realize that being who you are is okay and that you shouldn't be ashamed. This year we also have Ms. Sanders as our advisor, and Mr. Caughell comes to our meetings regularly too. All of our advisors help us realize that we can make a difference as long as we try. So far it hasn't failed us. Full Spectrum is a place for us to express ourselves openly and freely. Through these last three years Century's gay/straight alliance has become a family.

Homophobia Hurts Straight Kids

By: Kristen Lambert
Century High School

Unfortunately, society possesses this misconception that homophobia only wounds sexual minorities. They fail to acknowledge the pain family members, relatives, friends, and peers of homosexuals, bisexuals, and trans people also experience even though they may be heterosexual. As a straight ally, I found it most difficult to tolerate the teasing and harassment my bisexual best friend went through. Yet for straight friends of queer youth, the harassment may not end there. Though heterosexual, I was targeted due to my friendship. I was also often the focus for homophobia, being called "lesbian" and "dyke" down the halls. The fact is that homophobia is a social disease that has a ripple effect on communities, schools, and people. It's not one person's problem, and one alone is not able to fix it.

Why Start a GSA at Your School?

*It provides a safe space for students to meet and support each other
*It promotes diversity
*It provides an opportunity for both queer and straight kids to fight homophobia and other oppressions
*It's a good way to educate yourself and your community on respect for everyone.
*Why not?

How to Start a GSA at Your School?

*Establish a GSA the same way you would establish any other group or club at your school (check your handbook)
*Find a faculty advisor who is supportive
*Inform the administration of your plans
*Inform guidance counselors and social workers about the group
*Pick a meeting place
*Advertise
*You can also talk with other GSA's or with queer friendly organizations in your area (like Love Makes A Family) for ideas and support..

(information provided by Love Makes A Family, Inc)

These Meetings Are FUN!

By: Cierra Graham

It all started one rainy day in October. Bonnie [who is one of my grandmas] asked me if I wanted to go to a Love Makes a Family meeting. My reply was "SURE!" As we drove off I wondered what is a Love Makes a Family meeting? Well I was about to find out.

Soon after a one- minute drive we were there. But then I noticed something very familiar about where we were. It seemed as though I had seen it before. Then it came to me! We were right next to my school! It was a church. A rather nice church if I do say so myself. When we went in I gasped. It was the most beautiful church I'd ever seen in my entire life! After I looked at the church for a couple of minutes, Bonnie said, "Come on. Let's go upstairs." So up we went. When we got upstairs there was a whole bunch of kids including my friends, Maria and Rachel. We had a really cool teacher; her name is Jeanie. We played very neat games. I had the best time of my life, well maybe not the best time, but it was a fun experience. I recommend that every kid who has gay or lesbian parents or grandparents should come to a meeting.

If Your School Is Interested in Starting a GSA or Doing a Presentation, and Would Like Help, Call Youthnet - a program of Love Makes A Family, Inc. - at (503) 227-1981

Tualatin High School's GSA Speaks Out Against Homophobia

By: Stephanie Perron

I had the opportunity to speak with members of the Gay/Straight Alliance at Tualatin High School about an in-service training they did, and life at their high school. It has only been a few years since I left high school and I remember it well. We did not have anything close to a gay/straight alliance (probably because I went to a private, Catholic all girl school - go figure), but I did not even know they existed. There were no available support systems for questioning or out youth, or their allies. Though not nearly enough services exist today, we are making progress and with courageous students like those at Tualatin, we will continue to do so.

On March 3rd, students at Tualatin High School, a public high school in Oregon, took a courageous step towards confronting homophobia in their classrooms. During an in-service day for teachers and staff, members of the Tualatin High School Gay/Straight Alliance shared their stories of what life in their school is like for them, as queer students, as well as ways for teachers to combat homophobia in the classroom.

> **. . . being gay is not something people should have to be silent about.**

Sarah Barnard, an Americorps Member working with Youthnet, along with Youthnet Coordinator, Mel Rudd, spent time with Tualatin's Gay/Straight Alliance before the presentation, helping them brainstorm. The presentation was created and run by the students themselves and made a powerful impact on both teachers and staff, as well as students.

In talking about the presentation that she was a part of, Jessica Mason, a sophomore said, "I think one of the positive things that the in-service accomplished was that it actually got people thinking about homophobia in the classrooms, and teachers thinking about what they can do about it. One of the results was we now have a sign in a lot of the classrooms that says: 'No Sexist, Racist, or Homophobic Remarks Will be Tolerated.' Kids have been talking about that and I think it's important that the students start thinking about this and being more tolerant. It's very cool."

Though some of the students who presented at the in-service identified as sexual minorities, one of the straight allies who attends the weekly GSA meetings, Allison Krug, talked about the importance of this club in her life. "Now I really want to get the word out that there is no need to be rude to anybody just because they're gay because it's not anything. It's just the way they are. It's not a sickness; it's not a disease. And I really hate the fact that most of my friends are like that, and so I wanted to be the one who starts and tries to turn around the junior class because our class is terrible. Even though every time I say I'm in this club people are like 'Oh my gosh, what the heck?' - still I love it. I love being here and I love hanging out with these people, and I think it's making me stronger just because I see how rude everyone else is. So I just think that our club here has made a really good impact on me."

According to members of the Tualatin GSA, they primarily experienced positive reactions to their presentation. If nothing else, students made sure their voices were heard and have begun to break the silence that so many suffer in. They should be proud of the important steps they have taken to fight homophobia both in their school and in our society.

Allison Hallet, a senior who was on the panel said, "I think one of the important points that we made at the in-service was that being gay is not something people should have to be silent about. It affects their perspective and the way they see the world and they need to feel comfortable expressing that in a classroom, especially in discussion based classes, and things like that where students are sharing their opinions and their perspectives. It's really important that all perspectives be respected and students not be afraid to say where they're coming from. I think a lot of

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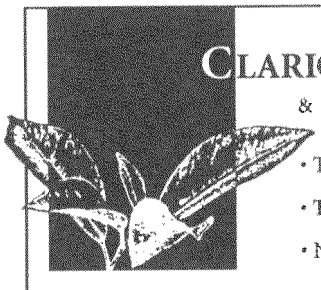

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¿Qué hacen las escuelas públicas para satisfacer las necesidades de los jóvenes latinos que se identifican como Gay o Lesbian?

Mi respuesta inmediata a esta pregunta es no mucho. Las escuelas públicas apenas pueden proporcionarle apoyo social y emocional al cuerpo estudiantil. Como profesora en una escuela pública, me doy cuenta que los profesores están enterados de que hay programas de apoyo para los estudiantes que se identifican como Gay o Lesbian, pero no todos los estudiantes lo saben. A menos que el estudiante se dé a conocer o pida los servicios, la probabilidad de que reciba ayuda es muy mínima.

Los jóvenes latinos entran a las escuelas públicas con bastantes barreras de por medio. Muchos batallan con el Inglés, y muchos otros no se sienten aceptados en el ambiente escolar, ya sea por que se sienten discriminados o excluidos. A causa de todas las barreras que tienen que enfrentar estos jóvenes muchas veces se sienten frustrados con el sistema educativo cuando no saben como obtener la ayuda que necesitan. Si no hablan el inglés se les dificulta mucho más porque los consejeros no hablan el Español.

por que se sienten discriminados o excluidos

El problema para los jóvenes latinos que se identifican como Gay o Lesbian es grave. Otros latinos los discriminan por ser Gay o Lesbian. La comunidad latina ha mantenido este tema en la obscuridad o en el "closet" por mucho tiempo. Es muy difícil para los latinos aceptar que como seres humanos tienen el derecho de expresar sus sentimientos, emociones y compartir su vida con otra persona, aun si es una persona del mismo sexo. Creo que los jóvenes que no tienen la facilidad o la oportunidad de expresar sus ideas o sentimientos muchas veces toman decisiones que los puede llevar a problemas más serios.

¿Cómo se les puede ayudar a los jóvenes latinos?

Creo que las escuelas públicas deberían ofrecer servicios bilingües en el departamento de consejería. Los estudiantes latinos muchas veces se sienten más cómodos conversando en su primer idioma cuando se trata de algo muy personal. También es preciso tener personas calificadas que puedan ayudar a los estudiantes. Una persona calificada podría ser un consejero, un profesor, un trabajador social, etc. No basta con traductores o personas que van y vienen y nunca forman una relación con los jóvenes.

Olga L. Acuña
Maestra de Español.

What do public schools do to meet the needs of young Latino students that identify themselves as Gay or Lesbian?

My immediate response to this question is not much. Public schools can barely afford to provide social and emotional support to the entire student body. As a teacher in a public school, I realize that we are informed about the support programs that exist for students who identify themselves as Gay or Lesbian, but not all the students know about these programs. Unless the student is outspoken or s/he asks for the services, the probability of receiving support is minimum.

As it is, young Latinos enter the public schools with many barriers. Many struggle with the English language and many others don't feel accepted in the school environment. They either feel discriminated against or they feel excluded. Because of the barriers that young Latinos have to face, they have the tendency to become frustrated with the educational system when they don't know how to access the help they need. If they do not speak the English language things become more complicated when the counselors do not speak Spanish.

The problem for young Gay or Lesbian Latinos seems worse. Other Latino peers often discriminate against them for being Gay or Lesbian. The Latino community has kept this topic in the dark, or in the "closet," for such a long time. It is difficult for Latinos to accept that as human beings they have the right to express their feelings, emotions and lives with someone, even if it is with a person of the same sex. I think that young Latinos who find themselves unable to express their ideas or feelings sometimes make decisions that may lead them to more serious problems.

How can we help young Latinos?

I think public schools should offer bilingual services in the counseling department. Latino students many times feel more comfortable conversing in their first language when discussing very personal matters. Also it is necessary to have qualified personnel that can help these students. A qualified person could be a counselor, a teacher, a social worker, etc. Having translators or other people that come and go and never form a relationship with the students is not sufficient.

Olga Acuña
Spanish Teacher

COME TO CAMP OUT

The YWCA of Greater Portland (Oregon) offers a traditional family summer camp experience for lesbians and gay men with children. **Dates: August 11-14, 2000 Fees range from $85 - 180 Ages: 3 and older** For more information contact the YWCA - Camp Westwind - 1111 SW 10th Ave, Portland OR 97205 - 503-294-7476, **westwind@ywca-pdx.org**

("Chasnoff" continued from

put into it, you can see what a real difference it's making.

SP: My last question is about your dream for schools. What are you hoping more schools will start doing or teaching? What is your big dream for education reform?

DC: You know, I think the best thing more schools could do is to move toward a way of teaching that really puts an emphasis on valuing children's experiences, and on teaching kids critical thinking skills, and not being afraid to encourage kids to think for themselves - not being afraid to debate ideas.

To purchase a video or support their work, contact: Women's Educational Media 2180 Bryant Street, Suite 203 San Francisco, CA 94110 (415) 641-4616 www.wome-

Can a Boy Wear A Dress to School?

Brian Peters, a junior at Sam Barlow High School, was suspended from school for wearing a dress. He told the Oregonian on May 3rd that "The school says they want to be supportive of queer students, but they're not. The message they're sending to students is that I am not normal. That I am disruptive. That I am wrong." Love Makes A Family, Inc. supports Brian Peters choice to wear a dress to school. Do you? Send us your opinions at: PO Box 5163
Portland, OR 97208
lmfamily@teleport.com

Kids Like Us: Using Persona Dolls in the Classroom

By: Trisha Whitney

Kids Like Us: Using Persona Dolls in the Classroom outlines a simple but powerful tool teachers of young children (ages 2-8) can use to teach social skills (like empathy and sharing), anti-bias attitudes and how to actively stand up against bias. The dolls are used as extra "kids" in the classroom that come to the group to talk out their problems and get help from the students in the class. Once a teacher has introduced a variety of doll "kids" they can be used in many stories without a lot of preparation time for the teacher. I have used the dolls in this way over the last eight years. I have used them to support children going through difficult times, to teach the importance of including everyone, and to widen the world my students live in. It is amazing the effect these dolls stories can have on the classroom culture - the way the kids feel about each other and the behavior they expect of each other.

Using this method I can create a classroom where every student is respected as they are, no one is teased or harassed, every child is included in the social scene, and they all encourage each other to succeed.

For young children in gay or lesbian households it can be especially supportive to meet Kids Like Us dolls who also have two moms or two dads. In creating each doll's identity, the teacher is careful to include the various family structures present in the student population and also those that are not represented. In this way, just having the dolls as accepted and loved parts of the classroom affirms each family's right to be part of the school community. The dolls can then be used to more actively address issues that come up in the classroom or to present correct information the teacher feels the students are lacking.

Kids Like Us: Using Persona Dolls in the Classroom **is available through Redleaf Press. For more information call Dan Verdick, Marketing Manager, at (651) 641-0305.**

TEACHING POSITION AVAILABLE!!!

The Drinking Gourd Elementary School in Eugene, Oregon (run by Love Makes A Family Inc. Members Trisha Whitney and Do Mi Stauber) is expanding! We are currently building a brand-new classroom and library to house a mixed - age class of 15 students in grades three through five. We are looking for a full-time teacher for this class. The position will include a one year paid internship at our school beginning September 2000. We are looking for a creative, exciting teacher with education in anti-bias attitudes, a dedication to social justice, and an ability to work with each child as an individual. Anyone interested in learning more should call the

Drinking Gourd Elementary School

PORTLAND FRIENDS SCHOOL

Portland Friends School opened in September 1999 to offer to the Portland community an educational program based on values embraced by Quakers for three centuries: respect for the individual, non-violent conflict resolution, spirit-guided decision-making, simplicity, and service to others. Portland Friends School provides a caring, cooperative atmosphere in which students can most fully develop their capabilities through independent thought and responsible action. Children of all racial and ethnic backgrounds, religious persuasions, and family structures are welcome to share in the diverse and rich learning experience offered in this school. Enrollment is currently being accepted in grades Kindergarten through five for September.

Portland Friends School Portland
(503) 245-8164

Lessons From Cambridge

By: Natasha T. Champney

Long time Love Makes A Family member Melody Brazo ran for the Cambridge, Massachusetts School Committee in November 1999. Melody is an out lesbian, which does not seem to be an issue in Cambridge schools. There is a lesbian on the school committee already, and a gay man on city council. Three years ago the Cambridge system started having a family liaison for the lesbian/gay/bisexual/trans community to help families fit into the school community. Cambridge provides a good example of how homophobia can be reduced in the schools by providing a family liaison for the LGBT community.

Because the Cambridge school system has made progress confronting homophobia, Melody was able to focus on other important issues in her campaign. Although she lost the election, her campaign made a valuable contribution to promoting race and class equity in the school system.

"Since unfortunately (and predictably) poor families in Cambridge are often also families of color, some schools end up with a disproportionate number of *poor* kids who also happen to be kids of color," says Brazo. She addresses the issue that the schools these kids go to do not have the resources which are available to kids at more privileged schools. The buildings are less well maintained, and there are fewer student teachers. The teachers in these schools are more often burnt out. Part of Melody's Campaign was to create schools where all students could get the same high quality of education. The campaign was very intense and time consuming. Melody believes she lost because it was her first campaign and because the issues around race and class were difficult for the white, middle and upper class people to hear - more difficult, in this case, than confronting homophobia.

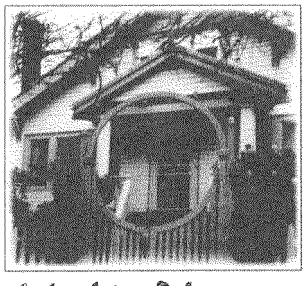
Responding to Violence *By: Bonnie Tinker*

Some students in Colorado have started a gay/straight alliance at their high school. Since then, other students have harassed them through rumors, second-hand threats, phone calls, and rude e-mails. One of the student's uncles wrote to me asking for ideas of how to respond. Here are some of my comments to him. What are your ideas?

1. Keep a high public profile that builds community support. While it is scary to be visible, I believe it is ultimately much safer. Fearful, intolerant people don't like to be in the minority. If they get a strong community message that hate crimes and hate speech are unacceptable they are likely to back off. To build community support, it's important to approach the community at large with the expectation that they are good people who do not approve of bigotry and harassment. Give them a way to support the GSA as a matter of fairness and freedom of speech, but without having to declare support for homosexuality. It's important to remember that it really doesn't matter what people's personal beliefs or practices are about sexuality - what matters is that they support safety for all students and freedom of thought and expression.

2. Form a parent group to work in coalition with teachers, students and administrators. It is very important to relate directly to the administrators, and it is important that the administrators know there is a vocal group of parents who support the LGBT students. In my experience, school administrators don't like to go out on a limb without parent support. Although most school administrators value intellectual freedom and believe all students should be respected and safe, they need the vocal support of parents and community members to stand up against intolerant community pressure.

What do you think? What have you seen work? What problems are you facing? Send your thoughts and experiences to Love Makes A Family, Inc. through e-mail LMFamily@teleport.com or snail mail.



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Love Makes A Family, Inc. would like to thank all who have made a contribution to our organization. Your generosity makes this work possible. If you can't afford to contribute, you can always volunteer your time. There's lots to do here, and we can use all the help we can get. Again, thanks for all your support and keep it coming!

Come march with Love Makes A Family, Inc. at Gay Pride in Portland, Oregon on June 18th. Gather at North Park Blocks at 11 am. To volunteer your services to Love Makes A Family, Inc. during the Gay Pride Festival, call Kathy at 228-3892

What's up at Youthnet???

By: Sarah Barnard

Greetings from the office of Youthnet! There sure are lots of exciting things happening at this fabulous program of Love Makes a Family. This year, Youthnet was able to hire two youth interns to take on some big projects. Nadia Cannon, a senior at Catlin Gable High School, and Cris MacCoone, who works as a peer mediator at Willamette Bridge, started in January and have been tremendous assets. Nadia and Cris work alongside Mel Rud, the coordinator of Youthnet. I also joined Youthnet in September through AmeriCorps' Northwest Service Academy. My official job is to be a tutor and mentor, but I am constantly expanding the definition.

As some of you already know, Youthnet primarily serves youth and young adults, 22 and under, who are sexual / gender minorities, children of sexual / gender minorities, and their allies. Our goal is to improve queer youth services in the Portland area by working with service providers and community members.

One big event that Youthnet hosted was the Town Hall Gathering in February. Twenty-three youth and young adults gathered at the Quaker Meeting House in Southeast Portland. The first hour was a time for mellow socializing and yummy home-cooked food. Then Cris and Nadia led a brainstorming session where youth voiced their opinions on what services could be started or improved. School safety, shelter safety, and more hang out spaces were recurring issues. The night ended with an intimate open mic - without the mic - where youth shared poetry and stories.

I have been very busy keeping in touch with sexual minority groups at local schools. I have been working most closely with Gay-Straight Alliances at Tualatin and Century High Schools, and have helped the support group at Madison High display the "Love Makes a Family" photo-text exhibit.

I also consulted with Marshal High School students, who will soon start the first ever GSA in Portland Public Schools. I will be working with youth forming panels for presenting to groups at Radical Women, Centennial High School, and a Portland State University Social Work Class.

There are many Youthnet trainings coming up. Mel has been working extra hard to put together a Trans 101 training for the homeless youth continuum (all downtown service providers who work with homeless youth), followed by a discussion about policies regarding gender and housing. This will raise awareness of issues that the trans youth they work with face on a daily basis. To our knowledge, this is the first organized discussion of Portland-wide agencies on improving trans policies. On April 29th, an Anti-Racism training open to youth of color as well as white youth who wanted to learn to be better allies and fight racism was held at PSU. The trainers were Jeannie LaFrance from Bradley-Angle House and Amber, a Queer Alliance member from PSU. According to Mel, the training was a success.

When it came to Mel's attention that queer youth in Portland were calling crisis hotlines and facing homophobia from the person on the other end of the phone, Youthnet members began meeting with crisis resource providers such as Harry's Mother and The Sexual Minority Crisis Response Team. The ultimate goal is to have one crisis number to advertise to queer youth in the area. Youthnet continues to meet with these service providers to help them fulfill this need.

Stop by the Youthnet office any time, or call 227-1981 to ask about upcoming events!

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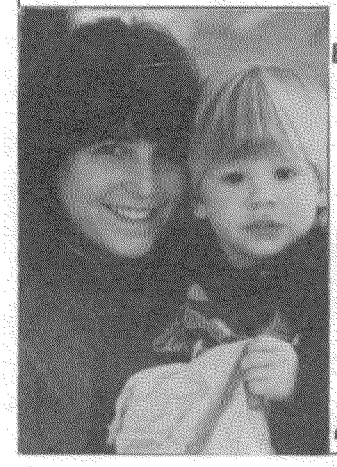

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Youth For Justice

Youth for Justice (YFJ) is a program based out of the Community Alliance of Lane County. YFJ empowers young women and men to take a stand on injustices such as racism, sexism, and homophobia. YFJ provides a safe place for youth to learn, speak out, and take action. This diverse group of self-directed youth has the opportunity to learn grassroots organizing and leadership skills using an organizational model that is not available in public institutions. YFJ can be reached at (541) 485-1755

It's a Nice Day for a Queer Wedding

By: Ciara Toews

It all happened quite suddenly, actually. One day I was a swinging single, the next, on my way to wedded bliss. I walked into the Love Makes A Family office on a gray day in late January and was informed that I was to be married to Stephanie on Valentine's Day. Now, it may seem hard to believe that at my job we have office arranged marriages, but hey, at least no one had to flaunt their stuff on international television to get some nameless millionaire. The explanation for my engagement is that we were to perform a mock wedding at Portland Community College on February 14, in honor of National Freedom to Marry Day, and Stephanie and I were to be the brides in the same-sex couple.

For all of the work that it took to put on a mock ceremony, I am in awe of those of you who have pulled off the real thing. First of all there was the issue of the wedding dress. I am not usually a person who wears dresses, but we wanted the play to receive maximum visibility, so we figured two brides in dresses would help people to realize we were both women. We spent many days and hours looking for the perfect dress. It was no easy task. Thrift stores only carry dresses for the itsy-bitsy-teenie-weenie, and I am a bit round myself. We also had to worry about rings, flowers, the cake and the kiss. Oh yeah, let me tell you about the kiss.

As the wedding neared, I got a little nervous about the part of the ceremony that would be the most shocking to some; two women kissing. It said in our script that Steph and I were to have a big passionate kiss after the exchanging of the rings. Now, Stephanie and I had never really touched on passion. We were just two girls from the office who were planning to get married, and after all the planning, who has time for romance. I approached her about this one day, and mentioned that I really thought that we might need to practice first. We both agreed; if we were gonna kiss in front of an audience, it had better be something that we had done before. How to practice was the question. We tried everything to get ourselves to kiss, but would always erupt in a sea of giggles. Once we started to kiss, but our teeth bumped and we couldn't regain composure for five minutes. This kissing practice is no easy task.

The morning of the mock wedding came. The plan for the theater piece was simple. There would be a heterosexual couple and a same sex couple getting married. The heterosexual couple had just met, but would receive family and community support and benefits, while the same sex couple who had been together for ten years would receive none of these things. Our point was to raise awareness in the community about the inequality that exists within our system and it's absurdity.

Stephanie and I were a bit nervous. We headed to the bathroom to put on our dresses and do our hair. This was a big step we were taking. I helped her zip up her dress and she helped me do my hair. Then we headed out, hand and hand, to be 'married' in front of a live audience. This would definitely be a Queer wedding to remember.

Why We Say "Queer"

The term "queer" is controversial. We, the staff at Love Makes A Family Inc., consider "queer" to be an all - encompassing (and short) term, including lesbian, gay, bisexual, and trans folk. We acknowledge that some people may be uncomfortable with this word, and do not use it. We also acknowledge that it has been reclaimed by queer youth and is used and accepted by many. Therefore Love Makes A Family, Inc. uses "sexual minorities," "lgbtq," and "queer" interchange-

Love Makes A Family Inc., would like to thank the William Temple House for donating a wedding dress and other various props for our wedding skit. William Temple House is a non-profit organization whose mission is to provide counseling, social services and training without charge, and to preserve human dignity while promoting self-sufficiency. The sale of used clothing and merchandise accounts for 60% of the annual revenue of William Temple House, so quality donations are welcome. Call (503) 827-4580 for free pickup, or take your donations directly to the Thrift Store (2230 NW Glisan) or Donation Center (1910 NW 23rd Place) in Portland. Also, as of May 5th, there will be a new William Temple House Thrift Store at 2419 NE Sandy Blvd. in Portland. Keep your eyes open for it!

Love Makes A Family Horoscope: What do the Stars Say About You?

By: Sarah Barnard

Taurus Escape all the craziness in your life by registering to win a free internship at Love Makes A Family.

Gemini You should have at least two jobs at Love Makes A Family to satisfy your two egos. How do word-processing and public speaking sound?

Cancer Your turbulent emotions will be deeply moved when you see all the blood, sweat, and tears that Mel, Sarah, and Nadia put into their work at Youthnet!

Leo Oh, great leader art thou, Leo! Please carry the Love Makes a Family banner in front of our contingent at Pride.

Virgo Your organizational skills will be useful when you start your career filing papers at Love Makes A Family

Libra You will leave Love Makes A Family in your will. Don't worry - Bonnie Tinker will show you how.

Scorpio Your sex appeal is needed for all the single interns at Love Makes A Family.

Sagittarius You will do stand up comedy routines and all proceeds will benefit Love Makes A Family.

Capricorn Love Makes a Family's board president, Kate Chard-Herring, is a Capricorn. Let her be your inspiration!

Aquarius You are a people person! Come volunteer at Love Makes A Family, where there sure are a ton of people!

Pisces Your secretive nature entitles you to borrow our top-secret Love Makes a Family Decoder Ring! This offer not available in stores!

Aries In an attempt to simplify your life, you will meet a voluptuous, intelligent, sensual, erotic, mysterious woman while fixing

Vegan Eating for Parents and Kids

By: Leslie Wilson and Sarah Barnard

"SPECIESISM" is the belief that humans are superior and thus the only species worthy of ethical consideration. We have come to recognize this oppression as being similar to racism, sexism, classism, and homophobia. With this in mind, we invite you to read some of the reasons why we and an estimated one million people in the United States have decided to become vegan.

What is the difference between vegetarian and vegan eating ?

Vegetarians do not eat or cook with meat, fish, or poultry. Vegans go a step further by not consuming any eggs or dairy products.

Why do people eat vegan?

People eat vegan for a variety of reasons including health, ethical, and environmental reasons.

What are some of the health reasons?

*Being vegan decreases your chance of getting cancer, heart disease, osteoporosis, and obesity. There is no cholesterol in a vegan diet.
*Meat and dairy products may contain harmful pesticides, hormones, and antibiotics.
*Dairy products increase mucous in the body and may aggravate conditions in children such as ear infections, colds, asthma, congestion, and bronchitis.

What are some of the ethical reasons?

*We could feed every hungry person on the planet with the grain used to feed beef.. No one has to starve! A cow must eat hundreds of pounds of grain to make one pound
*Modern agricultural practices are often cruel.
*A McDonald's chicken lives all its life in a space too small to spread even one wing.
*Top predators such as wolves, coyotes, and cougars have been hunted and trapped almost out of existence to benefit ranchers and the beef industry.

What are some of the environmental reasons?

*The rain forest is being cut down at a rate of 55 city blocks per minute with much of the land being used to graze beef.
*Sixty percent of the water used in some areas of the country is used for the beef industry, and the beef and poultry industries pollute our water and air.
*Land trampled into desert by cows hooves is a major environmental problem.

Is it difficult to get proper nutrition from a vegan diet? What about protein?

No, it is not difficult to meet nutritional needs with a vegan diet. Protein is in every food we eat and it is a myth that foods must be carefully combined to get complete protein. Eating a wide variety of foods, including beans, legumes, soy products, fruits, vegetables, and grains will easily satisfy nutritional requirements. Vegans may wish to take a vitamin B-12 supplement.

The dairy industry would like us to believe that "milk is good for every body" but that is not true! Milk is good for baby cows, not for humans. In the eighth edition of his Baby Care Book Dr. Spock advocates for a vegan diet for all parents and children, including pregnant and nursing mothers, as does the 5000 member Physicians for Social Responsibility. Eating vegan is the healthy, ethical, and environmentally friendly choice.

Celia J. Lyon

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email: CeliaLyon@aol.com

Ongoing supporter of Love Makes a Family

On a final note, for any of you pursuing something that you feel deeply, something that you know you need to do in order to be truly alive, something that requires every iota of courage you can muster, something that makes you at times forget there is a clock meticulously ticking, something that requires you to risk losing everything familiar, something that excites you so thoroughly that it sometimes becomes impossible to sleep, know that it will make perfect sense to quit hundreds and hundreds and hundreds of times along the way and get on with something else. know that you will certain days be numb and exhausted and joyless. know that perseverance is infinitely greater than talent. refine the work. hone the work. mercilessly cut away the parts that are not vital. then let your growing body of work speak for itself. and hang on for dear life.

(This quote was given to us by a previous intern at Love Makes A Family, Inc. We do not know who the author is. If you do, please let us know)

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The First Annual Pride Festival Father of the Year Award (presented by Pride Northwest)

Submit a 150 - 200 type written essay explaining why your father should be honored as father of the year. The essay should include how your father represents GLBT-PFLAG pride in the community. Any father may be nominated, whether he is gay, bi, trans, or heterosexual. The chosen father and author will be presented with an award on June 18th. Submissions must be postmarked by May 20th and sent to: Father's Day Committee Pride Northwest, Inc. PO Box 6611 Portland, OR 97228

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Portland, Oregon 97208

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Love Makes A Family Calendar Listings

Meetings

Portland Love Makes A Family Parent/Children/Youth Support Groups. Augustana Lutheran Church, NE 15th & Knott. 6:00 pm, 2nd Monday of every month.

Sexual Minority Parents Advisory Group (SMPAG). Portland Public Schools District Office, 501 NE Dixon Street. 7:00 pm, 1st Monday of every month.

Rainbow Rascals, A Support Group for parents and a play group for kids ages birth - four, 2nd Saturday of every month, 10am-12pm. call Aquene (ah-kay-nay) for the location at (541/344-5847).

Vancouver Love Makes A Family Support Group. is reforming. Call Tina Conover (360/891-8015) for more information.

Events

Love Makes A Family, Inc. Potluck and Social, 6:00 pm - 7:30 pm, Augustana Lutheran Church, NE 15th & Knott, May 25th and every 4th Thursday

Alice in Wonderland," 2:00 pm, May 28th, Northwest Childrens Theater, Free Tickets Available through Love Makes A Family, Inc.
Call Leslie at 228-3892

Love Makes A Family, Inc. Photo Text Exhibit, First Congregational United Church of Christ, 1220 NE 68th Vancouver, WA, May 19th - June 5, call 574-8832 for more information

ENCORE (senior theater group) Performances on May 21st and June 3rd in Eugene. Call (541/998-6236) for details.

Conferences

"I Just Don't Have the Words" Conference on Family Rights, 2:00 pm - 6:00 pm, May 21, First Congregational Church of Christ 1126 SW Park Ave. Call 228-3892 for registration

Summer Camps

Family CampOUT at YWCA Camp Westwind, for gay and lesbian parents and their kids. August 11-14, Call (503/294-7476) for details.

Mountain Meadow Summer Camp, a two-week long sleepover camp run by a volunteer collective based in Philadelphia for girls & boys, 9-12 years old, and teensages 13-16 with LGBT parents. Counselers are needed. Call (215) 848-7566 for more information. **Camp Keshet (A Gay, Jewish Family Camp)**, September 24-26 at Camp Tawonga next to Yosemite National Park. Call (415/543-2267) for a brochure.

Pride Festivals

Eugene Gay Pride, June 25th, 11am -7pm.

Portland, Oregon Gay Pride, June 17 - 18, Waterfront Park, call (503) 228-3892 for more information.

Vancouver, Saturday in the Park, July 15th, 1pm-7pm, Terminal 1 (behind the inn at the Quay)

Capital Pride Festival - Washington, DC
June 2-11 www.capitalpride.org

For the more information on the pride festivals listed below, go to www.interpride.org/igc00/index.

LOVE MAKES A FAMILY

Creating a Family Voice for Lesbian, Gay, Bisexual and Transgendered People

PO Box 5163 • Portland, OR 97208 • Phone: 503/228-3892 • Fax: 503/228-3970 • www.lmfamily.org • LMFamily@LMFamily.org

Published Bi-Monthly **New Years' 2002 Newsletter** Volume 8, Issue 1

Queer Youth of Color Shape a New Program

By Des Anderson, Project Coordinator

On Sunday, November 10th, queer youth of color came together to talk about what kind of support we desire and need. Why is it time to answer this question? Because there is no longer a support/social group for Lesbian, Gay, Bi, Trans, and Questioning Youth of Color in Portland. Last summer, Rainbow Youth lost all support and funding, and was sadly disbanded. Stephan Herrera, of Brother To Brother, and I, Des Anderson, with Love Makes A Family, have joined forces to re-form and re-create a new support group for Queer Youth of Color—one that is exactly what the youth want and need—and will use. We strive to re-create a group that won't fall through the cracks, a group for, about, and organized by the youth.

We had a great turn-out on the 10th. We discussed "coming out" stories, and the different types of support that youth had or lacked. We discussed the issue that Queer Youth of Color must face multi-oppressions in our lives. We talked about places that are, or aren't hospitable to Queer Youth of Color. We shared ways that our allies (white, straight, adults, service providers, etc.) can use their privileges to best support us. And most importantly, youth talked about what they wanted out of the "new Rainbow". Youth identified that they wanted weekly meetings and time to connect with other queer youth of color. The youth want a more social "air" to their meetings (instead of sitting in an uncomfortable, intimidating, and possibly unsafe space talking about their problems), so we're looking for a good, comfy space to hold the meetings. The youth also identified that they would like to do more around town (i.e. attending events, activities, conferences, and festivals together)...I think we can pull something together!

The youth all agreed that they'd like to have someone like

. . . *continued on page 4*

Inside:

New Calendar, p.2

Darcelle's Benefit p.3

Book Review, p. 3

MC's Poison Waters and Andre Pruitt with Darcelle at our benefit hosted by Darcelle's

A Note From Bonnie Tinker, Executive Director

Dear Friend,

Are you the new member of the Board of Directors we're looking for?

New members are appointed to the Board in January every year. We are currently taking nominations and applications from people who:

- Care about families that are defined by love
- Want to be a voice for our families in the community
- Enjoy making an organization grow strong
- Like working with a great group of people

Is this you, or do you know just the person to nominate? Send us an email at our new address, lmfamily.org, and we'll send you more information.

Have you seen our new web page? Check it out at lmfamily.org. It's beautiful. But what is most amazing to me is that it was put together entirely by our marvelous *volunteer* web team. Thomas, Bill, Chesley and Tani took a look at the organization and said, "we can do this." And they did. That's what keeps Love Makes a Family, Inc. alive and growing. This is a free lance organization. We share a vision and each of us in our own lives is doing what we can to make that vision real.

We're also always looking for people who can join us in keeping the office running. If you've got a

(Continued on page 4)

"Love Makes A Family"
Calendar of Events December '01/January '02

503-228-3892 LMFamily@teleport.com

Dec 2 & 16 Sundays — **Queer Youth of Color Meeting 3-5PM @ Union Station rm 208 (take stairs by bathrooms)** Meetings every 1st and 3rd Sunday and a monthly fun, social outing. Des 503 228 3892 or des@lmfamily.org

Dec 3 Monday — **Sexual Minority Parents Advisory Group (SMPAG) 5:30-7 PM @ Portland Public School Bldg.** Advocates for sexual minority families in Portland Public Schools. Every First Monday. Bring your concerns. Get involved. 501 N. Dixon L1 conference rm. 503-228-3892 or www.xjs.com/smpag

Dec 4 & 18 Tuesdays — **The Dad's Group 7 PM @ Augustana Lutheran Church NE 15th and Knott (#8 bus from downtown)** A welcoming support group for Gay, Bi, Trans and Questioning dads. Meets 1st and 3rd Tues. Terry 697-7004

Dec 4, 11 18 & 25 Tuesdays — **Parent's Anonymous & Love Makes a Family Support Group 6:30-8:30 PM** Meet with other parents and a professional facilitator to work on parenting skills. Childcare provided. For location and info call 503-452-4789

Dec 5 — **FREE Children's Play "A Christmas Story" 7 PM NW Children's Theater Limited tickets 281-7116**

Dec 10 Monday — *****Metro Parents and Kids Group Holiday Party*** 6-8 PM Bring Cookies/Treats** All are welcome. Talk about parenting, school/community issues, relationships, and more while children socialize and play. Pizza dinner and theater group/childcare provided. Meets every 2nd Monday at Augustana Lutheran Church (upstairs) NE 15th and Knott. (#8) bus.

Dec 17 Monday — *****Vancouver Parents and Kids Group Holiday Party***6-8 PM @ Children's Home Society, 309 W 12th** Talk about parenting, school/community issues, relationships, and more while kids socialize and play. Pizza dinner and childcare provided. Meets 3rd Mondays 360-695-1325 or 503-281-7116 or LEZephyr42@aol.com

Dec 25 — **Washington County Parents and Kids Group cancelled—Happy Holidays!!!**

Dec 27 Thursday — **4th Thursday Potluck and Social 6-8 PM @ Augustana Lutheran Church (downstairs) NE 15th and Knott** We all bring our favorite dish and have fun socializing together with our kids. Every 4th Thursday. 281-7116

Jan 6 & 20 Sunday — **Queer Youth of Color Meeting 3-5PM @ Union Station rm 208 (take stairs by bathrooms)** Meetings every 1st and 3rd Sunday and a monthly fun, social outing. Des 503 228 3892 or des@lmfamily.org

Jan 7 Monday — **Sexual Minority Parents Advisory Group (SMPAG) 5:30-7 PM @ Portland Public School Bldg.** Advocates for sexual minority families in Portland Public Schools. Every First Monday. Bring your concerns. Get involved. 501 N. Dixon L1 conference rm. 503-228-3892 or www.xjs.com/smpag

Jan 8, 15 22 & 29 Tuesdays — **Parent's Anonymous & Love Makes a Family Support Group 6:30-8:30 PM** Meet with other parents and a professional facilitator to work on parenting skills. Childcare provided. For location and info call 503-452-4789

Jan 14 Monday — **Metro Parents and Kids Group 6-8 PM Augustana Lutheran Church NE 15th and Knott** All are welcome. Talk about parenting, school/community issues, relationships, and more while children socialize and play. Pizza dinner and theater group/childcare provided. Meets every 2nd Monday. 281-7116

Jan 15 Tuesday — **The Dad's Group 7 PM Augustana Lutheran Church NE 15th and Knott (#8 bus from downtown)** A welcoming support group for Gay, Bi, Trans and Questioning dads. Meets 1st and 3rd Tues. Terry 697-7004

Jan 21 Monday — **Vancouver Parents and Kids Group 6-8 PM @ Children's Home Society, 309 W 12th, Vancouver** Talk about parenting, school/community issues, relationships, and more while kids socialize and play. Pizza dinner and childcare provided. Meets 3rd Mondays 360-695-1325 or 503-281-7116 or LEZephyr42@aol.com

Jan 22 Tuesday — **Washington County Parents and Kids Group @ Community Church of Cedar Hills** All are welcome. Talk about parenting, school/community issues, relationships, and more while children socialize and play. Pizza dinner and theater group/childcare provided. Meets 4th Tuesdays at 11695 SW Park Way (Hwy 26, exit #68, S on Cedar Hills Blvd to Park Way) 503-228-3892

Jan 24 Thursday — **4th Thursday Potluck and Social 6-8 PM @ Augustana Lutheran Church (downstairs) NE 15th and Knott** We all bring our favorite dish and have fun socializing together with our kids. Every 4th Thursday. 281-7116

Love Makes A Family Newsletters are offered at no cost, but cost money to provide—donations gladly accepted!

1st Annual Auction at Darcelle's a Huge Success

On Sunday evening, Nov 11, over 100 people came to Darcelle's for a fun night of fundraising for Love Makes a Family, Inc. Models showed off a "knit collection" made by Bonnie Tinker's grandmother and audience members bid on the vintage collection. A variety of items donated by local businesses, clothes purchased for our auction, and a minimal door fee managed to raise $1600 for the Queer Youth of Color program coordinated by Des Anderson.

We owe a HUGE thank you to Darcelle, volunteers, models, contributing businesses, and all the folks who bought and helped make this event possible and profitable The following list of folks and businesses deserve our heartfelt thanks and patronage:

Our Glamorous Models: Des, Leslie, Heather, Emi, Greg, Jamie, Tani, Bonnie, Ben, Kara, Sima, & Poison Waters.

Contributing Businesses: Chameleon Restaurant&Bar, Tony Murezek, Uptown Village Wellness Center, Taylors Fountain and Gifts, Desperado, Galaxy Wine Co., Reggie Petry, Crush Wine Bar, Rainbow Creations, Portland Center Stage, It's My Pleasure, Darcelle, Thomas Christian, Linton Feed and Seed, Healthy Pets, and Ruffhouse Doggie Day Care , Flint River Ranch Pet Food

Volunteers: Joah, Misty, Kevin, Debra, Tani, Pam, Sara, Carolin, Darcelle's staff, and last but far from least, the drag show performers.

And a very special thank-you to Poison Waters and Andre Pruitt who teamed as witty, and humorous MC's.

Queer Youth of Color Meeting
3-5PM @ Union Station rm 208
Meetings every 1st and 3rd Sundays
and a monthly fun, social outing.

Des 503 228 3892 or des@lmfamily.org

Book Review: Are You a Boy or a Girl?

I've worked in a children's bookstore, taught school, and been a parent of two young children and I have never seen a children's book such as Are You a Boy or a Girl? by Karleen Pendleton Jimenez (Green Dragon Press). This book shares the heartbreaking experience of a little girl "who didn't like girl things". As children we all know of girls who like to play with "boy" things or of boys that like to play with "girl" things. The reaction of adults is varied from disgust to acceptance. But, never have I seen a children's book that acknowledged the variations within the girl/boy roles. This simple, straight forward book not only acknowledges that all girls and all boys are not the same, but says it's okay to be different. "Right now it's hard because too many people don't know about girls like you." This book is a "must have" for the classroom collection, school libraries, and the many people who have experienced gender misunderstandings. Love Makes a Family, Inc. has this book available for $10. Contact Sima @ 228-3892. A great holiday gift for all!

Check out our
New Website!!!!
www.LMFamily.org

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. . . *continued from page 1*

Kari K. around (the "former Rainbow Youth Group" full-time Coordinator), who they can call on when ever they need to.

It was apparent that all these youth want, need, and are looking for is a safe place that they can go, feel accepted, and be themselves. Queer Youth of Color live under many masks as it is, Stephan and I are determined to provide for these youth a place where they can be their real selves, and have the support that they actually need!

We got the word from the youth, and now it's happening! **The next meeting is Dec. 2nd.** We are excited to find out more from the youth, as well as just hang with each other.

If you have questions, want to find out more about the group, and especially if you would like to support our work (in the form of money or many other exciting ways), please contact me, DES, at 503/228.3892 or email des@lmfamily.org.

Contact any one of us at Love Makes A Family at our New Email Addresses:

bonnietinker@lmfamily.org
sima@lmfamily.org
des@lmfamily.org
adrienne@lmfamily.org
youthnet@lmfamily.org
multiqueer@lmfamily.org
newsletter@lmfamily.org
info@lmfamily.org
webmaster@lmfamily.org
familyrights@lmfamily.org
speakers@lmfamily.org
executivedirector@lmfamily.org
bulletins@lmfamily.org
mailinglist@lmfamily.org
fundraising@lmfamily.org
familyservices@lmfamily.org
middleschool@lmfamily.org
grants@lmfamily.org
postgen@lmfamily.org

few hours you could spend in the office weekly, or monthly, please let me know – there's lots of work to go around!

And of course, December is not only holiday time. It's fundraising time, and that's not going so well for nonprofits this year. Individual contributions are a significant part of our budget (check out the web page for details!) Thanks for sending what you can- and a special thanks for monthly pledges -- it's so good to know there is something we can count on throughout the year.

Yours,
Bonnie

LOVE MAKES A FAMILY

Creating a Family Voice for Lesbian, Gay, Bisexual and Transgendered People

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Published Bi-Monthly **Newsletter for October/November 2001** Volume 7, Issue 1

School Has Begun!

Another school year has begun! After a lovely summer of sleeping in, working, and playing with my children, it's time to reconnect with my community and actively participate in the Irvington PTA and my new Americorp service job.

Last year I started becoming concerned about where my children would attend middle school and how they would be impacted by having a lesbian mother. Talking with other sexual minority parents increased my concerns when I discovered there were no support groups for the sexual minority families at the middle schools.

Bonnie Tinker had already experienced this lack of resource and we on the Board of Love Makes A Family decided it was time to put a plan into action. This year, thanks to AmeriCorps and Love Makes A Family, I will have an opportunity to address this need.

The schools receiving my services will be Mt. Tabor, Fernwood and DaVinci middle schools and their respective feeder elementary schools. The goal is twofold: 1. To identify the GLBT families and set up monthly support groups to talk about our concerns and our positive and negative experiences, raise questions, and meet peers who are in a similar situation. 2. To support incoming 6th grade families.

Who am I to run this program? I taught high school English for six years and ran the Drug and Alcohol prevention program in Southern Oregon. I am the PTA co-president at Irvington elementary school where I have a 3rd and 5th grader. I started and managed the Farmer's Market in Independence, Oregon. My desire to break the isolation many of us feel (especially as our children reach the older grades) is a personal and community concern.

If you attend/or will be attending one of my target schools, please contact me at 503-228-3892 or simaplus2@yahoo.com. If you feel the middle school you are involved with could benefit from my services or you would like more information I would be happy to discuss the issue further.

—Sima Teherani, Project Coordinator

Our second annual Gay Day at Oaks Park was a huge success. Sunday, July 29, we had a beautiful picnic area beside the river and many families participated. Lots of families came from our groups and new families too. The kids (and quite a few adults) set off for five hours of rock-rolling fun on the rides, while the babies and tamer adults snacked and talked and got ready for the BBQ. Just about everyone took a ride on the trolley and there were smiling faces, squeals, and laughter all around. It was a lot of fun to see the kids excited and to proudly display our big rainbow flag and Love Makes a Family banner. Thanks to our generous volunteers and donors who made our picnic such a success. A big thank you to our major sponsor Celia Lyon for her donation of ride bracelets for the children. Food Front Grocery Co-op, Trader Joes, Old Wives Tales, People's Food Co-op, and Noah's Bagels for donating the food for the picnic—thank you! Thanks to Gus Wong and Mr. Remines for donations to the rummage sale we held to raise money for the picnic space and, last but not least, to Doug and Wayne Funk-Meyers for flipping all the burgers.

INSIDE: Calendar, page 2 MultiQueer starts up, page 3

A Note From Bonnie Tinker, Executive Director

We are the Collateral

Collateral: n. Property acceptable as security for a loan.

"Collateral Damage." The phrase takes on a new significance now that we understand our death may one day be dismissed this way by a foe we neither know nor understand.

I was in rural Missouri visiting my family on September 11th. It felt surrealistically safe to be "out in the middle of nowhere" on that day. Of course, that's from the insulated perspective of the United States. Most of the people of the world live "nowhere" and it hasn't protected them from terrorist violence. When I visited El Mazote in El Salvador with my mother several years ago we heard how officers trained and supported by the US massacred the entire village, killing more than 900 men, women and children. The US military school that instructed the soldiers in terrorist tactics, the School of the Americas, is still operating.

My mother gave me a copy of "The People's History of the United States" by Howard Zinn to read on the long bus trip back to Oregon. I picked up newspapers along the way and switched back and forth between past and current history lessons. The newspapers described this as the first foreign terrorist attack on American soil: the most death and destruction ever attributed to terrorists.

Then I read from the history book about seventy thousand Native Americans having been forced to leave their land and move west of the Mississippi by order of the federal government in the Indian Removal bill

. . . continued on page 4

"Love Makes A Family"

Calendar of Events October/November 2001

503-228-3892 **LMFamily@teleport.com**

October 1 Monday — **SMPAG 5:30-7PM, Portland Public Schools Bldg., 501 N Dixon, L1 Conference Room** Get involved in advocating for sexual minority families in Portland Public Schools. Bring your concerns to the Sexual Minority Parents Advisory Group. Meets every first Monday of the month. For info call 503-228-3892 www.xjs.com/smpag

October 2 Tuesday — **The Dads' Group 7PM, Augustana Lutheran Church, NE 15th/Knott (#8 bus from downtown).** A welcoming support group for Gay, Bi, Trans, and Questioning dads. Meets 1st and 3rd Tuesdays of the month. For info. call Terry @ 697-7004

October 8 Monday — **Metro Parents' and Kids' Group 6-8 PM,** Augustana Lutheran Church (upstairs), NE 15th and Knott All are welcome. Talk about parenting, school/community issues, or relationships. Pizza dinner provided. Theater Group/supervised childcare for children. Meets second Monday of every month. 503-228-3892.

October 9 Every Tuesday — **Parents' Anonymous & Love Makes A Family, Inc. Parent Support Group 6:30-8:30 PM** Meet with other parents and a professional facilitator to work on non-violent parenting skills. Childcare provided. For location, call 503-452-4789

October 15 Monday — **Vancouver Parents' and Kids' Group 6-8 PM Children's Home Society 309 W 12th, Vancouver** Join us for food, fun, and support. Third Monday of the month at the new Sexual Minority Services Project. Pizza dinner and supervised play for kids. For more info, call 1-360-695-1325 or email LEZephyr42@aol.com

October 15 Monday — **P-FLAG Meeting in Eugene, w/ Bonnie Tinker 6:45PM @ 1st Congregational Church** 1050 E. 23rd St. Call Linda Jones for directions/info: 541-485-8650

October 16 Tuesday — **The Dad's Group 7PM, Augustana Lutheran Church, NE 15th/Knott (#8 bus)** A welcoming support group for Gay, Bi, Trans, and Questioning dads, no matter where they are on the journey of being a Dad. Meets 1st and 3rd Tuesday of every month

October 23 Tuesday — **Washington County Parents and Kids Group 6-8 PM, Community Church of Cedar Hills** This supportive group meets the 4th Tuesday of every month. Join us at the Community Church of Cedar Hills 11695 SW Park Way (Hwy 26, exit #68, S. on Cedar Hills Blvd to Park Way). Pizza dinner & childcare provided. For more info. call 503-228-3892.

November 5 Monday — **SMPAG 5:30-7PM, Portland Public Schools Bldg., 501 N Dixon, L1 Conference Room** Bring your concerns about Portland Public Schools to the Sexual Minority Parents Advisory Group. Meets every first Monday of the month. For info call 503-228-3892

November 6 Tuesday — **The Dads' Group 7PM, Augustana Lutheran Church, NE 15th/Knott (#8 bus from downtown).** A welcoming support group for Gay, Bi, Trans, and Questioning dads. Meets 1st and 3rd Tuesdays of the month. For info. call Terry @ 697-7004

Novewmber 11 **Benefit show for Love Makes A Family at Darcelle's 208 NW 3rd**

November 12 Monday — **Metro Parents' and Kids' Group 6-8 PM,** Augustana Lutheran Church (upstairs), NE 15th and Knott All are welcome. Talk about parenting, school/community issues, or relationships. Pizza dinner provided. Theater Group/supervised childcare for children. Meets second Monday of every month. 503-228-3892.

November 13 Tuesday — **The Dad's Group 7PM, Augustana Lutheran Church, NE 15th/Knott (#8 bus)** Meets 1st and 3rd Tuesday of every month

November 19 Monday — **Vancouver Parents' and Kids' Group 6-8 PM Children's Home Society 309 W 12th, Vancouver** Join us for food, fun, and support at the Sexual Minority Services Project. Pizza dinner and supervised play for kids. For more info, call 1-360-695-1325 or email LEZephyr42@aol.com

November 27 Tuesday — **Washington County Parents' and Kids' Group 6-8 PM, Community Church of Cedar Hills** This supportive group meets the 4th Tuesday of every month at the Community Church of Cedar Hills 11695 SW Park Way. Pizza dinner & childcare provided. For info. call 503-228-3892.

Love Makes A Family Programs and Newsletter are offered at no cost but cost money to provide.—donations gladly accepted!

Love Makes A Family, Inc.

Programs 2001-2002

Family Support Groups: Love Makes A Family's family groups provide peer support for sexual minority (LGBTQ) families. Everyone is welcome. We have three support groups: Portland Metro, Washington County, and Clark County (Vancouver, WA). Each group meets monthly and childcare and children's activities are available while adults have the opportunity to talk. Conversation topics range from school issues to parenting, community issues to relationships. Our groups provide important modeling for our children (and ourselves) that our families are natural, normal, and numerous. Kids have fun, meet other kids from sexual minority families, and have a safe place to talk about what it's like being part of a sexual minority family in a sometimes hurtful world. Pizza dinner, chidcare, and children's activities are all provided free of charge (donations accepted but not required). We also hold a monthly social potluck where we hang out with our kids and share food. We are also affiliated with the Dad's Group. For more information or to receive a calendar of events contact the Family Services Coordinator, Leslie, at 503-228-3892 or 503-281-7116 Bullsie@pacifier.com

YouthNet: Love Makes A Family, Inc. received County funding to begin work with queer youth in 1998. YouthNet provides support to the Gay Straight Alliances (G.S.A.s) in local high schools, organizing youth to do their own political organizing. YouthNet assists students and faculty in making sure that their school provides a safe and hospitable environment for all students. YouthNet also organizes and sponsors a variety of great events and projects. For more information, call Des at 503-228-3892

MultiQueer: This year, youth identified a need to organize and build political power among queer youth of color, so the Youth/Schools Coordinator position was expanded to a full-time position dedicated to this work. MultiQueer will create a network of queer youth of color who are interested in school based organizing. The objectives are to build queer students' of color leadership and to build public support for the rights of sexual minority students within Oregon's public schools. One project will focus on military recruiting and the military recruiting ban. MultiQueer youth will be linked up with students active in gay/straight alliances in the greater Portland area. For more information, call Des at 503-228-3892

Middle School Transitions Project: We've also noticed that another area that has not had enough support is Lesbian, Gay, Bi, and Trans families with children in middle school. Sima Teherani, our AmeriCorp member, will coordinate a project bringing together middle school and incoming 5th grade families to address teasing, harassment, and invisibility of sexual minorities in middle schools. This project will also educate teachers and administration on the need to recognize family diversity of all kinds. This project will begin at Fernwood, DaVinci, and Mt. Tabor Middle Schools, and we hope to branch out once these pilot projects are underway. For more information, call Sima at 503-228-3892 or email her at: simaplus2@yahoo.com

The Sexual Minority Services Project Drop-In Center: This center, in Vancouver, WA, offers a safe place to meet with friends for free refreshments, discussion, board games, etc. The center includes a small library as well as extensive information and referral services in the Southwest WA area. Project representatives are available and will gladly set up appointments for individual peer counseling and/or individual domestic violence peer advocacy. Families and individuals of all ages welcome. Call 360-695-1325 x 332 for current hours or to schedule individual support.

Public Speaking: We can provide people to speak about sexual minority families and sexual minority family issues at schools, congregations, organizations, business, or public events. We also offer a speaker training workshop, *Opening Hearts and Minds*, that teaches participants to use non-violent speech techniques to create community dialogues about sexual orientation. We also have available the Love Makes A Family photo-text exhibit, a beautiful display of sexual minority families. Contact Bonnie at 503-228-3892 or LMFamily@teleport.com

Sexual Minority Parents Advisory Group: (SMPAG) is a community group of lesbian, gay, bisexual, and transgender parents, parents of sexual minority students, and our supporters advocating for safe and inclusive schools for children headed by and/or including sexual minorities. Love Makes A Family, Inc. helped start SMPAG and now it is independent. For more info, contact SMPAG Chair Lianne Thompson at 503-471-1522 or through the website: www.xjs.com/SMPAG.

Referral Services: We can provide professional referrals for a range of needs. Call us for tips about marriage, adoption (legal ref's and agencies), counseling, crisis support, non-violent parenting, friendly churches, or school advocacy.

Love Makes A Family, Inc. works for social change by creating a supportive non-violent environment within our communities while providing a public voice for all families, especially those subjected to social, economic, and legal discrimination due to sexual orientation or gender identity/expression. Our goal is to empower individuals to become lifelong, independent social change activists. We recognize that our constituency is diverse, and our work strives to build a movement where our full range of constituents can participate. One essential part of building a sustainable movement is making sure that there is a place within the movement for the entire family and all generations. We are a non-profit, 501 (c)3 organization.

Love Makes A Family, Inc. P.O. Box 5163, Portland, OR, 97208
503-228-3892 LMFamily@teleport.com www.teleport.com/~LMFamily
Se habla espanol. Pregunte por Bonnie.

noticias

Funding Exchange Funds *MultiQueer*

Thanks to The Funding Exchange OUT Fund for Lesbian and Gay Liberation who have provided us with a $7,500 for MultiQueer, our new program organizing queer students of color and develop and implement a campaign around the issue of military recruiting in schools. The Funding Exchange has long supported radical political organizing. The OUT Fund was established to support radical organizing projects working to build community among lesbians, gay men, bisexuals and transgender peiople.

The Sexual Minority Services Project in Vancouver, WA has several volunteer, practicum, and supervised intern positions available in the following programs: youth domestic abuse, sexual minority women's health, services for the aging, fundraising, and general program enhancement. If interested, please leave contact info. at 360-695-1325 x332 or email lezephyr42@aol.com

Love Makes A Family seeks volunteers to: serve on our Board of Directors, assist with office administration, help with childcare and group facilitation, help produce the newsletter, phonebank for donations, and generally help out in our office bustling with activity.

Parents' Anonymous is offering free parent support groups to teen parents in Washington County. Parent-led. Free. Call 503-452-4789

Legal Marriage Alliance of Washington is a great resource. Check out their website: www.lmaw.org

American Red Cross is offering FREE CPR classes for lesbian, gay, bi, trans families. For further information contact Tanya Pluth (503) 284-0011 ext. 183.

A Personal Word From Youth/Schools Organizer Des Anderson

When I was hired in March as the full-time Youth and Schools Organizer it was an exciting moment for Love Makes A Family. I was excited to get to work on the many great projects that awaited my position. The door to activism and school based organizing was open for me.

However, just as I've learned the joys and hardships of being queer and of queer families, I've found myself amidst the joys and hardships of working for a small grassroots non-profit organization. But the hardships are definitely worth it when you see your work making a difference and creating change.

The hardest obstacle and interference to my work started on July 1, 2001. Multnomah County cut the $20,000/yr. funding for YouthNet which they had provided the past 3 years (also known as my salary). It's funny what happens to great energy, motivation, and direction when you have to fundraise in addition to working in schools with youth. But it was crucial that the youth and schools programs survived this.

Before the financial crunch, I had a more time to get into the schools and to make contacts and relationships within the community. I need to stay in this work! Not only is it fun and rewarding on so many levels, but students need our support. Queer youth and sexual minority families must have the resources and support needed in order to make our schools hospitable to the L/G/B/T community. We need this organizing because we can not tolerate discrimination of any kind, on any level.

This past summer Love Makes A Family reached out to its members for help to keep my position funded. Many of you probably spoke to me on the phone. I want to thank everyone who pulled together and helped us. Every contribution (small and large) helped me stay optimistic that things would get better, and worth the many extra responsibilities. I would also like to use this opportunity to apologize to anyone that didn't appreciate my call. It was quite a shock to introduce myself personally to our members by calling and asking for money. So please understand if I was "too formal", "too informal", or unable to recognize the big supporters or those that did not contribute. You can't believe how stressful it is knowing that the funds you are raising goes towards your already late rent.

But the fall is looking optimistic. The stress I endured this summer begins to dissipate. I believe in and stand behind the work we do, but all this work is for you, our members. Recently, we received a grant from The Funding Exchange that has put me at ease, but it will go very fast. This is exciting, vital work. I want to stay in this job for as long I possibly can, and that is only possible as long as our constituents remain excited and supportive. Trust me, it's worth it.

Southwest Washington residents:

The Sexual Minority Services Project Drop-In Center offers a safe place to meet with friends for free refreshments, discussion, board games, etc.

We have a small, in-house library as well as extensive information and referral services.

Project representatives are available and will gladly set up appointments for individual peer counseling and/or individual domestic violence peer advocacy.

Families and individuals of all ages welcome.

Call 360-695-1325 x 332 for current hours or to schedule individual support

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of 1828. Tens of thousands did not survive the exodus. On the Trail of Tears, in 1835, the Cherokee Nation was forced from their land to the empty, barren land of Okalahoma. Of the 15,000 who started the trip, only 11,000 survived. That's a death count of 4,000 in just one instance of US government sponsored terrorism—force, coercion and intimidation--against the native inhabitants of this soil.

The attack on the World Trade Center and on the Pentagon, and use of commercial airlines to carry out the murder was an unspeakable evil. Now the President of the United States has declared a War on Terrorism. He plans to wipe out terrorism and punish the countries that harbor terrorists. But he has not renounced the terrorism sanctioned and funded by the United States throughout our history.

Terrorism will not end until there is justice. However, this war will not result in justice or peace.

Justice flows from respect, from a profound belief that "all people are created equal" and deserve full respect and human rights. Justice requires the sharing of world resources. It cannot exist where wealth is mistaken for virtue and poverty for moral failing. Justice is a prerequisite of peace.

Peace is the manifestation of love—of families, communities, and nations where people care about each other. I'm trying to remember this as I go about the tasks and pleasures of daily life that seem so remarkable in a world of terror. I'm trying to remember to live peace as I talk to my loved ones and as I read articles blaming the violence on feminists, the ACLU, and homosexuals.

This is the struggle: to work for justice while living in peace. We are the collateral, the only security for the loan of time given to human beings on the planet earth. Our love is the place where true value is found.

As the song says, "Let there be peace on earth, and let it begin with me."

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Check out Love Makes A Family's newly improved website at www.teleport.com/~LMFamily
Thanks for Chesley Reyburn, Bill Chin, and Thomas Christensen for their great work!

LOVE MAKES A FAMILY

Creating a Family Voice for Lesbian, Gay, Bisexual and Transgendered People

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Published Bi-Monthly **December 2002 January 2003** Volume 5 Issue 1

Darcelle (left) and Poison Waters (right) and Love Makes A Family staff, Des Andrerson (far left) examining some wine from one of our generous contributors.

A Note From Bonnie Tinker, Executive Director

We live in times when it is very important to distinguish between fear and courage. Fear is sending the world toward war. Maintaining peace takes courage.

Fear drives people apart. It takes courage to come together with respect while recognizing our differences. This is what diversity and community and love are all about.

Once again the Chief of Police in Portland has deeply offended a minority community. Two years ago he refused to apologize for outrageous words he had spoken about gays and about disciplining children with a boat oar.

Last week the Portland Police Chief gave a medal of honor to officers who shot a mentally ill Mexican man to death. José Santos Mejía Poot was armed with a piece of metal. The officers were armed with guns. Killing Mejia Poot was an act of procedure taken out of fear, not courage..

In October, I was priviledged to present a workshop for the National conference of the Association of Multiethnic Americans. This year they celebrated the 35th anniversary of the Loving Decision, the Supreme Court ruling that overturned laws against interracial marriage.

Multiracial families are one of the fastest growing segments of our population. Many LGBT parents who adopt are choosing children from a race and culture that is different from their own. We have always been a multiracial, multiethnic community

Prohibitions against "race mixing" are a tool of racism. Oppression based on sexual orientation and gender identity is inherently linked to the

con't on p.4

Fun While Fundraising: Our Annual Auctiion a Success!!

On Sunday November 24th at 7pm, approximately 100 people entered Darcelle's XV on NW 3rd Ave to bid on a silent and an oral auction. Emceed by poison Waters and Darcelle, the oral auction stage showcased items ranging from beautiful gowns to elegant dinners, furniture, and art. The stage was electric with the biting wit of our hosts. Silent auction items offered bidders a variety of goods and services from some of Portland's best know salons, cafes, and theatres. By 10pm, Love Makes A Family raised $4500.

We are hoping to build on this event for next year. If you are interested in meeting new people, working for a good cause, and having fun call Sima at (503) 228-3892.

A heartfelt thank you to the models, Darcelle's staff, The Magnificient Frank Myers, volunteer workers (there were many), the contributors, Poison Waters, Darcelle, and most of all, those who attended. Unfortunately, Andre Pruitt, (our other emcee), was ill and could not attend. We missed you, and hope to see you next time.

If you did not attend our Auction, plan on joining us next year and bidding on some unique holiday gifts. Most of all, join us for a fun-filled evening!! Thank You!!

Families Create Change in Portland

November 2002. The National Gay and Lesbian Task Force held its annual Creating Change Conference in Portland, OR. The event hosted thousands of people from all over the U.S. to discuss issues in the queer political movement. This year's theme was Building an Anti-Racist Movement. Love Makes A Family Staff and Board presented five workshops at the conferece. Two of our staff members report back on their experience at this year's conference.

Empowering our Children to Create Change

I was prepared to attend certain workshops and enjoy the conference. At the last minute, my workshops were accepted and I was excited in my preparation for them. I enjoyed teaching workshops; the people who came and filled the small rooms were a caring, appreciative audience. People from all over the

con't on p.5

Newsletter Editors

Paul Davis Penn Weldon

Love Makes A Family, Inc
Calendar : December 2002 and January 2003

Monday, December 16th: Family Holiday Party
Come join us for cookies, ice cream, and some fun theatre activities for the whole family!
Augustana Lutheran Church, NE 15th Ave and Knott, 6-8pm, (503) 228-3892

Sunday, December 22nd: Flavors Holiday Dinner
If you are queer youth of color, plase join us for a holiday dinner. Space is LIMITED! Call (503) 228-3892 for time and location

New Year's Eve: Benefit Party for Lesbian Community Project and the Portland Lesbian Choir
Come for an awesome evening of food and drinks at Shenanigan's in Swan Island. Smoke-Free venue with a photo booth. Silent Auction will be held!! Advance tkts. available for $25 at In Other Words, It's My Pleasure, Music Millenium, and LCP and Portland Lesbian Choir Members. $30 at the door.

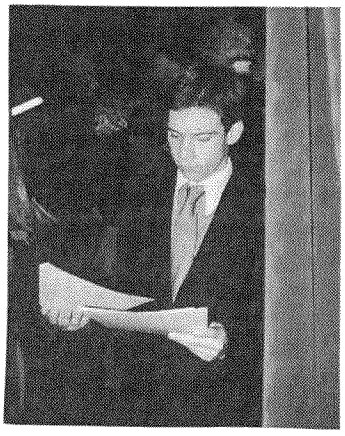
January 2002
Monday, January 13th: Metro Family Group at the Augustana Lutheran Church on NE 15th and Knott from 6-8pm

Tuesday, January 14th: Intro to Swing Round Class at the Oak Grove Community Center. Contact Carolyn at (503) 892-3307 or CMCmiliN@aol.com

Monday, January 19th: Vancouver Family Group at the Children's Home Society at 309 W. 12th St. from 6-8pm

Darcelle's XV November 2002
More Auction Highlights

The Grand Dames of delicious dish hosts Darcelle XV and Poison Waters XLIV



Our Boy Wonderful, the Capable and soulful Paul Davis. You will be sorely missed.

Flavors

A social support group for lesbian, gay, bisexual, transgendered, queer, and questioning youth of color 24 and under. Regularly meets every other week on Sundays from 3-5pm, (if there is no other event or activity planned).

Other free monthly social activities are organized (i.e. movie nights, bowling, etc.). Please contact Des Anderson at (503) 228-3892 x.3 or Stephan Herrera at (503) 417-7991 for more to confirm dates, times, and locations.

If leaving a message, include your name phone and/or e-mail, the best ways and times to contact you, and if it's safe to leave a message when calling you back.

E-mail Des@LMFamily.Org

stephen t herrera@co.multnomah.or.us

February 8th, 2002: Valentine Card Making for all LGBTQQ Families with Children in Middle School
Friends Meeting House on SE 43rd and Stark. Call (503) 228-3892 if you're interested

Announcements and Classifieds

Volunteers!!!!!

We are always in need of volunteers, but especially right now. Love Makes A Family has thousands of members all over the world, and we need your help to reach them!! We are looking for **volunteers willing to come in and help us fold on post our mailings and volunteers who are able to help us reach our constituents through a weekly e-mail update!!!**

If you are interested please call us at (503) 228-3892 and be ready to give us the best ways to contact you, as well as available times to come in. Thank You all so much, and we wish you a very Happy Holiday!!

Help Wanted!!!

We are in need of long-term volunteers willing to committ five to ten hours a week in the following areas.

Family Group Coordinator and Facilitator

We are looking for someone able to coordinate childcare, food, donations, sign-up sheets, and reminder calls for our family groups as well as someone able to facilitate the groups

Newsletter Editor

We need someone to design, layout, and collect submissions for our newsletter

Office Assistant

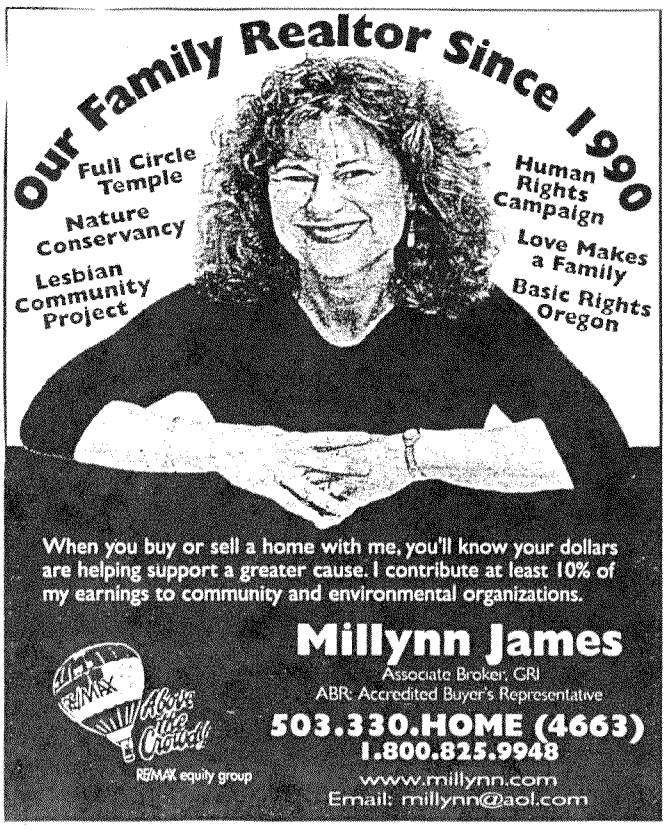
Events Staff

Call us at (503) 228-3892 if you're interested!!

New Technical Support

We would like to welcome our newest volunteer, Deana Bryant!! Deana will be coming in once a week to help Love Makes A Family Staff with our technical needs. Deana is continuing the extraordinary work of Chesley Reyburn and Thomas Christian. Thank You Deana, we are so very excited you have come aboard!!!!!

Round About Portland Dancers Bob Lamberson and Tim Berg Waltzed across the Auction atacge at Darcelle's XV. Join them at their Intro to Swing class starting January 14th. Contact Carolyn at 503-892-3307 or CM-CmiliN@aol.com



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con't from p. 1
honoring of white policemen who murder a poor Mexican man in a mental hospital. And honoring policemen who kill to resolve conflicts is inherently linked to the decimation of civil rights inherent in the Joint Terrorism Task Forces, and in the proposed war against Iraq.

This winter it is important to celebrate with our families, to light the Hanukah candles, fast for Ramadan, greet the winter solstice, and make the Christmas wreaths, to feast and give thanks.

It is also important to write to the Mayor of Portland to tell her we will not tolerate a police chief who honors violence. It is important to be in the streets and in the belly of the political machines to protest the war on Iraq.

These things are important because love requires courage. As Paulo Freire says: "Nadie salva a nadie, ni nadie se salva solo. Juntos nos salvamos." Nobody saves anybody else, nor does anyone save them self alone. Together we save ourselves.

Si se puede,
Bonnie

Ptld. Mayor Vera Katz
(503)823-4120
mayorkatz@ci.portland.or.us

A Quick Goodbye

Dear Reader,

I'm Paul Davis, and I've been working with Love Makes A Family for eight months. Now, my time has come to an end, and I wanted to take a moment to thank all of the people involved with this organization. Everyone I encountered here is deeply committed to working for social change and my world has been fully revitalized by this experience. I would especially like to thank Bonnie, Sima, Des, Penn, Nicole, Jack and Romy for providing me with a family while I was here. My personal life has taken many unexpected and momentous turns, and I couldn't be more satisfied with what I found here. It was unbelievable, almost like a dream. I've never felt better about myself, nor more confident in the direction I need to take my future. Thank You all for helping me affirm parts of myself I never knew existed!
-Paul

The Annual Children's Peace Fair took place on Saturday, November 23rd. Every year many different organizations offer tables with a wide variety of activities to encourage cooperation, goodwill, and peaceful self expression. A middle school choir and puppet show gave children a rest from all the activities, and also emphasized the importance of cooperation. Love Makes A Family offered cookie decorating. This is a great activity as it reinforces the values of cooperation and nonviolent communication, hopefully creating an impression on the way children, (and adults), approach situations in their life

Thank you Jan Conn for baking such delicious sugar cookies!!!

If you would like to get involved with the Children's Peace Fair call the office at (503) 228-3892

Thank You!!!!!!!!!!!!

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con't from p.1

U.S. heard my concerns about homophobic teasing and bullying in our middle schools. They asked intelligent questions regarding my program and encouraged the panel of students, that also presented at one of my sessions.

I am also a parent of three children (ages 9-11). At the conference there was not a place for my children to "hang out". All three attended one of my workshops. The audience seemed to include their presence in the group, but I found them to be distracting. I had to fight my parent side and allow them to be a part of the group, so that I could facilitate. The next session, I left them at home, and I never did get to attend another workshop. At the conference, I did spend a few hours watching people. It was exciting to see so many queer people coming together to discuss issues affecting our community.

The bottom line for me: Children are the source of change. Next time I need my children to have a safe space provided on site. I feel they should be able to apply the concepts and ideals presented at the conference within the c ontext of their lives.

-SIMA TEHERANI

My involvment with the Creating Change Conference began as a member of the Host Committee last April. I was a member of the Youth Sub-Committee also. Both committees met regularly for seven months prior to the conference, planning and organizing up a storm. It was exciting, yet very overwhelming to finally have the conference start. The conference started with, the People of Color pre-conference institute. I've never seen or participated in such a large group of queer folks of color before (all activists and organizers, too!). Although intense, it was so beautiful. I also had the opportunity to participate in a local panel of activists of color during the institute, as well as present a workshop with four other young, local, queer, activists of color. I am empowered, intriguied, and exhausted from the whole experience!

-DES ANDERSON

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Love Makes A Family Staff, Sima Teherani, and Act For Action's Jeanie LaFrance work with a panel of young people at the 2002 Creating Change conference

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Love Makes A Family, Inc. provides newsletters at no cost, but we need your generous contributions to keep running our programs. We really appreciate your support.
Thank You from our Staff and Volunteers!!

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Published Bi-Monthly **February- March 2003** Volume XI Issue I

Love Makes Family Joins Peace Movement

The Love Makes a Family Board voted in January to make an official statement in opposition to all US military action, and endorsed specifically, marches in Washington D.C. and Portland Oregon. Love Makes a Family had a delegation of nine that attended the peace march in Washington, D.C. on January 18th . The rally had a great turnout estimated between 200,000-500,000 people. It was the largest US protest since the Vietnam era. Members of Love Makes a Family also marched in cities all across the nation. The marches were in solidarity with rallies all over the world against a preemptive strike against Iraq.

(continued on page 3)

Love Makes a Family Delegation in D.C. (L to R) Ann, Charlie, Ed and Jon Cookman, Shanya Snyder, Alex Tinker, Sarah Gray, Jimmy Cookman, and Bonnie Tinker.

A Note From Bonnie Tinker, Executive Director

Dear Friends,

By the time you receive this, a renewed war with Iraq may be upon us. How do we carry on?

First, we remind ourselves that this war is not new. Much of the world has been actively at war since the declaration of Peace following WWII. Families in Latin America, Africa, Asia, and the middle East face recurring violence and torture- often at the hands of troops directly trained by the US Military and supported by US economic interests. Many people alive today have never lived free of the immediate threat of poverty, ecological devastation, and death caused by war.

We cannot hope to create a loving, accepting environment for our families, and respectful, diverse communities for all people in a world governed through military action.

War is directly contrary to the mission of Love Makes A Family, Inc. Therefore, our Board unanimously passed a resolution opposing U.S. Military action.

We encourage you to do whatever you can within your own community to oppose the attack on Iraq and to build a peaceful world where all families can live non-violently with each other and with their neighbors.

Yours,

Bonnie Tinker
Executive Director

Pam Monette
President of the Board of Directors

Report From Sima: Middle Schools

As many of you know, as the middle school project coordinator, I take teenagers to speak at local middle schools about homophobic bullying and teasing. Every presentation has been well received. On Sunday, January 16th at the First Congregational Church I joined Josh Graham as a speaker honoring the church's 11th anniversary as an open and affirming congregation. Though the presentation was brief, people responded by donating money and airline miles to help send me to present a workshop at the rainbow family conference in Minneapolis, Minnesota on February 22nd. The last two years I have been fortunate to attend the Rainbow Families Conference. Each year the conference has grown and this year 1200 lesbian, gay, bisexual, transgender, and queer people are expected to attend. I'm excited and honored to attend and teach a workshop to share what I have learned.

(Continued on page 2)

Love Makes A Family, Inc
Calendar : February and March 2003

-Tuesday, February 4th: Dad's Group meeting. Mike and Don's home at 2922 SE 18th avenue. For additional information or directions contact Mike at (503) 236-8339 or Bonnie at (503) 228-3892.

-Saturday, February 8th: Valentine cookie making for middle school kids families. 4312 SE Stark St. from 2-5 PM Call (503) 228-3892 for more info.

-Saturday, Sunday February 15th-16th
Peace actions all the over the world. Keep an eye out for information on events and times. Distribute peace valentine see page 5.

-Wednesday, February 19th Dad's Group meeting.Mike and Don's home at 2922 SE 18th avenue. For additional information or directions contact Mike (503) 236-8339 or Bonnie at (503) 228-3892.

-Friday, February 21st: Clark County parent/child Group 6:30-8:30 PM at the Children's Home society at 309 W.12th in Vancouver

-Friday, February 28th Metro parent/child Group 6-7:45 PM Augustana Lutheran Church, NE 15th and Knott(on the east side), just north of the Lloyd Center.

-Tuesday, March 4th Dad's Group meeting. Mike and Don's home at 2922 SE 18th avenue. For additional information or directions contact Mike at (503) 236-8339 or Bonnie at (503) 228-3892.

-Friday, March 21st Clark County parent/child Group 6:30-8:30 PM at the Children's Home society at 309 W.12th, in Vancouver

-Saturday, March 15th
Peace march and rally in Portland. Keep an eye out for information on location and times, and events in other cities.

-Wednesday, March 19th Dad's Group meeting. Mike and Don's home at 2922 SE 18th avenue. For additional information or directions contact: Mike at (503) 236-8339 or contact Bonnie at (503) 228-3892.

-Friday, March 28th Metro parent/child Group 6-7:45 PM Augustana Lutheran Church, NE 15th and Knott (on the east side), just north of the Lloyd Center. For more info call Sima: (503) 228-3892

(Continued From page 1)

As the middle school project coordinator people frequently ask, what do I do? First and foremost, I try to connect Lesbian, gay bi & transgendered (LGBT) families. Often when our children hit the middle school age there is a disconnect between school and family. Our children attend middle schools with children we do not know. Who are the other LGBT families at our middle school? Usually the children do not know. If problems arise there are few, if any, places where our children feel safe to talk about their families and/or homophobia at the school. Every two months I plan an event where all LGBT middle school families in the greater Portland area can come together to share in a fun activity. This year we have met for bowling, wreath making, and soon (February) cookie making. An April event has yet to be decided.

I also take high school students who are LGBT or have LGBT parents to middle schools where we do some activities and talk about the dangers of homophobic comments, teasing, and bullying. In February I will be visiting all the Portland Public School gay/straight alliances (GSA) at the high schools. My goal is to build up the teen groups so I do not have to rely on the same handful of teens (although the teens I've been working with have been incredible.) I am hoping to take teams to at least five more middle schools in April. If you have a teen who would be interested in presenting with me in the Spring call (503) 228-3892. Another part of my job is public outreach at various events. I have done speaking at PSU in college classes, PFLAG, churches, and schools. I am excited about my work. Watching people learn and evolve is an amazing experience.

Please contact me or attend a Love Makes a Family, family support meeting at the metro group on the last Friday of the month from 6-7:45 pm to talk to me personally.**-Sima Teherani.** (503) 228-3892.

Editors Note:
Sima has also been asked to speak at a thirteen state National Service and Disability Summit in Los Angeles CA, February 24 & 25. We are very proud of her work!

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Today the voices of lesbian, gay, bisexual, and transgendered people are not only out. . .but out against the war!"-Cecil Prescod

(Continued from page 1)

20,000 + people gathered in downtown Portland opposing the "inevitable" war on Iraq.This is the third peace march in Portland over the last few months, each one bigger than the last. Portland seems to be following a common trend throughout the rest of the world, as resistance to President Bush's rush to war starts to gain more and more momentum.

Members of Love Makes a Family made sure their presence was felt. Cecil Prescod a board member of Love Makes a Family, and member of Brother to Brother gave a speech at the march, saying,

"Today the voices of lesbian, gay, bisexual, and transgendered people, organizations such as Love Make a Family, Inc., Pride at Work, the American Friends Service Committee's Gay and Lesbian Program, are not only out, but out against the war! We are a diverse, yet united people committed to the belief that war with Iraq is neither necessary or inevitable."

The protesters gathered at the South Park blocks near Portland State. There were a number of speakers and musicians. There were also many different organizations that attended the protest. Among them there was a large number of religious groups. The Buddhist Peace Fellowship brought a small tent, which gave people a place to meditate and pray.

The march seemed to consist mostly of mainstream liberal Americans opposed to the threat of war. There was a smaller non-permitted radical feeder march, which began before the permitted one. The radical march was very lively, with chanting, singing, and the Against Me song "Baby, I'm an Anarchist" blaring out of a megaphone. The protesters marched through the streets disrupting traffic for a few blocks. The feeder march then broke up into different directions and many of the radical protesters joined up with the permitted march, which had gotten stronger, as people continued to join.

The main goal of the majority of protesters was to stop the likely preemptive

(Continued on page 4)

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PROOF READER: SHEILA BOB
PHOTOS: ALEX TINKER

Corner of Sandy Blvd.
& NE 64th

3106 NE 64th
Portland, OR 97213

503-280-8080

It's My Pleasure
Gifts for Romance in an Elegant Setting

Thousands of protesters gather in DC. , Jan 18th, 2003.

(Continued from page 3)

strike by the US. In addition there were also some other signs demanding a just, peaceful resolution to the Israel-Palestine conflict. There were also a number of signs celebrating the work of Martin Luther King, Jr. who had spoken out against the Vietnam War when it was unpopular and dangerous to do so. Many of the signs were witty and original. One read "No blood for oil! Oatmeal for the masses!"

The march continued for a couple of hours as new people came and left. A large number of people gathered in the park and were entertained by a very skilled drumming group, and a squad of "radical cheerleaders." Over all the protest seemed positive with only a few problems, and had a festive atmosphere. The protest went well and Love Makes a Family was proud to be involved. **Ben Waite**

Letter for Peace

Dear Friends,

I am recently returned from the Peace Conference of Friends World Committee for Consultation at Guilford College. There were hundreds of Friends*(Editors note: Quakers)* there from coast to coast speaking of their works to prevent this American war in Iraq. Many more spoke of plans for action to take in the future. Listening to the speakers one evening, a clear memory came to me from 30 years ago. I was listening to Pete Seeger who had just returned from Hanoi. He made this little song with a line that was sung over and over-

"I visited a land of a thousand faces,
each one calling to me,
Stop the bombing."

I ask each one of us to consider is there something more that can be done to prevent this catastrophe? There are any number of actions to take. We are all of us very busy already and have already done much. But is there an extra effort- a call, a letter, a conversation, a sign, a donation, volunteering-that might be the measure which accumulates into the wave that halts this madness that does not have to happen? Please take this message from a pushy old queen as a hope for us all to do some more. Each light amidst all this noise of war has power to save many many lives.

Love, John Calvi

calvij@sover.net

Multnomah County Urged to oppose War

The following letter was sent to Multnomah County Commissioners urging them to pass a resolution opposing unilateral US military action in Iraq. The resolution was passed by 4 of the 5 commissioners on January 30, 2003

Dear County Commissioners,

I am writing on behalf of the Board of Love Makes A Family, Inc. to urge you to support the Resolution Opposing Unilateral Preemptive Military Action Against Iraq by the United States.

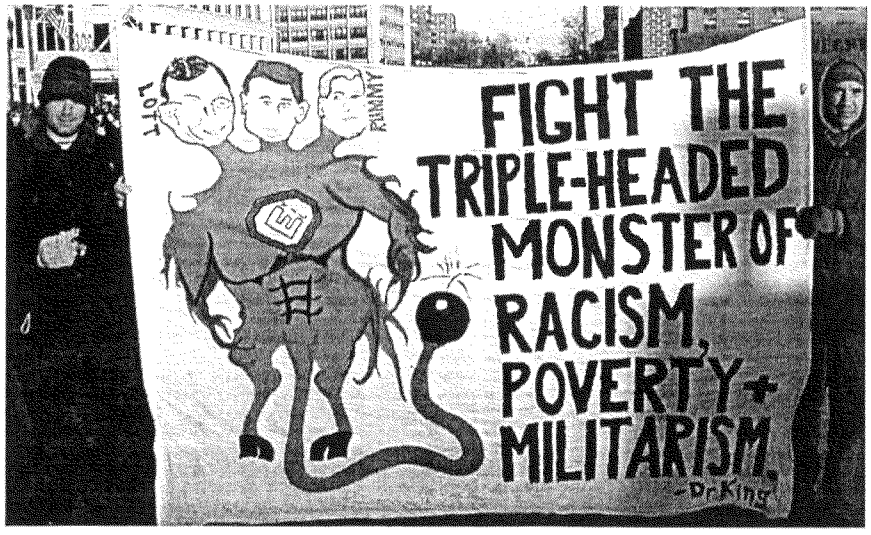
We are deeply concerned about a culture of violence that often starts with bullying at school. Our Middle School Transition Project works directly with middle school classrooms to help students understand the way bullying hurts their friends. We are helping children to learn that they can resolve conflicts and respond to being hurt without using verbal or physical violence.

Unilateral, preemptive military action by the United States is equivalent to international bullying. But the consequences are commensurate with the adult, international, scope of the action, and the military and economic might of the United States government. There is no moral justification for unleashing war and the resulting death and economic devastation to unilaterally solve international conflicts.

Beyond the moral concerns about this war, it is also evident that even the threat of war has had a devastating effect on our economy, and therefore on services offered by Multnomah County. A country that proposes to spend billions of dollars initiating violence against another country, but will not meet the needs of it's own citizens is morally bankrupt.

Please speak for us. Pass the resolution opposing Unilateral preemptive military action against Iraq by the United States.

Yours,
Bonnie Tinker
Executive Director
Love Makes A Family, Inc.
503-228-3892



Protesters hold up sign at rally in D.C.,Jan, 18, 2003

ANNOUNCEMENTS

VOLUNTEERS!!!!!

We are always in need of volunteers, but especially right now. Love Makes A Family has thousands of members all over the world, and we need your help to reach them!! We are looking for: **volunteers willing to come in and help us fold and post our mailings and volunteers who are able to help us reach our constituents through a weekly e-mail update!!!**

If you are interested please call us at (503) 228-3892 and be ready to give us the best ways to contact you, as well as available times to come in.
Thank You all so much.

HELP WANTED!!!

We are in need of long-term volunteers willing to commit five to ten hours a week in the following areas:

FAMILY GROUP VOLUNTEER We are looking for parents, and young adult children of LGBT parents able to coordinate childcare, children's activities, food, donations, sign-up sheets, and reminder calls for our family groups, as well as volunteers able to facilitate the groups

Call us (503) 228-3892 if you're interested!!

Attention!

Nominations are open for new board members. Applicants should have some prior experience working with Love Makes a Family. You can contact the office for a nomination form.

Thank You!!!

Thank you, thank you, thank you to **Old Wives Tale** for hosting a delicious holiday dinner (wine and dessert included!) for the Love Makes Family staff and board members. The restaurant staff was incredible. Thank you for the wonderful winter holiday meal, and warm hospitality.

Yes Virginia, there is a recession.
Year-end contributions to Love Makes a Family have been down.
Did you renew your membership?
Please send a contribution in the enclosed envelope!

Freelance Peace Project

Cut out this valentine and give it to someone the weekend of February 15 as a part of the international demonstrations for peace!
It can be reprinted four-up on an 81/2 x 11 page.

Pass this message to someone you care about.
(Quote from Franklin Delano Roosevelt at the end of WWII. It is carved on the wall of the FDR Memorial in Washington DC.)

"Unless the Peace that follows recognizes that the whole world is one neighborhood and does justice to the whole human race, the germs of another world war will remain as a constant threat to mankind.

Work for Peace!

Des Anderson Moves on

MultiQueer Regroups

Des Anderson has resigned as our MultiQueer and Flavors coordinator. "Working at Love Makes A family has changed my life" she says, but I need to think about getting back to school. Fortunately, Des leaves the program in a strong position with the contacts she built during her nearly two year tenure.

We appreciate the service Des Anderson gave to Queer Youth of Color, and know that she will make a difference wherever she goes in her life.

With Des's resignation, the MultiQueer program will be restructured for a part time staff position. While the Board is committed to our work with Queer Youth of Color, they are also committed to program planning that fits within our recession era budget. County funds for the MultiQueer program ran out last July so the work must be sustained through earmarked grants and individual contributions. If sufficient funds are raised, the position will be restored to full time.

The Flavors support group, a joint project of Love Makes A Family and Brother to Brother will remain the core of a scaled back MultiQueer program. Applications for the new position will be available in March.

New Foundation Grants

A Territory Resource (ATR) awarded Love Makes a Family $5,000 in January for general support.

Equity Foundation will present a $3,600 check for the MultiQueer program on February 18th at their annual awards celebration.

Thank you all very much. Your support is greatly appreciated

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SATURDAY 8 AM - 10 PM
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I have seen war on land and sea. I have seen blood running from the wounded... I have seen cities destroyed...I have seen children starving. I have seen the agony of mothers and wives.

I Hate War-FDR.

Freelance Peace Project

Cut out this valentine and give it to someone the weekend of February 15 as a part of the international demonstrations for peace! It can be reprinted four-up on an 8 1/2 x 11 page.

Bullying hurts our children in school. International bullying through war and threats of war hurts children everywhere. There will be no peace for our children until there is peace throughout the world.

No War in Iraq!

Love Makes A Family, Inc.
503-228-3892
www.LMFamily.org

STOP THE WAR ABROAD! STOP THE WAR AT HOME! QUEERS SAY NO TO WAR! STOP THE WAR ABROAD! STOP THE WAR AT HOME! QUEERS SAY NO TO WAR!

A Statement Opposing the War from the Michigan Office of The American Friends Service Committee's Lesbian, Gay, Bisexual and Transgender Issues Program and Rainbow Quakers

If ever there were a time for Lesbian, Gay, Bisexual, and Transgender (LGBT) people to broaden the framework of our anti-violence work to oppose racism, abuses of law enforcement authority, militarism and war, that time is now. We find many compelling reasons why LGBT people of good will everywhere should say "No" to war on Iraq and "No" to the Bush government's permanent "War on Terror." First and foremost, we believe these wars are illegal, immoral and unjust. Massive violence, violations of human and Constitutional rights, and the silencing of dissent can never produce safety and justice for any group or society. We believe that those who care about democracy in the United States and those with a global commitment to human rights have a moral obligation to speak out when we believe political leaders are taking us in a wrong direction.

Today, many LGBT organizations and activists are questioning whether they should take a stand against the war. The question at the center: "Is war 'our' issue?" The answer depends on whom we understand to be the queer community and whether we seek justice only for one group or whether our vision is beautiful and bold enough to include all people. The LGBT communities with whom we work with include people of color, poor people, immigrants and youth. We know from our own experience that People of Color, poor people, women and children suffer most from the violence of militarism at home and abroad. It is simply not possible for us to do our work effectively or appropriately without confronting this militarism and the violence of racism, just as we confront the violence of homophobia and heterosexism. These struggles are intertwined. They are not separate.

Today, the U.S. government stands on the verge of launching a major war against Iraq and is bringing extraordinary pressure to bear upon other countries to endorse this action. This push to war is happening despite massive public doubt about—and increasing opposition to—this war both in the U.S. and throughout the world. It is clear to the world that a pre-emptive first strike against Iraq will only fuel the fires of hatred, fear and violence, and produce pain, misery and suffering on a scale so large as to be almost incomprehensible. The suffering of ordinary Iraqi people is already great. More than 500,000 infants and very young children in Iraq have already died as a direct result of U.S.-supported economic sanctions because they had no medicine or clean water to drink. How can this be called just? It is not only the people of Iraq who are at risk. This war places us *all* at risk.

U.S. political leaders are promulgating a reprehensible new foreign policy doctrine that asserts the right of the United States to launch unilateral, preemptive military strikes against any nation or group that stands in the way of the U.S. government's desire for unfettered access to the world's natural resources and the satisfaction of its geopolitical ambitions. This doctrine is in direct violation of established international law.

At home, as abroad, the current administration's new permanent "War on Terror" is rapidly eroding basic Constitutional rights, including the right of due process. The U.S.A. Patriot Act and other related measures authorize an unprecedented expansion of the scope and authority of law enforcement, unconstrained by any reasonable checks and balances. Abuses of the human and Constitutional rights of immigrants are commonplace. This expansion of police authority comes at a time when the entire framework of Constitutional and civil rights is already under assault; attacks often directed against people of color (immigrants and U.S. born), women and LGBT people. The assault on our rights is accompanied by an accelerated shift of public resources away from human needs and toward prisons, policing and militarization. Those most hurt by the violent impact of these shifts are poor people and People of Color, including those who are Lesbian, Gay, Bisexual, and Transgender.

Hate violence, like state violence, is increasing in the U.S. Hard-won state and local legislative gains for LGBT people are not secure, but must be defended again and again against organized political attacks by the Right. Politicians offer queer communities penalty enhancement hate crime bills, not federal civil rights protections. Funds that could help respond compassionately and meaningfully to the global pandemic of HIV/AIDS are instead being directed to already-bloated military and "national security" budgets. Youth programs and many human services programs serving LGBT constituencies are in jeopardy.

The current shockwave of hatred, fear and violence threatens to engulf the world unless we turn to one another in a radical spirit of nonviolence, generosity and justice to stop the devastation of civilian populations abroad and racism and oppression at home. By lifting up a powerful voice of resistance and a call for authentic justice, we will encourage others to do the same.

For our own sake, and the sake of others, LGBT people *must* speak out against violence of all kinds.

STOP THE WAR AT HOME! QUEERS SAY NO TO WAR! STOP THE WAR ABROAD! STOP THE WAR AT HOME! QUEERS SAY NO TO WAR! STOP THE WAR ABROAD!

The American Friends Service Committee is an independent Quaker organization whose work for social justice, peace and humanitarian service is carried forward by people of many religious and spiritual traditions. We seek to give practical expression to the belief that there is "that of God," or Sacred Spirit, in every person and in all peoples. Our programs are rooted in the radical faith that the power of love, given tangible expression in our social, economic and spiritual struggles, can overcome violence, despair and injustice.

Get involved with anti-war efforts! Check out the following websites for more information about peace organizing efforts in your area: www.unitedforpeace.org, www.afsc.org, www.peacepledge.org

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Love Makes A Family, Inc. provides newsletters at no cost, but we need your generous contributions to keep running our programs. We really appreciate your support. Thank You from our Staff and Volunteers!!

LOVE MAKES A FAMILY

Creating a Family Voice for Lesbian, Gay, Bisexual and Trans People

PO Box 5163 • Portland, OR 97208 • Phone: 503/228-3892 • Fax: 503/228-3970 • www.lmfamily.org

Published Bi-Monthly **August 2003 - September 2003** Volume 3 Issue 5

LOVE MAKES A FAMILY 3RD ANNUAL AUCTION

BY SIMA TEHERANI-AMI

The 3rd Annual Love Makes A Family Auction will be held at Darcelle's on Sunday, November 23rd, 2003. M.C.'s Poison Waters and Christina Sigwart will fill the room with laughter while auctioning off accommodations, services, fine dining, art, gift items, and collectables. Proceeds from the auction help fund Love Makes A Family events and programs.

Thanks again to last years contributors whom made last years event an amazing success: Darcelle, Poison Waters, La Muse, Naked City, Desperado, Ferguson's Auto Body, Pamper Me Silly, Three Lion's Bakery, And Baby, Cup & Saucer Cafe, Fresh Pot, Greek Cusina, Meal Time Magic, Crush, CC Slaughters, Talk of the Town, Kids At Heart Toys, Miller Paint, Linnton Feed & Seed Store, It's My Pleasure, Fantasy Videos, Flint River Ranch Pet Products, 3rd Generation Accounting, In Other Words, Galaxy Wine, Dr. Betsy Mitchell @ Full Spectrum, Wild Abandon, Dr. Lisa Hoffman@ Full Spectrum, Inner City Hot Tubs, Diane Wilson @ Yoga Studio, Jensine Larsen L.M.T., Alder Creek Kayak & Canoe, The Tin Shed, Broadway Coffee Merchant, Gary Bondurant L.A.C., Red Light, Sullivan's Gulch Bed and Breakfast, Hawthorne Auto Clinic, Chameleon Restaurant, Shannon John @ Reflections, Shelly Wilson, Kelsey Tyler, Sam Morgan, Patricia Leming, Michelle Alexander, Jon Schultz, Romy Itzigsohn, Penn Weldon, Joy Turtola, Bonnie Tinker, Paul Iarrabino, Reggie Petry, Paul Davis, Woody, Ricardo, Jerry, Tim, Alex, Sima and Nicole

Please join us for a fun filled evening at **Darcelle's Sunday, November 23rd** 2003 as we raise money for a truly terrific, valuable, indispensable, and trend setting group who is trying to make the world a safe place for all our families.

If you would like to contribute to the Love Makes A Family 3rd Annual Auction or join the auction committee please call 503.228.3892.

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A Note From Bonnie Tinker, Executive Director

To Marry or Not to Marry—Is That the Question?

It's been an up and down summer on the question of legal recognition of same sex marriages.

First, the United States Supreme Court outlawed sodomy, leaving some people to conclude that once we're legal there's no stopping marriage. Others concluded that if sex leads to marriage then they need some new laws. Assorted anti-gay factions are plotting new ironclad legislation that would further restrict the special rights of marriage to heterosexuals.

Next, the Canadian government spoke up concluding that equal protection under the law requires legal recognition of same sex marriages. Two provinces have enacted the necessary procedures to process same-sex marriages. Because marriage in Canada is not restricted to citizens, not only can lesbian and gay Canadian couples marry, but couples from anywhere can also go to Canada and get legally married. Many have already taken that step.

At this point, however, the value of Canadian marriage to couples from the United States is more ceremonial than contractual. Canadian same-sex marriages will not be recognized in the United States, thanks to DOMA. The Defense of Marriage Act, sponsored not only by the expected anti-gay forces, but also by many of our own democratic senators, representatives, and signed by the man who was "our" President, specifically states that the Federal Government and individual States do not have to recognize same sex marriages permitted by other States or nations.

So, why bother if you plan to live in the United States? On the plus side, Canadian

(Continued on page 2)

A Note From E.D.

(Continued from page 1)

marriage does provide comforting social and legal recognition, even if it comes from our neighbor to the North and not from our own country. And, if you're in this for the long term, Canadian marriages may eventually provide useful test cases for our own courts. Many of the lawyers, however, who have been working on legal recognition of same sex marriages, advise us not to rush into creating legal test cases. They want to strategically choose cases that are most likely to succeed so we don't gum up the court records with bad precedents.

On the down side, a trip to Canada is not free, and it may not gain you anything more than a memorable vacation. The struggle for legal recognition will still be waiting at home when you return.

More importantly, we should consider why The Vatican, President Bush, and other right wing churches and politicians are making an issue of same sex marriage at this moment. The Vatican, reeling financially and morally form exposure of the church hierarchy's role in permitting pedophilia, is looking for a new villain. The Pope has evidently forgotten that ancient rituals for blessing same sex marriages are documented in the Vatican library. The Chief Executive of the United States has forgotten that the role of the military in a democracy is to defend, not to invade. Following the U.S. invasion of Iraq in March, 2003, our military and our tax dollars are now enmeshed in a society whose physical, cultural, and political infrastructures are devastated. Our soldiers, our youth, are direct targets in the ongoing guerrilla wars in the Middle East.

Our economy of the United is reeling. As a labor force we are no longer critical to the international financial interest that control the world economy. Our jobs are fleeing overseas. Our schools lack teachers, textbooks, and physical facilities. Millions of children in this country have no health insurance. If you have any doubt about government's priorities, compare your local school with a newly minted prison in your neighborhood. We have prisons to store criminals, but our courts are clogged and cannot process child welfare cases. We have new airports with magnificent parking structures, but gas prices are so high we can't afford to drive and there is no local public transportation. We have elections, but only millionaires can afford to run for office, and the new voting machines are owned with companies with clear agendas and leave no paper trail of votes to be recounted.

Still, legal recognition of marriage is a tidy package of special rights designed to support families. It is only fair that our families have equal access to these rights. But as we taste the possible victory of gaining these rights, let's remember that even if we do, it will not help senior citizens, disabled people, or low income parents who will scarce financial benefits if they marry.

Discrimination is a system that sets people against one another so we don't pay attention to the big picture of working together for a better world. Discrimination won't go away when lesbians and gays are finally included in the special rights package called "marriage."

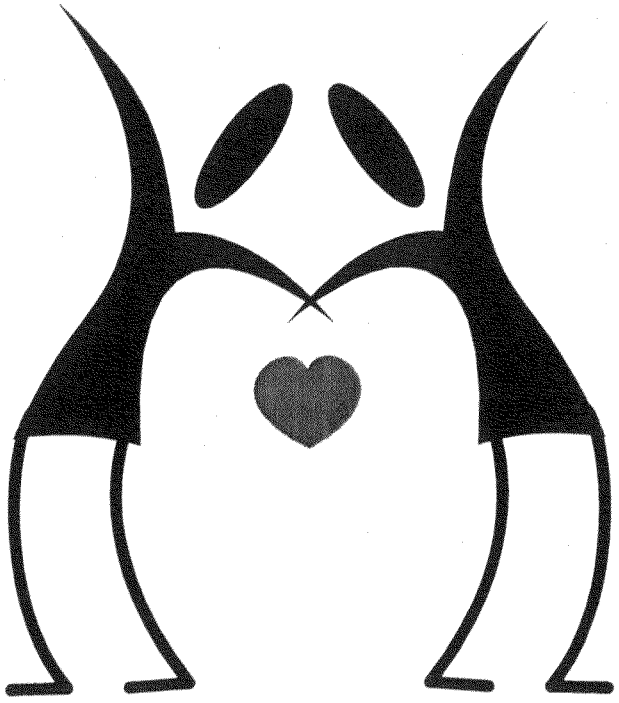
So yes, we need to ask ourselves the question: to Marry or not to Marry? And we need to continue to fight for legal equality. But there's more to in than going to Canada—or to the first State that offers equal marriage.

We are going to need a public voice for lesbian, gay, bi and trans headed families for many years to come. We need a vision and a voice that recognizes that our liberation is tied to the liberation of people around the planet who face economic, social, and political discrimination daily.

Love Makes A Family, Inc. was founded to provide this voice. While you're considering your role in the struggle for same sex marriage, equal employment rights, parenting protections, and all of the other social supports our families deserve, don't forget to renew your Love Makes A Family membership. Your family needs a voice.

Yours Bonnie

Bonnie Tinker
Executive Director



Letter from MultiQueer Coordinator Jay Sablan

I had the opportunity to meet with E. Ann Hinds, Risk Education Department Manager at Outside In. We discussed how MultiQueer can benefit from Outside In's HIV prevention program. Ann talked about offering safer sex/std prevention workshops for Flavors youth, facilitated by a trained OI volunteer. I am also making connections with the Men's Network, which is comprised mostly of young men of color.

In other news, I met with Pam Phan of AFSC's Latino America/Asia-Pacific Youth Program, as well as John Grueschow of the War Resisters League to begin formulating a 'Youth Recruitment in the Military' workshop. Pam has been opening dialogue amongst her youth about the effects of militarization and war- locally and globally. John has made numerous presentations to Portland public high schools with regard to these pressing social issues. It is my hope to encourage queer youth of color to think critically about enlisting in the military.

FLAVORS and Sexual Minority Youth Recreation Center joined forces to host a benefit concert. Proceeds went to both programs respectively. Local hip hop trio LifeSavas rocked the house with conscious lyrics and body shakin' beats. People from all walks of life attended the benefit. Flavors youth stood at the front of the crowd, waiving their arms in the air and chanting lyrics back to the performers. It was a magical night! A huge thank you goes out to Ashleigh Flynn and Zan Gibbs of SMYRC for their collaboration on this project.

A new school year is right around the corner. I am excited about meeting youth at the high school level. I look forward to their unique worldviews, fresh ideas, energy, enthusiasm and self-advocacy. MultiQueer strives for a youth-adult partnership. Young adults must have a voice at every level of this program. My attendance at a recent Community Strategic Training Initiative workshop was beneficial to me as an advocate for youth. I have tools to establish a better working relationship with Queer Youth of Color. This means empowering them to make their own decisions, listening and respecting their culture, establishing trust, and creating a balance of strength and solidarity.

Peace.

Jaye Sablan
MultiQueer/Flavors Coordinator

Flavors Meeting Times

Bi-Monthly
Saturday or Sunday
3:00 p.m. to 5:30 p.m.

OLD WIVES' TALES
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- MODERATELY PRICED
- ESPRESSO
- BEER & WINE
- CHILDREN'S PLAYROOM
- SALAD BAR
- PRIVATE BANQUET/MEETING ROOM AVAILABLE

Metro Group Youth Spot Light: Mariah

My name is Mariah, I have been going to Love Makes A Family for a little less than a year now, and it makes me feel a lot better knowing that there are other families that are like mine, and it's nice to express my feelings once in a while. I go to Love Makes A Family every last Friday of the month. A responsible adult comes and takes care of us for an hour or two—we draw, go to the park, watch movies, all that fun stuff. When the parents are done talking, we go home.

Metro Family Group Meetings

Last Friday of the Month 6:00-7:45 pm

Augustana Lutheran Church
NE 15th and Knott.

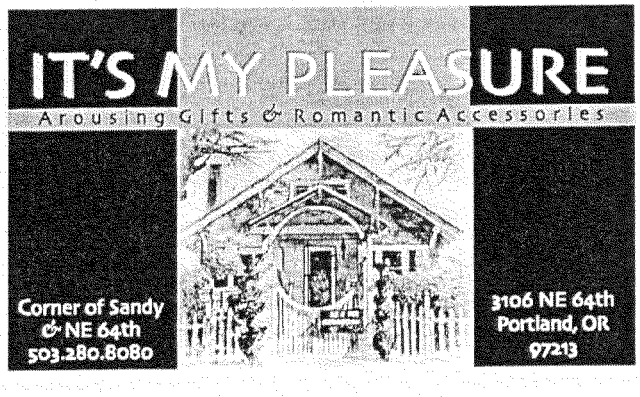
For more Info. Call 503.228.3892

Clark County Family Group Meetings

Last Friday of the Month 6:00-8:30 pm

Children's Home Society
309 W. 12th, Vancouver, WA

For more Info. 360-695-1325 or email bonnie@LMFamily.org

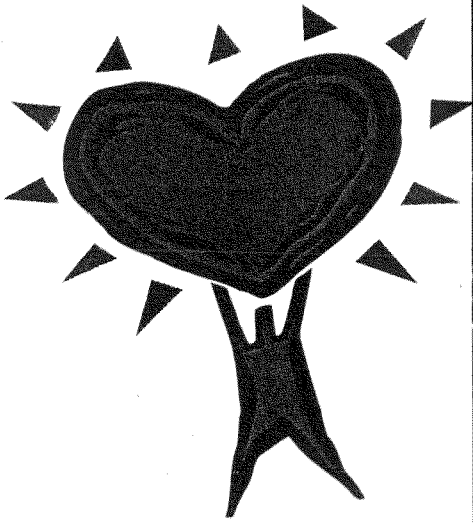


Metro Group Parent Spot Light: Teresa Trotter

In March of this year I joined the Love Makes A Family group with my three sons Matthew, Michael, and Tyler. That was the beginning of a major turn in our lives. With the support of the group we have met many others who also live a lifestyle that is different from norm.

Through the group we have made many friends and the boys have been able to interact with other kids who also have the same living situations that they do. The group has brought us into a better perspective on life and has shown us that we are not the only ones living this lifestyle. Since we have become involved in the group we have attended two plays in Portland oriented for children. The boys and I have organized two different BBQ's at our home in Aloha for the group and they have been a success and allowed us to meet others who do not attend the support group nights the last Friday of every month. My two younger sons and I walked in the parade with the Love Makes a Family group in June and we had a great time. There is a hike scheduled for this month that we hope to attend. Before I met Sima from Love Makes a Family I had attempted to get involved in other organizations, however, they were not kid oriented. Meeting Sima and getting involved in the group has been the best thing for the boys and I. I would recommend that if you know lesbian, gay, bisexual and trans parents and they have not heard of Love Makes A Family, let them know. It has changed our lives.

Teresa Trotter



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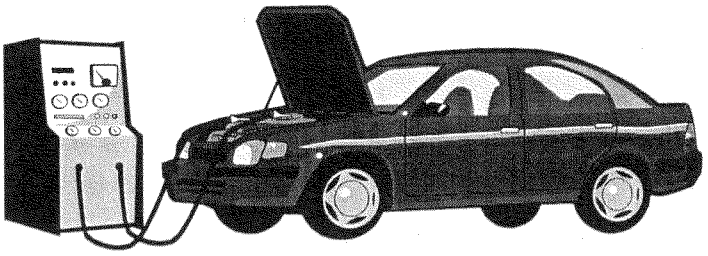

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e-mail: hawthorneauto@earthlink.net fax: (503) 234-2430

www.hawthorneauto.com

SMYRC Job Announcement—Youth Employment Program

The Sexual Minority Youth Resource Center seeks dynamic individual with a strong focus on career development with skills to involve and motivate youth. Requires BA in related field or equivalent work experience. People with diverse backgrounds and abilities encouraged to apply. Job description posted at www.smyrc.org.

Love Makes a Family Board of Director's Biography Spot Light: Christina Sigwart

Christina Sigwart joins Love Makes A Family Board in May

I've lived Portland since 1997. I transfer here with a Worldwide company I was a territory sales Manager for. It rained from April to June. I remember thinking, "why oh why am I here? I don't love the rain..."

Six months after moving here I met Laurie. The rest is history.

I was born and raised in Grand Junction Colorado. It was a very small town and I was able to escape.

In the late eighties, I moved to Southern California; loved the sun and raised a daughter at the beach for nine plus years. After that I had a 3 year stint in Northern California (This Lesbians dream city)

I have been in Sales & Marketing....well for most of my life. I was the kid on the corner who had a stand. I sold cakes & cookies. Of course made from my EZ Bake oven. I knew people liked sweet treats in the morning; after all what better to go with your morning coffee or milk, and had to get up early to meet the market demand. I learned two valuable lessons with that business:

Lesson 1: I'm not a morning person (even at the age of 10), but I would and could do what it took to make that 25 cents.

Lesson 2: I learned marketing.

I had a sign that read," ***Breakfast is the most important meal of the day.***"It worked and I sold enough that summer to buy my Turquoise Blue Stingray bike. I don't doubt some of my early marketing angle had to do with being raised Catholic, you know GUILT and all but hey it worked. I'd like to know how many genius marketing agency executives had the same start as I. I believe anything and everything can be sold or moved correctly as long as a person has the right marketing plan.

For almost three years I have been the Sales Manager for *And Baby Magazine* a GLBT parenting magazine. I'm also Vice President of PABA Portland Area Business Association on my second term. I also enjoy photography, fishing and restoring and redesigning furniture. I also have a small "Mosaic Tile" business. my motto "If you want it tiled...I can do it." In November I will be showing furniture at the Blend coffee shop. I am donating 2 pieces for the ***Love Makes A family*** silent Auction on November 23rd. These pieces will be on display all month, as well as a reception at **the Blend on November 8th**. Look for more information in the next newsletter, come by and say hi.

I came out later in my life....I think we all do things in our own time. I'm lucky in my "outing" I didn't lose one friend, nor did anyone in my family slam the door in my face. At the time, being a Lesbian was the blessing in my life and my families. As my mother put it, "at least I had made the move to live in and be true to myself" (which was more than anyone else had ever accomplished in my family). Most of my family still lives in Colorado. There has been many times through the years that I've been glad to live so far away, and other times (especially as I get more gray hair) that I wish my Mom lived closer. It is part of that "maturing process" everyone talked about when I was younger and made me say "yeah sure." Now I am at the age when I use to think that was so old.

What has become important to me in the past years of my life and meeting people involved in the magazine is truly understanding the phrase "family". Many of us have developed extended families because of career moves, or because of lack of support from our own. My family by no means is the true traditional. I don't know of any anymore. But I know with the "Family" I have created for myself it is the Love, that brings us together.

I have a wonderful wife, a daughter, a grandson , a mother and father. I am honored to be on the board of directors of this organization.

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August 2003

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5 *Dad's Group*	6	7	8	9
10	11	12	13	14	15 *Clark Co.*	16
17	18	19	20 *Dad's Group*	21	22	23
24	25	26	27	28	29 *Metro Group*	30
31						

June 2003 Schedule of Events

- August 5th, (First Tuesday) Dad's Group Meeting, for additional information or directions contact Mike at (503) 236-8339 or email terry@tactix.com
- August 20th, (Third Wednesday) Dad's Group Meeting, for additional information or directions contact Mike at (503) 236-8339 or email terry@tactix.com
- August 15th(Third Friday), 6:30 pm to 8:30 pm—Clark County Family Group Meeting (Clark Co.), Esther Short Park, Vancouver, WA (potluck dinner) For more information, call 360-695-1325 or email bonnie@LMFamily.org.
- August 29th, 6 pm to 7:45 pm—Metro Family Group Meeting (Metro), Agustana Lutheran Church NE 15th and Knott (6 to 6:30 potluck dinner, 6:30 to 7:45 parents and children separate for discussions/play). For more information call 503-228-3892 or email Sima@LMFamily.org

For more information on Love Makes A Family and/or more information on these scheduled events please call 503.228.3892.

September 2003

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2 *Dad's Group*	3	4 *PPS first day of School*	5	6
7	8	9	10	11	12	13
14	15	16	17 *Dad's Group*	18	19 *Clark Co.* End of Summer Camp	20
21 Out	22	23	24	25	26 *Metro Group*	27
28	29	30				

September 2003 Schedule of Events

- September 2nd, (First Tuesday) Dad's Group Meeting, for additional information or directions contact Mike at (503) 236-8339 or email terry@tactix.com
- September 4th, Portland Public Schools first day of school
- September 17th, (Third Wednesday) Dad's Group Meeting, for additional information or directions contact Mike at (503) 236-8339 or email terry@tactix.com
- September 19th (Third Friday), 6:30 pm to 8:30 pm—Clark County Family Group Meeting (Clark Co.), Battle Ground Lake, Battle Ground, WA at group camp area For more information, call 360-695-1325 or email bonnie@LMFamily.org.
- September 19-21 An End of Summer Camp Out! Battleground Lake in Battleground Washington (potluck dinner) for more information please call Jo at 1-360-883-0354
- September 26th, (Last Friday) 6 pm to 7:45 pm—Metro Family Group Meeting (Metro), Agustana Lutheran Church NE 15th and Knott (6 to 6:30 potluck dinner, 6:30 to 7:45 parents and children separate for discussions/play). For more information call 503-228-3892 or email Sima@LMFamily.org

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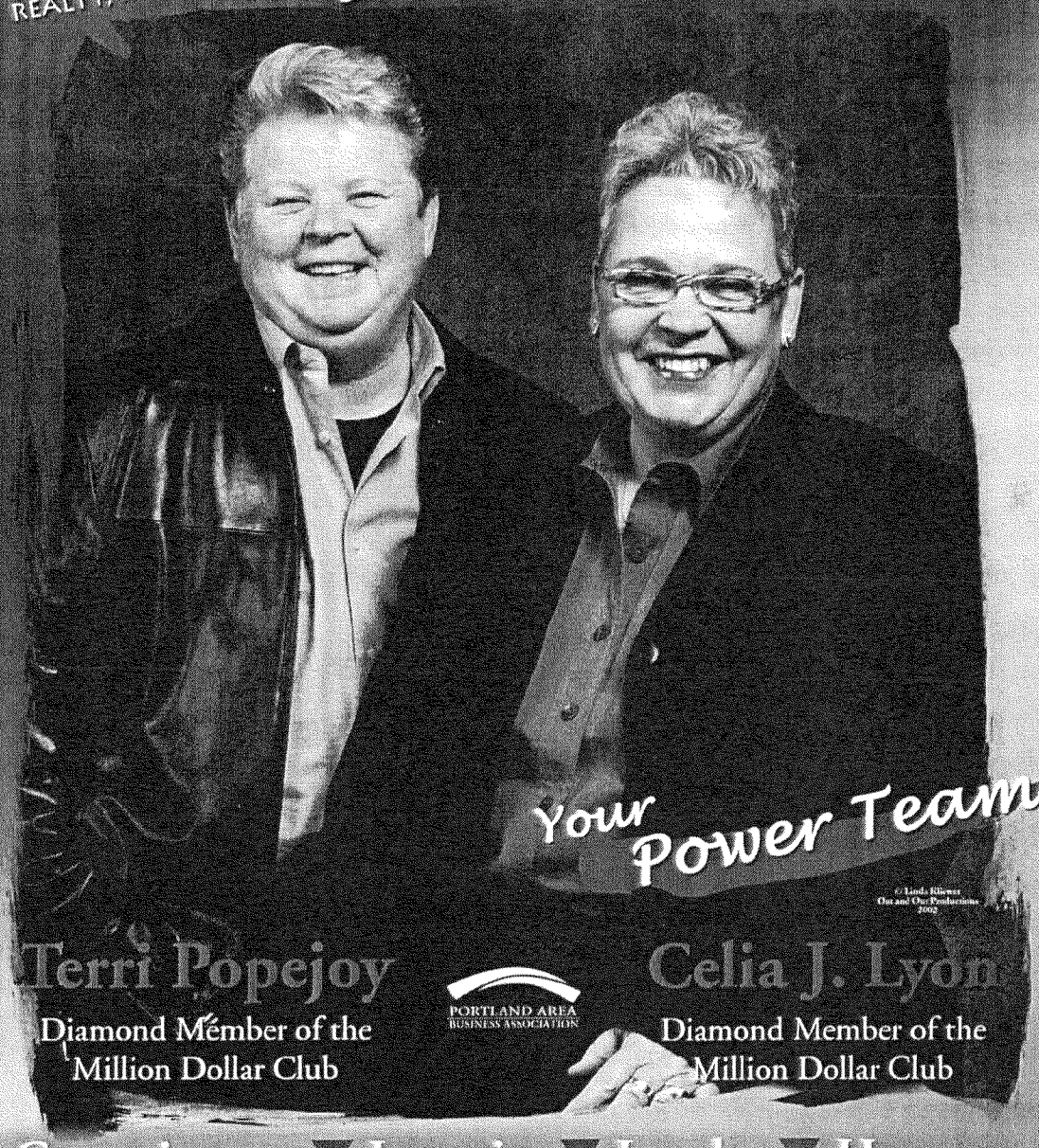

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Thanks for Celebrating Pride 2003!

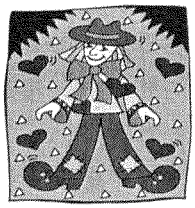
Many wonderful people came together to make Pride celebrations a great time this summer.

In Portland Chesley Reyburn hired a flatbed truck and brought in our little playhouse for the parade. He was joined by about a dozed volunteers who helped decorate it and keep an eye on the kids during the parade. Another great batch of volunteers worked in the booth during the two days of the festival at the waterfront. And thanks to the hundred of people who stopped by the booth to visit!

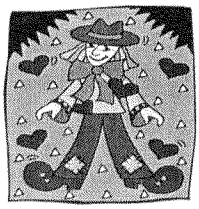
In Eugene Katie Strong organized a team of volunteers to provide kids activities throughout the day. Many children - and their older friends- enjoyed playing, painting, bead making, face painting- and of course, bubble blowing. Our faithful database manages, Sarah Gray, helped set up and take down the booth, and spent more than a few hours staffing it.

Saturday in the Park, Vancouver's Gay Pride Celebration, had a great team of Love Makes A Family volunteers staffing our information table and playing with the children. Jo Lukinich, Our Clark County Parent Coordinator, not only brought out the volunteers for Saturday in the Park, but she has also organized summer picnics for the Clark County group, and a campout at Battleground Lake in September (everybody welcome, see the calendar for details.)

Finally, a huge thanks to our fantastic office volunteer, Frank Meyers, who collected names from people attending all three Pride events and entered them into our database. The lucky winners of our drawings can also thank him for the idea of giving away the rainbow umbrella and T-shirt prizes. And a big and continuing thank-you to Willa McConnell who not only made the brightly colored boxes for the drawings, but who also came into the office after every event to clean up the mess. Thanks to her, the remnants of Pride 2003 are organized and stored, ready for all of you to come help use them in the summer of 2004.



Get Involved With Love Makes A Family



Membership

Membership in Love Makes a Family is open to all who support our goals, to work for social change to create a supportive environment within our communities and to provide a public voice for all families, especially those subjected to social, economic, and legal discrimination due to sexual orientation or gender identity/expression.

Volunteer

If you would like to make a difference in the LGBTG community, please consider being a volunteer at Love Makes a Family. We can always use more with a variety of help and skills.

Email List

Please join our email list to receive announcements and news about Love Makes A Family.We may forward along some information important to LGBTQ families, but we will keep this to a minimum.

For more information visit www.lmfamily.org or call 503.228.3892

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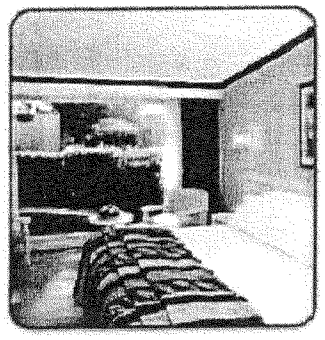

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_____

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Love Makes a Family Presents..An End of Summer Camp Out!

At

Battle Ground Lake in Battle Ground Washington

September 19—21

To keep things simple we are asking that everyone provide for their own family, from camping equipment to meals. If anyone is lacking and camp equipment such as cookware, camp stove, tent, sleeping bags etc., do not let it stop you from coming along. Give Jo a call and we'll see what arrangements can be made. If there are any musical people out there bring your instruments andalents too! It would also be great fun to have some outdoor games like volleyball, bad mitten, horse shoes, etc. Let's all try to invite a new family or maybe a family that has not been to any of the groups in a while. This will be a lot of fun and an excellent time to come together as one large group.

Please take the time to fill out the registration form below include a check or money order for the cost of the campsite and mail by September 1st. Checks should be made out to Love Makes a Family Inc.

If there are any questions you can contact Jo at 1-360-883-0354

Registration Form

Cost of camp site is $ 2.00 per person per night. Example: A family of four staying both nights would pay $ 16.00 total. This cost covers only the campsite and facilities, be sure to pack all your gear and food.

Name _____

Number of people _____

Contact Phone number _____

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Published Bi-Monthly

March 2004 - April 2004 Volume 12 Issue 2

"Let's Get Real" Film a Must See for Parents and Middle Schoolers

by Sima Teherani-Ami

"Lets Get Real" is a powerful 35 minute film that features middle school students telling their stories of bullying , from both a victims and perpetrators perspective. The straightforward film is a needed addition to any educators film library.

All the oppressions are covered and a comprehensive teachers guide is available for the film. Each section/ interview in the film contains at least one teachable subject referred to in the guide.

The film touches deep chords within adults. Middle school students are saying it's about time someone told it like it really is at school.

Hollywood theater, Women's Media, and Love Makes a Family, Inc. is joining forces to bring a "Let's Get Real" premier together sometime this spring. If you are interested in finding out more information contact Sima @ 503.228.3892.

Sima Teherani-Ami, Love Makes A Family's Family Services Director, traveled to San Francisco in January for a training meeting with Women's Media. She is available to train educators in the Pacific Northwest on use of the film, "Let's Get Real."

A Note From Bonnie Tinker, Executive Director

Speak Out for Same Sex Marriage!

My mother called me recently and told me she had just heard a poll that one third of the respondents didn't really care one way or the other about same sex marriage. One third were vehemently opposed and the remaining third were in the middle. What's missing is a voice for those of us who want equality with all of our hearts. Our work is cut out for us this year. Faced with a growing war in Iraq, soaring heath care costs, and no new jobs, the Bush administration is joining the right wing to distract the public with the same sex marriage issue.

Many of our families have gone to Vermont, Canada, or San Francisco to gain recognition of their marriages (check out the bethanddebgotmarried.net). Across the country counties are opening the door to legal recognition of same sex marriages.

Now we need to build on these actions. We need the public behind us. Our voice must be heard now. We don't need to be afraid of polls that show we are still in the minority. I have seen many straight people change their mind on this issue when the get to know our families.

Now is the time to talk to everyone you know about your family and why they need full rights. Talk about democracy, talk about fairness, talk about the real problems our country is facing. Just talk with an open heart and we will see enormous change.

Are you married? Do you want legal marriage rights? Do you need a speaker workshop in your community? Let us know what you are doing and how we can help.

yours,

Bonnie

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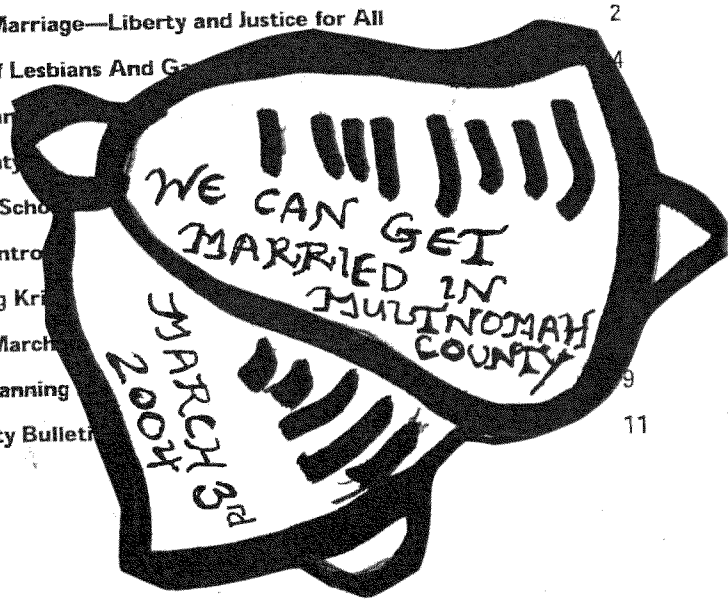

LOVE MAKES A FAMILY

Love Makes A Family
Bi-monthly Newsletter

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Contact

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Same Sex Marriage - Liberty and Justice for All

By Bonnie Tinker and Rev. Cecil Charles Prescod

We, the people, decided the issues of same sex marriages long ago. Equal marriage rights are inherent in "liberty and justice for all."

It's true that same sex marriage is an issue that most Americans don't want to face. It's an uncomfortable issue to debate. And it's hard to see why this should be a priority when our sons and daughters are dying in Iraq, health care costs are out of control, and our schools are gasping for breath and dollars.

And it is also true that same sex marriage is an issue we can no longer duck.

It won't go away. Four judges in Massachusetts recognize that equal means equal for all, and separate won't work. They recognize that "justice for all" includes justice for lesbian and gay couples even if some people hold deep religious and moral objections to homosexuality.

The moment of reckoning on same sex marriage rights would have arrived without the Massachusetts Court. Remembering Langston Hughes, we can say that the freedom to enjoy legally recognized marriages is a central part of the "dream deferred" for many lesbian and gay couples and their families.

The struggle of sexual minorities is not the same as the struggle against racism, but there are many lessons to be learned from those who have gone before us in fighting for freedom and equality. One lesson is that it is the courts' job to protect minority rights.

The June 1967 "Loving" decision is particularly relevant. In June 1958 Mildred Jeter, a black woman, and Richard Loving, a white man, were convicted of violating Virginia's ban on interracial marriages and sentenced to one year in jail. At that time a poll found that 96% of whites disapproved of marriages between blacks and whites. Deuteronomy 7:3 condemns interracial marriages. The 1959 judge who convicted the Lovings declared: "Almighty God .... did not intend for the races to mix." In June 1967, the U.S. Supreme Court overturned the conviction, stating that Virginia's law violated the Equal Protection and Due Process Clauses of the Fourteenth Amendment.

No doubt some people resisted the Loving decision, saying it was made by "activist" judges. They were right. The judges were actively protecting minority rights. This is the job of the courts, to actively uphold the Constitution.

It is with good reason that nobody really wants to amend the Constitution. It would be especially tragic to amend it to exclude one class of people from full inclusion in human rights. Democracy in a diverse society works because the majority is empowered to rule only so long as they respect and protect the rights of the minority. It is also true that lesbian, gay, bisexual and trans people are no longer satisfied with growing tolerance. The dream of every person who has known discrimination is to move beyond tolerance to full equality. We want our rights, and we want them now.

Legally recognizing same sex marriage is the right thing to do. Civil Unions are not Marriage. Separate is not equal. The right time to do the

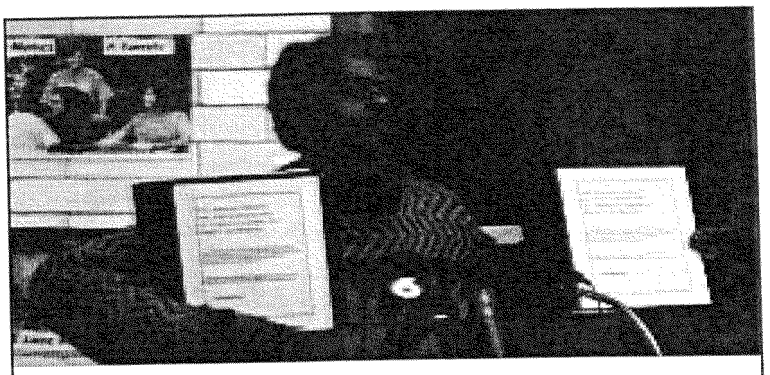
(Continued on page 3

Same Sex Marriage - Liberty and Justice for All

(Continued from page 2)

right thing is always now. Those who say "wait" usually mean "never". "Wait" and "Never" are the language of discrimination. " Now" is the language of Justice.

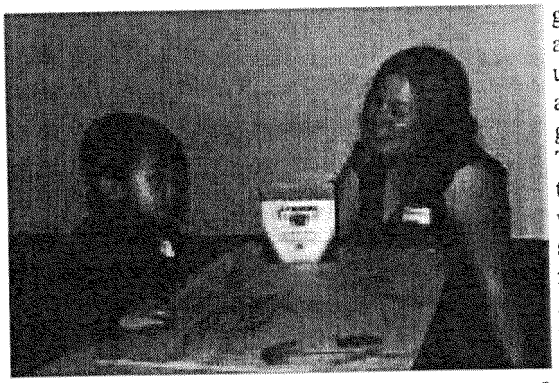
Published in The Oregonian, February 13, 2004



Rev. Cecil Prescod displaying two volumes of Oregon Statues that describe over 1000 rights and responsibilities granted with the legal recognition of marriage

Children Of Lesbians And Gays Everywhere Are Back In Town
By Martin Brown

From the moment Bonnie found out that I have two moms (The first time I ever spoke to her, on my telephone interview back in November), she expressed a desire for me to revive COLAGE, our programming for teenagers with LGBT parents. March 13, that dream will become a reality.



With the help of a group of Portland State University volunteers, Love Makes A Family will present the COLAGE kickoff event at 6:00 pm on March 13 at P.S.U.. Attendees can look forward to a tostada dinner catered by Old Wives' Tales, music by the Gypsy Moths and Todd Kievman, and a sense of community with other queer spawn. For more information, call Love Makes A Family and ask for me: (503) 228-3892.

In preparation for our upcoming COLAGE programming for teenagers with queer parents, I traveled to L.A. to meet with the current COLAGE personalities: Beth Taper, COLAGE's Executive Director, her partner Meredith, COLAGE San Francisco's Program Director, Marily Smith, Intern, and Amanda Kelly Former Intern. While in L.A. I also attend a LGBT Family art exhibit by COLAGE participants. Photographs and brief statements about the experience of growing up with lesbian and gay parents accompanied individual and group paintings and drawings. The artists are mostly between the ages of eight and twenty, and what they say and the way they say it can be awe-inspiring, moving, and terrifying. The L. A. Gay and Lesbian Center, which housed the conference, was filled with quotes and canvases for two days. It was a beautiful time.

The conference itself had similar emotional depth. I spent a good deal of time with a young man who had been raised by a gay dad while attending a conservative Catholic high school as part of his parents' divorce agreement. He was at the conference as part of an agreement with his dad: He attends the conference, his dad allows him to move in with the pastor of his school. Despite this obvious tension and the son's homophobic school environment, there was love in the two man family, which was obvious when they were together. My progressive compass told me to influence the young man with my own liberal doctrine, my intuition said that his interest in Catholicism was a phase that he would outgrow, and a deeper part of me whispered that it's okay. He'll find his own path; it's not mine to choose.

As a child of queer parents, I am an anomalous demographic—a percentage of the population that a good portion of America would like to ignore. We are a population that is larger and more diverse than most imagine. We have been shaped by our experiences, as have the rest of America's children. And we are all children, prone to wonder as well as terror. As the Greyhound made its way across the bay, carrying me away from San Francisco, a dazzling rainbow spread across the clear California sky. I tapped on the hazy bus window and felt myself drift in and out of Minnesota, California, and Oregon, as the wheels beneath me beat a steady time.

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New Lesbian Group in Salem!

Lavender Womyn is a lesbian social group located in Salem, Oregon. The group was started on June 1, 2003. We had 19 womyn and 13 children who came together for a barbecue, and since then, we've grown to over 90 womyn.

Our age group for the womyn ranges from age 22 up to age 50+, and the children range from 2 years old up to about 8 years old. Some of the womyn in our group do have teenagers and grown children, but it is rare for the older children to attend our events.

Our group was actually started by accident. A friend of mine and I were talking over dinner one night about having a small barbecue. Just getting few of her lesbian friends and a few of mine together to meet and build some new friendships. Originally, we were thinking of maybe 6 or so of us getting together. Well, over the next few weeks, I started thinking about other womyn I knew and groups who might be interested in attending our barbecue, so I extended the invitation out a little further, and a little further, and a little further. Next thing I knew, I had a houseful of womyn and children showing up for some socializing, fun and food!! We had womyn come from as far South as Eugene and as far North as Olympia, Washington. Everyone had so much fun, we decided to come to-

(Continued on page 6)

Clark County Group Parent Spot Light: Andrea Eiland

Hi to all,
I am writing to let you all know that I E-Mailed Legal Marriage Alliance of Washington. Also to inform you there web site www.lmaw.org this will bring you to a variety of issues with same sex marriage in addition to a pole, PLEASE sign the pole..... This will let them know what your vote is on same sex marriage!
I also wrote to let him know we are interested in finding more about the laws of same sex marriage in the state o Washington and to also see how they can help us with a group marriage for all that are interested.

Now on a personal note: For all that don't know us (My family) We are the Eilands. I am Andrea my partner Cheryl and three children Sean, Demitria And Alexis. Cheryl and I have been together going on our fourth year this May, we have had a few difficulties to say the least, as do many of you. Cheryl and I go to Pride and have passed up the Love Makes a Family booth a few times to say the least, but one day I decided what harm can it do just check it out! They don't bite, DO THEY? (HEHEHE!) So we stopped and signed the sign in sheet and here we are today. I am glad we did, not only have we made some great friends through this entire experience, we will keep making them. I am glad to be part of this growing family. I know that a lot of you go every month and probably do pretty much the same thing we do: listen to your new family (friends), learn about new laws, marriages happening all around us, harassment, prejudice, even just going to say hello to all the people you consider your friends! I guess is what I am trying to say, is that I am pleased on the results of signing that piece of paper at the booth, not only to hear about all the legal stuff, which we all need to know. Most importantly to be able to share my experiences with FRIENDS, people that have similar concerns and passions!

Thank you to all in Love Makes a Family,

Andrea Eiland.

Clark County Family Group Meetings:

Last Friday of the Month 6:00-8:30 pm

Children's Home Society
309 W. 12th, Vancouver, WA

For more Info. 360-695-1325
or email simaplus2@yahoo.com.

Metro Family Group Meetings:

Last Friday of the Month 6:00-7:45 pm

Augustana Lutheran Church
NE 15th and Knott.

For more Info. Call 503.228.3892
or email simaplus2@yahoo.ocm

Beaverton School District Takes A Stand Against Hate!

by Amber Hicks

Recently, Reverend Fred Phelps from Westboro Baptist Church in Topeka, Kansas, bombarded the Beaverton school district with hateful messages pronouncing the superintendent Jerome Colonna and the school board as being "morons & asinine". He pronounced the districts actions in bring the family diversity photo exhibit "In Our Family", which he said included "vile perverts" who's goal was to "seduce kids to sinful sodomy under the pretext of promoting tolerance and diversity." Included in his message was his plan to picket around the Portland area in response to Beaverton's growing LBGTQ supportive school and church community. I was shocked! Coming from a muti-racial family, I felt the Beaverton district provided supportive programming for racial diversity. I assumed bringing the "In Our Family" photo text exhibit would not have created such a large controversy. Though the Beaverton district reported public support in general as positive, the right wing constituency in the area did speak up in response to the integration of two same sex headed families photos in the display.

Love Makes A Family, Inc. got word of Rev. Fred Phelps' plan to picket the Beaverton school district along with a number of open and affirming churches Feb. 8th and 9th. Immediately we began to organize with The Community of Welcoming Congregations, PFLAG, Basic Rights Oregon, The Portland Gay Men's Chorus, and a number of high school gay, straight alliance groups. We decided the best response from the Portland L.B.G.T.Q. community would be hosting a "Family Diversity Celebration!" at St. Bartholomew Episcopalian church. There were 121 people at the potluck celebration who all gathered together to show their support for this important educational exhibit. The gathering was well received and much appreciated.

I am happy to report the Beaverton district did not give in to Fred Phelp's threats. Another bit of good news is that Rev. Fred Phelps and his followers had a scheduling conflict which got in their way of the planed protest in Beaverton. The "In Our Family" photo text exhibit is now being displayed at the Arts and Communication Magnet High School and will be open to the public when it is moved to the district office on Feb. 17th. Please contact the Beaverton district and tell them you support their decision to stick to the educational goals of teaching diversity in the schools. Jerome Colonna, Beaverton district's superintendent e-mail is Jerome_Colonna@beavton.k12.or.us or you can call the district office at 503.591.8000.

What's Controversial About Family Diversity?

by Amber Hicks

"The photo text exhibit is not a moral or a religious issue, it is a reflection of our diverse Beaverton community," stated Larry Smith, regional director of the Gay, Lesbian and Straight Education Network (GLSEN), at the recent Beaverton School Districts board meeting. On February 9th, Bonnie Tinker and Amber Hicks also addressed the Beaverton School Board in front of a large attending community. Besides our two representatives from Love Makes A Family, Inc., students from Washington county Pride Project and a wide range of community representatives reported to the board the necessity of this educational tool in bringing public attention to our growing diversity commitment in the Beaverton school district. "I wanted to come here as an alumna of the Beaverton School District and applaud you for not being intimidated by the threats from Rev. Fred Phelps… As the Middle School Family and Friends Coordinator at Love Makes A Family, Inc., I also encourage you to look at the intimidation and discrimination sexual minority families deal with on a daily basis. This exhibit is a good first step and I look forward to working with you in the future," stated Amber Hicks.

Lavender Womyn New Lesbian Group in Salem!

(Continued from page 4)

gether again the next month, and then the next, and the next.

After four months, I decided we definitely had something happening here in Salem. I saw a huge need being met, friendships being built, relationships growing, and womyn having a great time socializing with one another, and that's when we decided to make it official and name our group "Lavender Womyn."

We had four barbecues during the summer of 2003. We enjoyed lots of hamburgers, hotdogs, chips, and all the fun food that goes along with a BBQ. Our tummies and taste buds were definitely happy!!

Our group meets once-a-month, and then sometimes we have other activities aside from our monthly social gatherings like flag football, camping, etc. Some of us are moms, and some of us aren't. Some of us are single, and others are not. We have events which include the children, and then sometimes we have the need to just have "adult" time together. Our group is made up of mostly womyn from Salem, but we have several in our group who travel from as far South as Medford, as far North as Vancouver, as far West as Newport and as far East as Silverton to come have some fun.

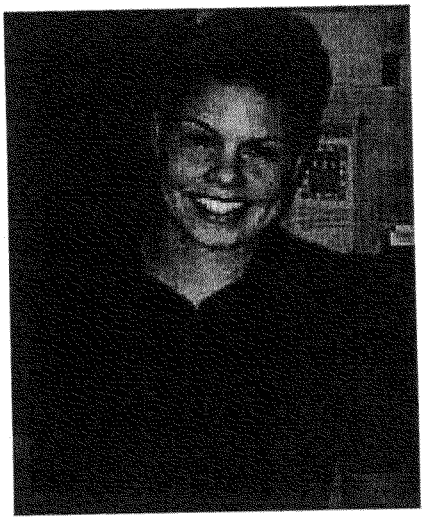
So no matter what your status or where you live, I'm sure you'll find Lavender Womyn to be very open, warm, and welcoming. Besides, you never know how it may change your life...on June 1st (our very first barbecue) was where I met, Kathy, my soul mate and love of my life!! So, come join us and have some fun. You'll be glad you did!! If you have any questions or would like more information, you can check out our web site at: http://www.lavenderwomyn.com, or you may contact me at 503-581-5102 or email me at lavenderwomyn2@hotmail.com. I hope you will be able to join in on the fun and remember to always look for the rainbows in life!

In Spirit ~ Kim Windfeather

Introducing Kristy Eggen Love Makes A Family's MultiQueer Coordinator

Kristy Eggen was hired in January as the MultiQueer coordinator. Kristy also facilitates the Triple Point Youth Group in Clark County, Washington, and is in the MSW program at Portland State School of Social Work.

Welcome Kristy!



"I was reminded that marriage is one lens through which we can view our privilege and orient ourselves towards the continuing struggle of gays and lesbians for basic rights.

It's our hearts and bodies – the beating of your heart – that chooses the person you fall in love with."

Erika Hewitt
Consulting Minister,
Unitarian Universalist
Fellowship of Los Gatos

March 2004

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2 Dad's Group	3	4	5	6
7 Family Diversity	8	9	10	11	12	13
14	15	16	17 Dad's Group	18 Same Sex Marriage	19 Clark Co. Group	20
21	22	23	24	25	26 Metro Group	27
28	29	30	31			

For more information please call 503.228.3892.

March 2004 Schedule of Events

- Mar. 2nd, (First Tuesday) Dad's Group Meeting, for additional information or directions contact Mike at (503) 236-8339/email terry@tactix.com
- March 7, 1 PM Family Diversity Potluck, Ainsworth United Church of Christ, NE 30th and Ainsworth
- Mar. 17th, (Third Wednesday) Dad's Group Meeting, for additional information or directions contact Mike at (503) 236-8339 or email terry@tactix.com
- March 18, 6-9 PM Speaker training workshop- Same Sex Marriage. Contact the office, 503-228-3892, for location.
- Mar. 19th (Third Friday), 6:30 PM to 8:30 PM—Clark County Family Group Meeting (Clark Co.), Children's Home Society 309 W. 12th, Vancouver, WA. A presentation on using the LARA method to talk about same sex marriage. For more information, call 360-695-1325 or email bonnie@LMFamily.org.
- Mar. 26th, (Last Friday) 6 PM—7:45 PM—Metro Family Group Meeting (Metro), Agustana Lutheran Church NE 15th and Knott. For more information call 503-228-3892 or email Sima@LMFamily.org

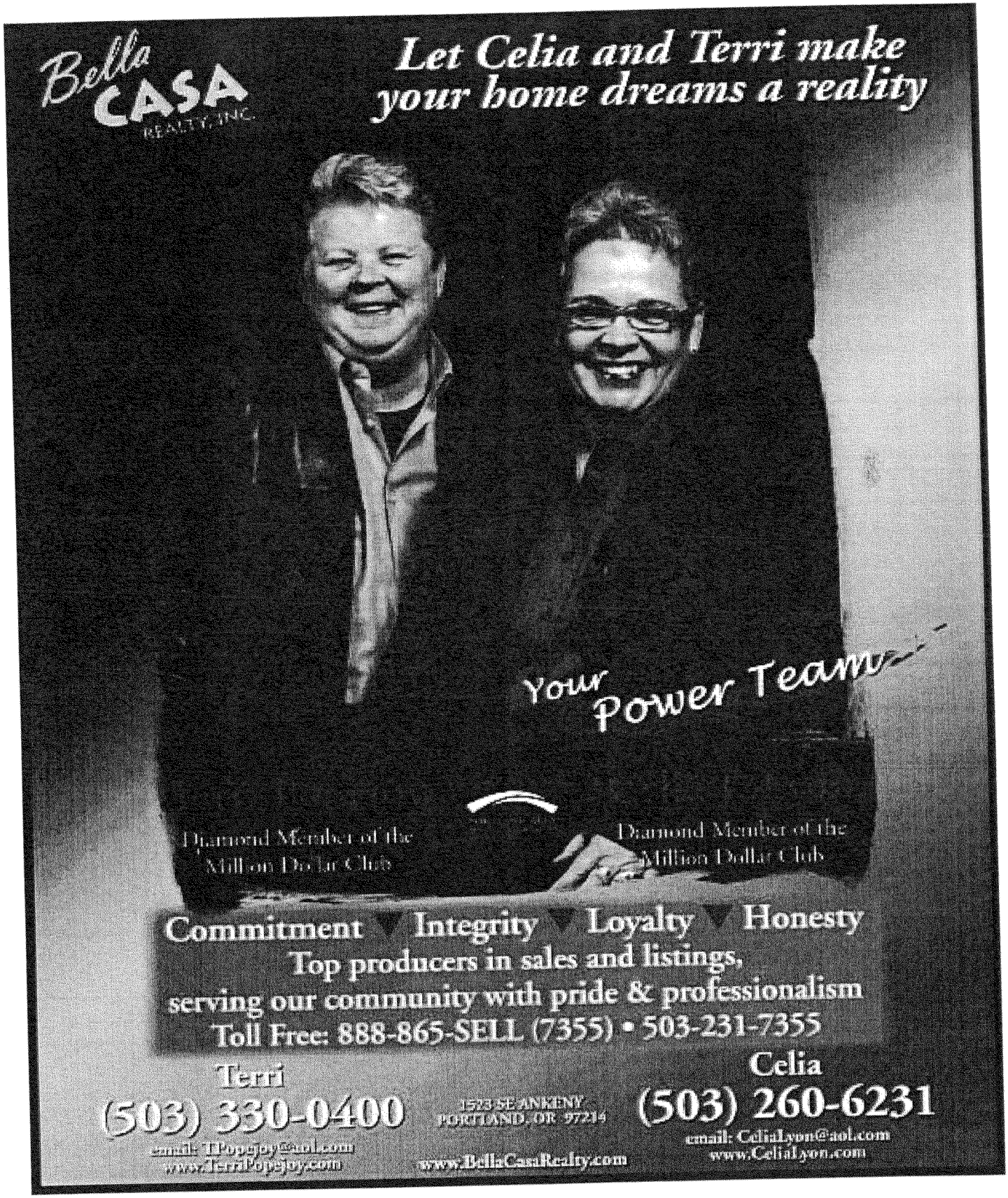
April 2004

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6 Dad's Group	7	8	9	10
11	12	13	14	15	16 Clark Co.	17 Same Sex Marriage
18	19	20	21 Dad's Group	22	23	24
25	26	27	28	29	30 Metro Group	

April 2004 Schedule of Events

- Apr. 6th, (First Tuesday) Dad's Group Meeting, for additional information or directions contact Mike at (503) 236-8339 or email terry@tactix.com
- Apr. 16th (Third Friday), 6:30 PM—8:30 PM—Clark County Family Group Meeting (Clark Co.), Children's Home Society 309 W. 12th, Vancouver, WA For more information, call 360-695-1325 or email bonnie@LMFamily.org.
- Apr. 17th, 10 AM - 2 PM Speaker workshop - Same sex Marriage. Contact the office, 503-228-3892, for location.
- Apr. 21st, (Third Wednesday) Dad's Group Meeting, for additional information or directions contact Mike at (503) 236-8339 or email terry@tactix.com
- Apr. 30th (Last Friday) 6 PM—7:45 PM—Metro Family Group Meeting (Metro), Agustana Lutheran Church NE 15th and Knott. For more information call 503-228-3892 or email Sima@LMFamily.org

Terry Popejoy & Celia Lyon "Your Power Team"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Auction Planning Begins

By Sima Teherani

It's only March but before too long November and our 2004 auction will be upon us. After looking at what worked and what did not work last year, we are considering making this year's auction a two day event.

One auction would be a silent auction held at a venue that will be family friendly; where all ages can come and enjoy a couple of hours playing, eating, and enjoying entertainment. Day two of the auction would be an evening oral auction at Darcelle IV.

It will take more than just a few people to make this auction extravaganza happen. Now is the time to start planning and collecting items. The first auction item for this year has just been received from Mary Lee of Animal Behavior Services.

The raffle baskets were a success last year and will continue this year. These baskets will be neighborhood baskets featuring stores found in specific neighborhoods. They are not only fun to make but also a great way for stores to advertise with minimal costs to them.

If you or someone you know is interested in donating or helping to plan next years auction please call Sima @ 503.228.3892.

Couples Wanted

Married or Seeking Marriage?

- Speak to the Press
- Tell your story

Call 503-228-3892 or
Email info@LMFamily.org

Love Makes A Family 3rd Annual Auction Donation Pledge Form

Donation Item Name:
Donation Item Description
Location of Item for Pick Up
Contact Person for Item Pick Up
Contributor's Name:
Contributor's Address:
Contributor's Phone/Email:
Estimated Value:

☐ Donation is Anonymous (Name not published)

Return Pledge Form to:

Love Makes A Family, Inc.
PO Box 5163
Portland, OR 97208
Phone: 503-228-3892 or Fax: 503-228-3970

"Why is love so threatening? We're not talking about a "life style" or a "choice." This is about the basic human need to love and be loved, and – for some – to widen the circle of love by growing a family. It is to honor the inherent worth and dignity of every person..."

Erika Hewitt
Consulting Minister,
Unitarian Universalist
Fellowship of Los Gatos

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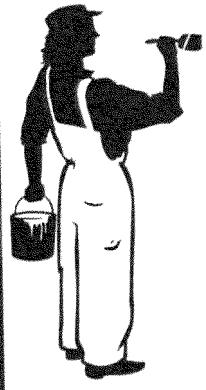

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Fax: 503-493-3806
Email: wpmcconnell@mindspring.com

Community Bulletin Board

View Art by Monte Shelton at the Full Spectrum Health Center, 3303 SE Division, Saturday, March 6th and Sunday, March 7th from 10 am to 5 pm

Artist Monte Shelton will have her work on display at the Full Spectrum Health Center 3303 SE Division, for the SE Area Art Walk Saturday, March 6th and Sunday, March 7th from 10 am to 5 pm

For More information on art work by Monte visit www.paintmonte.com or call 503-236-4512

For more information or a map on the S.E. Area Art Walk visit www.alyencreations.com/SEA

Help Wanted

Love Makes A Family, Inc.

Volunteer Positions Available:

- Meeting Facilitator
- Grant Writer
- Newsletter Production Staff
- Office Assistant

Call Amber 503-228-3892

Global Pulse:

Rising Voices & Visions of Women & Youth Worldwide

A performance and dance celebration supporting the upcoming launch of World Birth Magazine

Thursday, April 1, 2004, 7:30 PM
The Fez: Moroccan Ballroom
11th & W. Burnside (top floor)
$25 / sliding scale $15-$25
21 and over

Global Divas
DJANJALI & DJ Harmony

Original performance art by Portland's own rising
Wade Mccollum
"Seahorse: Men Can Give Birth to a New World Too"

INTL Finger food Buffet

Global Plush Raffle Drawing

1. A year's worth of massage (bouquet of 12 certificates)
2. Two weeks of personal chef cooking from Ready, set, eat!
3. Portland global restaurant tour, 6 certificates

Raffle tickets available at:

- In Other Words Bookstore at 3734 SE Hawthorne
- Touchstone Coffee at 7631 NE Glisan
- Haven at 3553 SE Division
- Blend Coffeehouse at 2327 E Burnside
- The Fresh Pot at 3729 SE Hawthorne

Advance tickets highly recommended

For more info/tickets visit:
www.worldbirth.org
Food and flowers by Fete

Love is not concerned with whom you pray or where you slept the night you ran away from home.

Love is concerned that the beating of your heart should kill no one.

~ Alice Walker

Love Makes A Family, Inc.

Membership Form

Date:_____

Name(s)_____

Address_____
street city state zip +4

Phones_____
work home Fax

Email:_____

Additional Family Members: (please list children's birthdates and schools):

_____

_____

MEMBERSHIP contribution ☐ **Renewal** ☐ **New Member**

_____**Sustaining Member**: I/We will make a monthly pledge of _____
_____ I/We will send a check monthly. _____Please invoice
_____ Please bill the monthly contribution to a credit card (listed below)

_____**Annual Membership**: (listed below)Please enter our membership at the following level:
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_____Sponsoring Member $100
_____Contributing Member $50
_____Participating Membership $35
_____Basic Membership any contribution under $35, No one denied membership due to lack of funds
list amount:_____

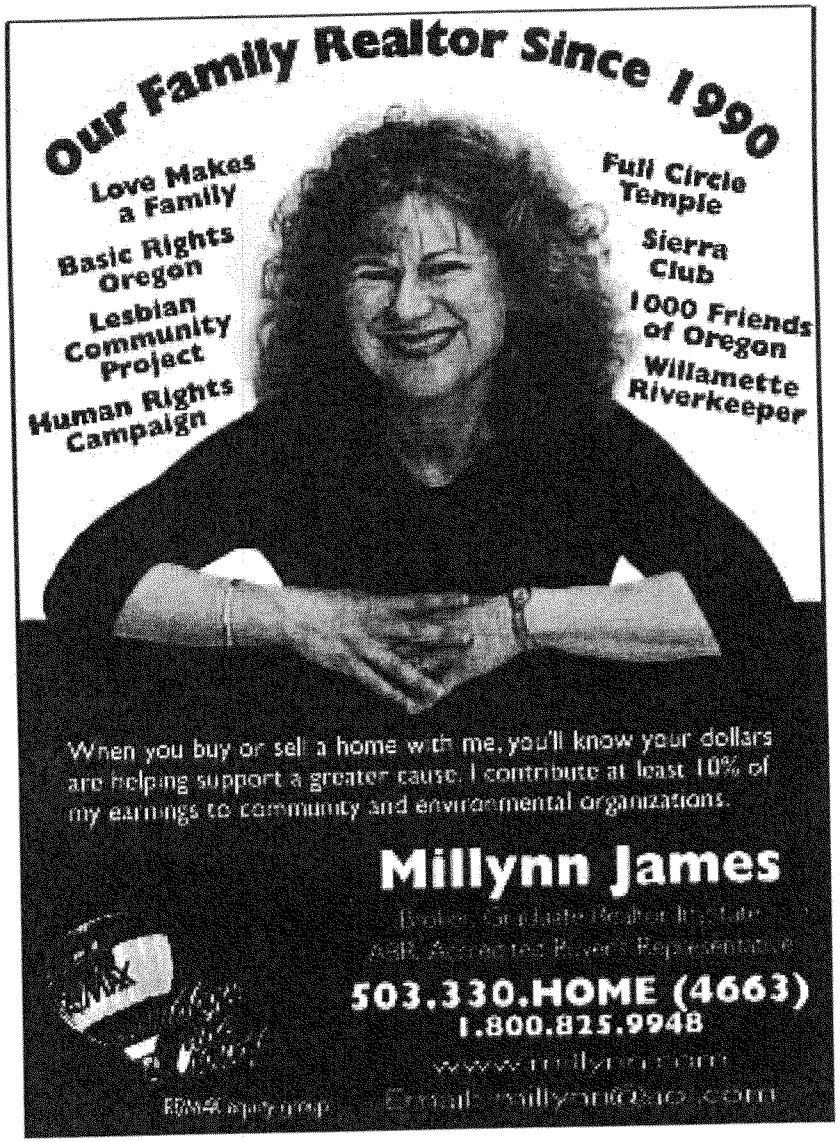
Payment Method: _____enclosed _____Please bill credit card listed below:

Card type_____Visa _____Mastercard _____Discover Card

Account #_____Expiration Date_____
mm/dd

Billing Address: (if different from above)_____

Love Makes A Family, Inc.
PO Box 5163, Portland OR 97208
503/228-3892 fax 503/228-3970
www.LMFamily.org
info@LMFamily.org



A one day summit on the

FREEDOM TO MARRY

a comprehensive view of same-sex marriage

July 27, 1996

First Unitarian Church

1011 SW 12th

Portland Oregon

Sponsored by the

Oregon Freedom to Marry Coalition

Oregon Freedom to Marry Coalition
Freedom to Marry Summit
List of Faculty/Presenters

Beth Allen
National Gay & Lesbian Law Association

Barry Blackwood and Debora Rogers
Phoenix Rising Foundation

Anne Bliss
Parents and Friends of Lesbians and Gays

Rev. Roy Cole
Metropolitan Community Church

Rev. Jeanne Knepper
Shalom Ministries

Shawn Koch
Oregon Gay and Lesbian Law Association

Kim Kunkel
Parents and Friends of Lesbians and Gays

Nyla McCarthy
Metropolitan Human Rights Commission

Rev. Joyce McManus

Barry Pack
Right to Pride PAC

Reginald Petry
Brother to Brother

Donna Redwing
Gay and Lesbian Alliance Against Defamation

Ronald L. Schlittler
Right to Pride PAC

Elise Self
Parents and Friends of Lesbians and Gays

Jennifer Self
Parents and Friends of Lesbians and Gays

Kurt N. Tandan
Attorney at Law

Jon P. Terry
Oregon Gay & Lesbian Law Association

Bonnie Tinker
Love Makes a Family, Inc.

Janice M. Van Cleve
Legal Marriage Alliance of Washington

William Warren
Portland Police: Sexual Minorities Roundtable

Freedom To Marriage Resource Manual

I. Introduction

- A. Commitment to Marriage: A Challenge and an Opportunity.
  Bonnie Tinker
- B. Issues Summary: a brief summary of issues presented in this manual.
  Shawn Koch
- C. City Club of Portland Address on July 26, 1996
  "Rebuilding a Sense of Community: Constitutional Issues in the Same Gender Marriage Debate"
  Madelyn Wessel
  Jon P. Terry
- D. Internal Differences: Managing Our Diversity
  Bonnie Tinker

II. The Law: The Hawaiian Case and Implications for other States

- A. A Summary of Legal Issues in Baehr V. Lewin
  Evan Wolfson of Lambda Legal Defense and Education Fund
- B. Oregon Legal Research for Hawaii Marriage Issue, requested by Lambda for its State-by-State Legal Research.

III. Responding to Backlash Organizing: Preemptive Legislation and Personal Safety

- A. Citizen Lobbying
  Ron Schlitter
- B. How an Idea Becomes Law
- C. Oregon House Bill 2317
- D. Wedded to Intolerance: Extremists Lead Nationwide Assault on the Lives of Lesbian and Gay People.
  Human Rights Campaign

IV. Religious Perspective: How will Churches Respond

- A. Homosexuality: Challenging the Church to Grow
  John J. McNeill
- B. Religious Support for the Civil Right to Marry
  Rev. Dr. Jeanne G. Knepper

V. Interracial Marriage: Comparing and Contrasting the Legal and Social History of Interracial Marriage and Same Gender Marriage in the United States.

- A. Anti-Miscegenation Laws in the United States
- B. In Re Estate of Fred Paquet.
- C. Loving v. Virginia

VI. Resources

- A. Bibliography of Equal Marriage Rights for Lesbians and Gay Men
  Evan Wolfson
- B. Frequently Asked Questions
  Legal Marriage Alliance of Washington

VII. How to Use the Media

- A. We Do!: GLAAD's Freedom to Marry Guide
  Fighting for the Freedom to Marry/Background
  International Couple's Story
  Q & A on Marriage

The Marriage Resolution
So Do Something!!!
Real Discrimination, Real Rights and Real Responsibilities
Internet and On-Line Resources
Organizational Resources

B. Suggested Reading List

IIX. Updates

A. "Marriage Hawaiian Style"
John Gallagher of *The Advocate*

B. In My Opinion: Lesbian and Gay Love Also Worthy of Recognition
Bonnie Tinker
Ronald L. Schlittler

OREGON FREEDOM TO MARRY COALITION
c/o Love Makes A Family
P.O. Box 11694
Portland, Oregon 97211

Dear Conference Attendee:

On behalf of the Oregon Freedom to Marry Coalition, we welcome you to Portland and the Freedom to Marry Summit. We will have approximately 14 speakers to inform you about the issues of same-gender marriage, from both theoretical and practical perspectives

The Summit will be a day-long concerntration of history, the law, family impact, dealing with media, religious perspectives and resources. We have five workshops which will be run concurrently. In addition, we have four mini presentations which will be run concurrently. Each workshop and mini presentation will be offered twice.

On Sunday, July 27, 1996, Love Makes A Family, Inc. will lead an *Opening Hearts and Minds* workshop from 1 p.m. to 5 p.m. This speaker empowerment workshop will present non-violent speech techniques to turn verbal confronation over sexual orientation into opportunities for dialogue. This session will focus on same-gender marriage.

This conference is but one step on a long march. By your attendance, you have identified yourself as someone committed to the journey toward freedom. If you, and any organizations you are affiliated with, are not already members of the Oregon Freedom to Marry Coalition, please join us. Membership is open to any individual or organization that signs the Freedom to Marry Resolution on the following page.

We hope you enjoy the conference and look forward to working with you in the future.

Bonnie Tinker
Co-Chair

Jon Terry
Co-Chair

THE MARRIAGE RESOLUTION

Because marriage is a basic human right and an individual personal choice,

RESOLVED, the State should not interfere with same-gender couples who choose to marry and share fully and equally in the rights, responsibilities, and commitment of civil marriage.

BE IT RESOLVED THAT

_____

(Organization Name)

ENDORSES THE MARRIAGE RESOLUTION

Organization _____

Address _____

Phone _____ Fax_____

Contact Person _____

Please return the endorsed Resolution to:
Lambda Legal Defense and Education Fund
666 Broadway, Suite 1200
New York, New York 10012-2317

OREGON FREEDOM TO MARRY COALITION

Freedom to Marry Summit
List of Faculty/Presenters

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Lesbian Community Project

Nyla McCarthy
Metropolitan Human Rights Commission

Rev. Joyce McManus

Barry Pack
Right to Privacy PAC

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Brother to Brother

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Bonnie Tinker
Loves Makes A Family

Janice M. Van Cleve
Legal Marriage Alliance of Washington

William Warren
Portland Police: Sexual Minorities Roundtable

Commitment to Marriage: A Challenge and an Opportunity

by Bonnie Tinker

Twenty-five years ago when I came out to my Mother, a preacher's wife, she looked at me with grief and horror and said: "Oh, Bonnie. Next you'll tell me that you want to marry a woman." I was a budding feminist and responded with equal horror, "Oh heavens no. I don't plan to *marry* anyone."

Little did I know that the movement I was a part of, the civil rights movement for sexual orientation and gender freedom, was already taking steps to gain the Freedom to Marry. In 1971 in Hayward California two women asked their Quaker meeting to consider their marriage. Later that same year, as I took a look around the hidden culture I was apparently a part of, I learned that for years many lesbian and gay couples had considered themselves married to each other. Vows were usually private or unspoken and our symbols discrete. Many couples did exchange rings, but they were not obvious "wedding rings"--maybe a simple gold band, but rarely any diamonds. By February 1972 I had received my first valentine card proudly inscribed "To My Wife." Still struggling to come on board with this new culture, I accepted the card as evidence. Evidently, I was now married.

Sure enough, within six months we had a child. What can I say? Lesbians are just fast. Actually, we "adopted" our daughter and there was nothing "fast" about it; it took 17 years to complete the legal paperwork. My instruction in the differences between de-facto marriage and legally recognized marriage began with parenthood. How were the two of us to describe our relationship to this child? To each other? Between the three of us? What name could we give her? If she carried both of our last names, or if we created a common last name, we could lose her if inquiring minds looked too closely at our family. Even the legal papers that we had -- and they were of very limited legal value -- had to be in one name.

What about the income that would support our family, including our child. We couldn't file joint tax returns; the wage earner could not claim both dependents. How could we talk to our coworkers about our family? I took our daughter into the photographic studio where I worked to shoot some portraits -- parents do have some traits that cross gender and orientation lines. I followed the "don't ask don't tell policy. Let them assume I'm a single mom. But my coworkers did not know the rules. "Who takes care of her while you work?" A simple question, but a simple answer -- "her other mother, of course," could cost me my job. Perhaps I could have simply said, "My wife." Other married people said such things everyday and nobody fired them or threatened to take their children away.

The problems of legally unrecognized marriage are not limited, I discovered, to parents. Let's take housing. Being "married" we decided to move out of the housing we shared with others and into our own home -- rented, of course. Renting in both names was impossible. "Sorry," landlords told us, "we only rent to married couples." We had a car with the title in both names. The insurance, however, could only be in one name -- spouse was not a category for us. Joint health insurance was beyond possibility and even simple courtesies extended to spouses in the time of illness are often unavailable to same-sex couples.

There are other social conventions, I discovered, that also support heterosexual married couples. Like the expectation of monogamy. Beyond expectations, most of them had actually spoken public vows pledging their faithfulness. (This did not, of course, necessarily mean that they were faithful, but at least the social expectation put everyone on notice that breaking the marriage commitment was serious business.) I discovered that it is much easier to break a de facto marriage. One person moves out and that's that. If fact, I would say that I first realized just how important legal recognition of marriage is when what I had considered a marriage dissolved. There was no community support for the separation of lives that had grown painfully entwined. Divorces and property settlements and custody issues are

messy, at best. Once again, we did not have the support of social systems. We could not get divorced because we had never been married.

The next time I found myself in a "serious" relationship -one that might lead to de facto marriage - I began to inquire within my faith community, the Religious society of Friends (more popularly known as Quakers). I wanted to ascertain if there was hope that any new relationship I entered into might gain the social and spiritual support of my community through the recognition of my marriage. I had already asked this same community to prepare to defend my right to parent should anyone try to take my daughter from me and had found them willing to provide this support. It seemed to me obvious that full participation in a community includes the right to form a family.

Although I had been somewhat naïve -- some might say clueless- about sexual orientation, closeting, etcetera, when I first came out, I was not entirely stupid. I realized that the legal system was not about to guarantee equal rights to lesbians and gays. (I did, after all, come out only shortly after they stopped arresting dykes who were not wearing three items of women's clothing. You could always tell the butches by the white bobby socks and girls' tennis shoes they wore as two of the three items of women's apparel they needed to avoid arrest.) But I thought that perhaps my spiritual community, a community deeply committed to the divine equality of all people, would want to fully include my family -- my mate and our children. To me it seems self-evident that forming a family -- choosing to have or not to have a mate, and choosing to have or not to have children -- is one of the basic human functions that separates children from adults. And that people who are recognized as adults ought to have these rights protected.

I have now been talking about same-sex marriage to innumerable people for twenty years. I have been "married " to my spouse, and shared rearing three children with her, for nineteen years. I can tell you that it is neither an accident of social custom, nor an accurate rendering of history, that lesbian and gay people are not allowed social recognition of the families we form. Exclusion from "the family" is one of the primary mechanisms for the oppression of sexual minorities. It begins when we are rejected by our birth families, continues when we are refused recognition of our partners, and is complete when we are denied the right to parent. This is not to say that gay people need any or all of these elements -- acceptance by birth families, legal recognition of marriage, and protection of parental rights, to live with integrity and fulfillment. But it is to say that there is no way we can live with equality in a society that fences us out of making these central life choices for ourselves.

It is also no accident that the issue of same-sex marriage is gaining attention today. The reasons go far beyond the fact that a court case in Hawaii may bestow legal recognition of same-sex marriages not only within our lifetime -- something unimaginable to me even a few years ago -- but that this will very likely happen by the end of 1997 or 1998. There are good reasons that many of us have been working on this issue for twenty years or more. We can tell you to come aboard because the train cannot be stopped, and I do believe that's true. But I'd like to hear us go to our community and invite them to join us in this aspect of the movement because it offers exciting new possibilities. Same-sex marriage is important to our own civil rights movement, and it also offers an important leap forward in the social understanding of personal freedom and of Family. I would like to see people join us because they choose to. I am a person who believes in choice, who believes that the primary responsibility of an individual is to come to know their own being, to rely upon their own judgment, and to act upon that judgment in living a creative life.

In the United States we have made great progress in the other two issues of family freedom: our birth families have made tremendous progress in claiming the gift they are given when one of their own is a sexual minority. Although the path is not easy for our youth, we are beginning to reclaim many of them from lives often engulfed in despair -- and too often ending in suicide. We are in the process of

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reclaiming our right to choose to parent. Many of us have maintained parental rights to our children conceived in previous heterosexual marriages. Many of us have adopted children -- and have even found the means to have the rights of same-sex parents legitimized through second parent adoptions. We have claimed the right to conceive children through a variety of creative means. Actually this technology is neither new nor inventive. Its just that we have finally recognized that it only takes an egg and a sperm to make a baby, and these two elements can come together in a wonderful variety of ways. (Our kids would say, "duh!"). We are living openly with our chosen partners; we are naming and celebrating our relationships. When you look at names, marriage is one obvious choice. When you look at the term "marriage" you soon realize that this institution comes with some very specific legal rights and responsibilities that can be very useful. Talk about special rights. A state recognized marriage is a massive package of special rights and responsibilities -- over 700 of them in Oregon -- currently reserved for heterosexual couples. Exclusion from using this institution -- if we choose- does not leave much room for equality. It is time to claim the freedom to marry.

People who oppose social recognition for lesbian and gay people -- and for bisexual, transgendered and transsexual people -- understand that the marriage option is one of the crucial measures of social equality. People who will tell you to your face that they don't want to discriminate, that they just want to keep gays from having special rights, will also tell you that this is one area where they do want to discriminate. This is one package of special rights they have every intention of keeping for themselves. Even Ann Landers, who has come a long way in the last twenty years, tells us not to expect her to say that lesbian and gay relationships are that equal.

"You people back off the marriage word; its ours." she indirectly says in her Sunday column (July, 21, 1996). "I cannot support same-sex marriage," she writes, "because it flies in the face of cultural and traditional family life as we have known it for centuries. This is the problem of losing our history." Ann Landers, social sage for common folk, does not know the tradition of our marriages and families, and if she does know, she is not telling. (From her columns, she certainly does know the cultural and traditional family history of violence, betrayal, and just plain petty discontent in "traditional" heterosexual marriages -- but that's another topic.)

So what is in this word, and this institution, that's worth salvaging. You will hear debate on the subject of "the word" and we clearly need to make room for a variety of opinions on this subject. I would like to tell you what I think about the "marriage/ domestic partnership/ commitment/ union/ sex/ gender" discussion. I think its time to take the lead from our kids. Lets get real with each other. The problem is not "the word." The problem is that a lot of folks do not want equality. I say, use any word you want for your (insert "the word" here) and let me choose "the word" for mine. I will take "marriage," thank-you, because then folks know what I am talking about, and I will not have to go over those seven hundred and some odd rights with a fine tooth comb to make sure that I am covered by some creative new words. In talking with people over the past twenty years, I have found that straight people are very willing to talk about same-sex marriages. Marriage, after, all, is something they understand; and they know the institution is in trouble. When we talk together about our marriages and our families and our lives, I am amazed at how much people can change (some of you who have know me for twenty years can no doubt testify that even I can change). My experience is that once people feel in their heart that I am equal and know my family by the love that binds us, they have no problem extending the word "marriage." (I have to admit I am somewhat more hesitant about the terms "husband" and "wife"--I have not entirely forgotten what I learned about the patriarchy from feminism.)

Use of the word "marriage" does bring an unmistakable connection to a troubled institution. Its not a pretty picture, I admit. Along with love and happily-ever-after there is the unmistakable history of patriarchal domination and present disintegration. Beyond the tidy package of special rights, however,

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the institution of marriage is an expression of what we as a society believe to be the right relationship between intimate partners, between adults and children, and between the State and the governed population. The re-ordering of this institution is central to the creation of a just, diverse, and cohesive society. Involvement in this discourse as a participant is clearly not of interest to everyone. But if you don't have the choice to join, you don't really have the choice to withdraw. I am open to a lively discussion on the proper role of the State in certifying family relationships and handing out special rights based upon proper documentation. I do not, however, want to expend my efforts on this discussion of the rules until I'm on the playing field. As long as our marriages are denied legal recognition we are not even in the stadium, much less on the playing field.

While we're taking on the whole issue of marriage, I also think we should use the term "same-sex," not "same-gender" marriage. I am convinced through what I have learned from the transgender freedom movement that gender is not the issue here. It's perfectly legal for two people who live their lives expressing their gender as female to have their marriage legally recognized as long as one of them is/was biologically a male and one biologically female at the time of their marriage. Biological sex is the issue. It's same-sex marriages that do not fit the legal definition. So let's talk about what we are talking about. I support the social, religious, and legal recognition of same-sex marriages.

Now I know that the pollsters tell us we are taking on too much with this issue. They can document horrendous numbers of people who disagree with us. And...? Isn't that what social change is all about? Identify our differences. Identify our agreement. Talk about these and reformulate new common ground. People can make this change. During 1992's Ballot Measure 9 in Oregon I spent considerable time on debate stages. We heard some ugly things, but they did not surprise me, nor terrify me. I had heard the same arguments raised by good Quakers when talking about same-sex marriage, and I had seen these people change. Dozens of Quaker meetings now recognize same-sex marriages using the same process they use to recognize heterosexual marriages. And Quakers make their decisions by reaching unity -- its no 51%, you have to have the whole ball of wax. Almost every major religious denomination in this country is engaged in this dialogue. Same-sex couples can find a clergy person from almost any faith to officiate at their wedding. The people are leading and I am confident that soon the leaders will follow by granting legal recognition of these same marriages.

I believe this change is inevitable. What we have learned about the true nature of Family by creating and sustaining families in the absence of social, religious and legal support is desperately needed by a society that finds all families suffering under financial strain and social upheaval. The tradition of lesbian and gay marriages is that our unions are founded in love. John Boswell, the late historian from Yale University, makes the point that the legal recognition of heterosexual marriages began as civil arrangements to determine paternity and property rights. Same-sex marriages, on the other hand, were spiritual unions blessed within the church. Records to support this history can be found in the Vatican library. The western tradition of heterosexual marriage has been gradually shifting from an institution of economic management and dominance, to an institution founded on mutual respect and partnership -- a civil institution to support familial love. The tradition of lesbian and gay marriages is not only founded in love, but we have lived the truth of our love in spite of great hardship. As our society moves together into the next century, it is important that we find ways to redefine and strengthen, to recreate, the family. Our marriages are an important part of this reinvention of this personal core of our society. Our equal access to choose or reject, to discover and define the institution of marriage provides a crucial avenue to the sharing of our gifts and talents with the communities we love.

Let us accept this challenge not as a fearful and unwanted task, but as the eagerly anticipated opportunity to bring our chosen families fully into a renewed community.

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Internal Differences: managing our diversity

Internal Differences: Managing Our Diversity

Diversity takes on a few new shades when we talk about same-sex marriage. Not only do we have to take into account our different cultural, political and economic backgrounds, we also have to consider our diverse experiences with family, marriage, children and relationships. Our ability to encompass all of these differences and move forward with a cohesive message and plan of action builds and reflects our maturity as a movement.

As we move from a dualistic to a pluralistic world-view we will slip into old patterns of searching for the one right answer and vehemently opposing all other perspectives. As soon as we think we have the one right answer and are ready to teach others the exact words with which to respond to a given issue, we are in trouble as a diverse movement. It is especially important that we deal tenderly and respectfully with one another when talking about marriage. Lesbigaytrans people have been wounded to the core of our being by sex role and relationship requirements that do not fit us. A classic pattern with any oppressed group is that in addition to providing mutual support for each other, we can turn viciously on one another when under pressure.

Love Makes A Family, Inc. has developed a tool to help people go from verbal conflict into dialogue when confronted with differences about sexual orientation. While this tool was developed specifically to help us constructively respond to right wing anti-gay attacks, we have discovered that it is also very helpful when we find ourselves in disagreement with each other.

Our program, *Opening Hearts and Minds*, is based upon the premise that true change will come only when there is a change in the hearts and minds of people. Change requires openness, and it happens in the above order: hearts and then minds. This is not something you can do for anyone else. All we can really do is open our own heart and open our own mind to the possibility of change in all of us. By deprogramming militaristic speech habits, we create the opportunity to work together to move to new common ground.

We like to present this material in a weekend workshop, but briefly, the core of the technique has a handy acronym: LARA

- LISTEN until you find a point of principle or an emotional concern you can recognize as coming from a person of principle.
- AFFIRM that the there is something in what is being said that comes from a decent place (you don't have to agree with content you oppose); find an honest point of connection and start talking here.
- RESPOND directly to the issue raised. Don't avoid the other person's point. Show respect and courage by stating your own point of view.
- ADD a new piece of information that will provide new words of agreement to a person whose heart is now (somewhat!) open to you.

Example: "Marriage is a patriarchal institution that is responsible for untold violence against women. Why would any woman in her right mind want to get married?"

"Well the history of western civil marriage certainly was to maintain male dominance, and I definitely think we should break that habit. I want legal recognition of my marriage because I think its important that we be treated equally. I also know that people who would never in a million years talk to me about gay rights who thought it was terribly unfair that we couldn't get family health insurance - I find this is a way I can really talk to people about what discrimination is."

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The Law: the Hawaiian case and implications for other states

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WINNING AND KEEPING EQUAL MARRIAGE RIGHTS: WHAT WILL FOLLOW VICTORY IN BAEHR V. LEWIN?

A Summary of Legal Issues ▼ November 7, 1994

Evan Wolfson, Senior Staff Attorney[1]

BACKGROUND

In May 1993, the Hawaii Supreme Court ruled that the State's refusal to issue marriage licenses to same-sex couples under the Hawaii marriage law presumptively violates the state constitution's guarantee of equal protection. Baehr v. Lewin, 852 P.2d 44, 58, 68 (Haw. 1993). The Court remanded the case to the trial court for strict-scrutiny review as to whether Hawaii's alleged compelling state interest(s) justify the statute's discrimination, and whether the means furthering the asserted interest(s) are narrowly drawn. Id. at 74-75.

The State's attorneys have alleged a variety of compelling interests and claimed that the means furthering those interests are narrowly tailored.[2] My co-counsel Daniel R. Foley of Honolulu and I are hopeful that the plaintiffs will be able to defeat these allegations on remand. Indications are that the Hawaii Supreme Court is likely to follow through on its earlier holding, and will thus uphold a trial court decision ending the "different-sex restriction" on marriage. Equal marriage rights for same-sex couples would then be a reality in the Nation's fiftieth state.[3]

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[1] With appreciation, I acknowledge the significant assistance of Gregory v.S. McCurdy and law students Robert Murphy and Camille Massey in the preparation of this summary as well as underlying materials on these topics.

[2] See, e.g., 1994 Haw. Sess. Laws 217, 1994 Hi. H.B. 2312 (June 1994) (legislature asserts that marriage statute "intended to foster and protect the propagation of the human race through male-female marriages").

[3] Because the case involves state, not federal, constitutional questions, the Hawaii Supreme Court has the final word. There can be no appeal in Baehr to the U.S. Supreme Court, nor can the legislature alter the outcome (notwithstanding legislation such as that it adopted in June 1994 reiterating its desire to discriminate), short of a highly unlikely constitutional amendment.

Lambda Legal Defense and Education Fund is a national organization committed to achieving full recognition of the civil rights of lesbians. gay men and people with HIV/AIDS, through impact litigation, education and public policy work.

Many same-sex couples in and out of Hawaii are likely to take advantage of what would be a landmark victory.[4] The great majority of those who travel to Hawaii to marry will return to their homes in the rest of the country expecting full legal recognition of their unions. Despite a powerful cluster of expectations, logistics, rights, constitutional obligations, and federalist imperatives, these questions are likely to arise: Will these people's validly-contracted marriages be recognized by their home states and the federal government, and will the benefits and responsibilities that marriage entails be available and enforceable in other jurisdictions?

We at Lambda believe that the correct answer to these questions is "Yes." To support that answer, there is much common sense and people's general intuitions both to back us up and for us to tap into: marriage is marriage; it's a fundamental human right; if you're married, you're married; this is one country. However, we also know that, as always, lesbians and gay men will have to fight against the tendency of some in politics and the judiciary to create a "gay exception" to even the clearest principle of constitutional law or fairness. Throughout the country, we must now undertake the public education, political organizing, and just plain asking people and groups for support, while preparing, too, for the litigation that will follow.

This summary briefly surveys the legal grounds for gaining nationwide recognition of the marriages same-sex couples contract in Hawaii.[5] These grounds include the U.S. Constitution, the

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[4] As among non-gay Americans, there is a vast demand among lesbians and gay men for the equal right to choose whether and whom to marry. See, e.g., Evan Wolfson, "Crossing the Threshold: Equal Marriage Rights for Lesbians and Gay Men, and the Intra-Community Critique," 21 N.Y.U. Rev. of L. & Soc. Change ___ (1994) (forthcoming). Marriage brings with it a host of legal and social benefits and protections otherwise largely unavailable. Id.

[5] For fuller discussion of these and other issues, see the material identified in the bibliography of equal marriage rights maintained by Lambda; see also Evan Wolfson & Gregory v.S. McCurdy, "'Let No One Set Asunder': Full Faith and Credit for the Validly Contracted Marriages of Same-Sex and Different-Sex Couples" (forthcoming); Jennifer Gerarda Brown, "Competitive Federalism and the Legislative Incentives to Recognize Same-Sex Marriage," ___ S. Cal. L. Rev. ___ (Jan. 1995) (forthcoming); Barbara J. Cox, "Same-Sex Marriage and Choice of Law: If We Marry in Hawaii, Are We Still Married When We Return Home?," 1994 Wisc. L. Rev. ___ (forthcoming); Joseph W. Hovermill, "A Conflict of Laws and Morals: The Choice of Law Implications of Hawaii's Recognition of Same-Sex Marriages," 53 Md. L. Rev. 450 (1994);

common law, and statutory law. Because the better answers are on our side -- and because the legal battle, as well as people's serious consideration of what is involved in marriage and respect for the marriages of gay people, are just beginining to take shape -- it is important we begin to marshal and mainstream our arguments without ceding ground. On this critical front, we have not yet begun to fight.

I. THE U.S. CONSTITUTION

> "If there is one thing that the people are entitled to expect from their lawmakers, it is rules of law that will enable individuals to tell whether they are married and, if so, to whom."
>
> - Justice Robert Jackson[6]

A. The Full Faith and Credit Clause

The Constitution specifically declares what Americans have come to expect, that this is one country and you do not shed your rights as you cross a state border:

> Full Faith and Credit shall be given in each State to the public Acts, Records and judicial Proceedings of every other State. And the Congress may by general laws prescribe the manner in which such Acts, Records and Proceedings shall be proved and the Effect thereof.

U.S. Const., Art. IV, § 1. Successfully establishing that the Full Faith and Credit Clause requires all states to recognize a marriage legally contracted in another State would yield the most sweeping possible outcome, and, as a constitutional holding, the one most immune from legislative tampering.

We believe that full faith and credit recognition is mandated by the plain meaning of the Full Faith and Credit Clause, and by basic federalist imperatives that unite this into

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Deborah M. Henson, "Will Same-Sex Marriages Be Recognized in Sister States?: Full Faith and Credit and Due Process Limitations on States' Choice of Law Regarding the Status and Incidents of Homosexual Marriages Following Hawaii's Baehr v. Lewin," 32 J. of Family L. ___ (1994) (forthcoming); Thomas Keane, 47 Stanford L. Rev. ___ (1994) (forthcoming).

[6] Estin v. Estin, 334 U.S. 541, 553 (1948) (Jackson, J., dissenting).

one country and permit us to travel, work, and live in America as we have come to today. Simply put, all Americans, gay and non-gay alike, would be best served by requiring full faith and credit for marriages validly contracted in any U.S. state.

1. Applying the Full Faith and Credit Clause

Marriage qualifies for recognition under each prong of the Full Faith and Credit Clause, partaking as it does of each of the three categories: public Acts, Records, and judicial Proceedings:

- Creation of a marriage is a "public Act" both because it occurs pursuant to a statutory scheme, and is performed in most states by a public or legally-designated official, and because the marriage is itself an act -- a res, a thing or status itself created by a State (which thus acts).

- The marriage certificate is the "Record" of that res, recording (with delineated legal effect) that a marriage has been validly contracted, that the spouses have met the qualifications of the marriage statutes, and that they have duly entered matrimony. (Along with marriage certificates, analogous public records of even lesser consequence, ranging from birth certificates to automobile titles, have been accorded full faith and credit).

- Finally, celebrating a marriage is arguably a "judicial Proceeding" in at least those sixteen states in which judges, court clerks, or justices of the peace officiate. Perhaps more important, marriage partakes of important elements of a "judgment," the state "act" or "judicial Proceeding" that has received with least question the greatest "full faith and credit" from the Supreme Court.[7]

Application of the Full Faith and Credit Clause to require recognition of marriages is consistent with the intent of the Framers and with Supreme Court precedent. The Court has stated that the Full Faith and Credit Clause

> altered the status of the several states as independent foreign sovereignties, each free to ignore rights and obligations created under the laws or established by

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[7] Experts agree that judgments receive the most immediate, unquestioned full faith and credit. See, e.g., Lea Brilmayer, "Credit Due Judgments and Credit Due Laws: The Respective Roles of Due Process and Full Faith and Credit in the Interstate Context," 70 Iowa L. Rev. 95, 97 (1984).

> the judicial proceedings of the others, by making each an integral part of a single nation, in which rights judicially established in any part are given nation-wide application.

Magnolia Petroleum Co. v. Hunt, 320 U.S. 430, 439 (1943).[8]

The Supreme Court has never ruled on the issue of whether marriages must be accorded Art. IV, § 1 respect, but state courts and lower federal courts often have, even in instances where the marriages would not be recognized under the laws of the forum state.[9] The Supreme Court's silence on the full faith and credit due marriage reflects, I believe, both the country's history of racism and aversion to interracial marriage,[10] as

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[8] Magnolia was partially overruled on other grounds. Thomas v. Washington Gas Light Co., 448 U.S. 261 (1980).

[9] See, e.g., Parish v. Minvielle, 217 So.2d 684, 688 (Ct. of App. La. 1969) (Louisiana does not recognize or permit common-law marriages but must give effect to them when validly contracted in Texas); Guidry v. Mezeal, 487 So.2d 780, 781 (Ct. of Appeals La. 3rd Cir. 1986); Succession of Rodgers, 499 So.2d 429, 495 (Ct. of Appeals La. 2d. Cir. 1986); Commonwealth ex rel. Alexander v. Alexander, 289 A.2d 83, 86 (Pa. 1971) (Jones, J., concurring) (Pennsylvania must give full faith and credit to a Georgia marriage certificate); Orsburn v. Graves, 210 S.W.2d 496 (Ak. 1948) (Arkansas must give full faith and credit to validly contracted Texas common-law marriage). Although New York does not recognize common-law marriages, it gives Art. IV § 1 full faith and credit to marriages that are valid under the laws of other states. Thomas v. Sullivan, 922 F.2d 132, 134 (2nd Cir. 1990); Ram v. Ramharack, 571 N.Y.S.2d 190 (N.Y. Sp. Ct. Queens Cty 1991).

[10] See Robert H. Jackson, "Full Faith and Credit -- the Lawyer's Clause of the Constitution," 45 Colum L. Rev. 1, 7 (1945) (Full Faith and Credit Clause under-invoked in contexts such as marriage because "the slavery question and [Jim Crow laws] had begun to distort men's view of government and of law. Talk of 'state sovereignty' became involved in the issue.").

well as the resultant general neglect of the Clause itself[11] -- burdens our adversaries should be forced to carry.

If they prevail, those opposing recognition of same-sex couples' validly-contracted marriages ineluctably stand to create a legal and practical nightmare, whereby Americans have to get their "marriage visa" stamped when they cross a state border, or where they (or their parents) are simultaneously married and unmarried in different reaches of the country. Such a situation is simply untenable, both in terms of federalism and the meaning and expectations around marriage, itself a fundamental right.[12]

2. The Full Faith and Credit Clause's Implementing Statutes

Congress has implemented the Full Faith and Credit Clause by means of 28 U.S.C. §§ 1738, 1738A, 1739 ("the Statutes"). Because the Statutes are not part of the Constitution, they can of, course, be altered by Congress.

Section 1738 provides, in part:

> Such Acts, records and judicial proceedings or copies thereof, so authenticated, shall have the same full faith and credit in every court within the United States and its Territories and Possessions as they have by law or usage in the courts of [such jurisdiction] from which they are taken.

This statute is most notable for clarifying that full faith and credit obligations apply to all courts in the United States, thus requiring federal courts also to give complete faith and credit to State acts, records and judicial proceedings.

The Statutes elaborate on the meaning of "full faith and credit" by defining it as the same faith and credit given by law

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[11] Id. at 3 (former Supreme Court justice observes that the Full Faith and Credit "[C]lause is a relatively a neglected one in legal literature.... The practicing lawyer often neglects to raise questions under it, and judges not infrequently decide cases to which it would apply without mention of it."). Indeed, the whole idea of enforceable rights is itself relatively new, as is the constitutionalization of family and marriage law, both largely arising since the heyday of non-recognition cases.

[12] Thus, even more than developing any technical legal argument, it is critical that we collect and explain evocative real life examples of how burdensome, or indeed impossible, it would be to have the status of one's marriage, or one's parents' marriage, vary from state to state.

and usage in the courts of the state producing the act, record, or proceeding. For example, other states must accord a marriage license issued in Hawaii the same weight and consequence that certificate receives in Hawaii.

The U.S. Supreme Court first applied the principle of according full faith and credit to out-of-state acts, records, and proceedings in the context of judgments. For example, to determine what full faith and credit judgments should receive "[i]t remains only then to inquire in every case what is the effect of a judgment in the state where it is rendered."[13] But full faith and credit is not limited to judgments; over time the Court has extended the same analysis to other acts, records, and proceedings.[14] In each instance, a court in the forum state must accord the act, record, or proceeding the same effect it has in the state where issued.

By statute Hawaii regards a marriage certificate issued pursuant to its marriage law to be prima facie evidence of a validly contracted marriage.[15] Therefore, the courts of all other states must also recognize the certificate as prima facie evidence of a validly contracted marriage.[16]

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[13] Mills v. Duryee, 7 Cranch 481, 11 U.S. 481, 484, 5 L.Ed. 411 (1813); see also Wright v. Georgia R.R. & Banking Co., 216 U.S. 420, 429 (1910).

[14] See Chicago & Alton R.R. v. Wiggins Ferry Co., 119 U.S. 615, 622 (1887) (holding that "public acts", including plaintiff's corporate charter, must be given same effect as in issuing state).

[15] See Haw. Rev. Stat. §§ 527-1 and 572-13 (c) (1985); see also Conn. Gen. Stat. Ann. § 46b-35 (1958). For a list of states statutorily prescribing what full faith and credit their marriage certificates should receive see Evan Wolfson and Gregory v.S. McCurdy, "'Let No One Set Asunder': Full Faith and Credit for the Validly Contracted Marriages of Same-Sex and Different-Sex Couples" (forthcoming).

[16] Another set of issues may arise if states take the position that people do, on the face of it, appear to be married, and then pass statutes giving benefits to different-sex married couples while denying them to same-sex married couples. Challenges might arise under gender discrimination, sexual orientation, and other equal protection theories, as well as due process and fundamental right to marry theories. Naturally, the fall-out in these battles may also prompt reconsideration of the use of marriage as the unique criterion it is today in many contexts.

B. "Conflicts of Law" as a Competing Analysis

States resisting recognition of same-sex couples' marriages will probably argue that the Full Faith and Credit Clause does not require them to treat such marriages as an act, proceeding, or record to which they must give effect, but rather allows them to invoke their own marriage laws as applicable. That argument arises because the U.S. Supreme Court has distinguished between the application of the Clause to out-of-state determinations of the legal status, rights, and responsibilities of specific persons, and to choice-of-law decisions in litigation. In my view, the argument is misplaced, as what is at issue is not whose law should govern, but rather what respect must be accorded a res, a marital status, that the couples now possess and embody.

In this "conflicts of law" context, the Supreme Court has recognized

> that full faith and credit does not automatically compel a forum state to subordinate its own statutory policy to a conflicting public act of another state; rather it is for this Court to choose in each case between the competing public policies involved.

Hughes v. Fetter, 341 U.S. 609, 611 (1951). The issue in Hughes was whether Wisconsin could under its wrongful death statute deny a cause of action to the estate of an Illinois descendent, where Illinois law would have permitted the suit. In ruling that Wisconsin must allow the suit, the Court balanced

> the strong unifying principle embodied in the Full Faith and Credit Clause looking toward maximum enforcement in each state of the obligations or rights created or recognized by the statutes of sister states

against the policy of Wisconsin "against permitting Wisconsin courts to entertain this wrongful death action." Id. The Court noted that "if the same cause of action had previously been reduced to judgment, the Full Faith and Credit Clause would compel the courts of Wisconsin to entertain an action to enforce it" without balancing any policy interests. Hughes, 341 U.S. at 612 n.4.

Thus, when state acts, records, or judicial proceedings have been applied to the facts of a particular case to determine the rights, obligations, or status of specific parties, the other states must give those acts, records, or proceedings the same effect they would have at home. The status has been created, the judgment rendered, the record recorded, and rights established -- no question of what legal regime may be invoked is now at pertinent. However, when asked to recognize an unfulfilled or general right or duty based on another state's statute or case

law (such as the cause of action that would have been available to Hughes in Illinois), states may weigh the competing interests before deciding which rule of law to apply.

Since a marriage -- whether as a certificate, an act, or a judgment-like res -- falls into the category of such adjudications or creations, there can be no policy balancing regarding their recognition. That this is the right result is reinforced by the fact that people could easily have a "judgment" outright were Hawaii to accompany its celebration of marriages with a mechanism whereby married couples could speedily obtain, as suggested by Hughes, a declaratory judgment of marriage. Couples could then return home with their certificate, their newlywed status, their snapshots, and a court order.[17] Hence, "conflicts" or "choice of law" is not the proper analysis for cases involving marriage, and the marriage laws of the forum State cannot be used to displace an accomplished act (also recorded and "adjudged") under Hawaii's marriage law.

C. Other Constitutional Grounds

A State's refusal to recognize a marriage validly contracted under the laws of Hawaii would place a direct and tangible obstacle in the path of interstate migration and burden people's now-not-merely-abstract right to marry, thus implicating other constitutional provisions relating to due process, the right to travel and move freely throughout the nation, equal protection, interstate commerce, and privileges and immunities,[18] as well as the fundamental right to marry itself. For example, a married couple in Hawaii who wished to travel in or to another state would essentially have to choose between their marriage and their right to travel.

The rights to marry and to have that marriage recognized are of fundamental importance, both in and of themselves,[19] and in part because marital status includes substantial economic and practical protections and benefits, upon which may depend the couple's ability to live as they want, raise children as they

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[17] Professor Henson has also noted this point. 32 J. of Family L. at ___. There is also an argument to be made regarding the anomaly in requiring states to recognize divorces, but not marriages.

[18] U.S. Const., art. IV, §2. See, e.g., Supreme Court of New Hampshire v. Piper, 470 U.S. 274 (1985).

[19] Loving v. Virginia, 388 U.S. 1 (1967); Griswold v. Connecticut, 381 U.S. 438 (1965); Zablocki v. Redhail, 434 U.S. 374 (1978); Turner v. Safley, 482 U.S. 78 (1987).

want, or even subsist. By refusing to recognize a couples's marriage, a State would, for example, "unduly interfere with the right to 'migrate, resettle, find a new job, and start a new life." Shapiro v. Thompson, 394 U.S. 618, 629 (1969);[20] see

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[20] In Shapiro v. Thompson, the Court grounded the right to travel in the Equal Protection Clause and employed strict scrutiny analysis. The Court stated: "Since the classification here touches on the fundamental right of interstate movement, its constitutionality must be judged by the stricter standard of whether it promotes a compelling state interest." Id. at ___. At issue in Shapiro were state and federal provisions denying welfare benefits to persons who had not resided within the jurisdiction for at least a year. The requirement both deterred and penalized travel. In addition, none of the government's reasons were found to be compelling. The Court said that families could not be "denied welfare aid upon which may depend the ability...to obtain the very means to subsist," solely because they were members of a class which could not satisfy a one-year residency requirement. Id. at 627.

In Dunn v. Blumstein, the majority declared that "it is irrelevant whether disenfranchisement or denial of welfare is the more potent deterrent to travel. Shapiro did not rest upon a finding that denial of welfare actually deterred travel...In Shapiro we explicitly stated that the compelling-state-interest test would be triggered by 'any classification which serves to penalize the exercise of [the right to travel]...'" 405 U.S. 330, 339-340 (1972) (quoting Shapiro, supra, at 634). The Dunn Court overturned Tennessee's state and local durational residency requirements for voting, and stated "whether we look to the benefit withheld by the classification (the opportunity to vote) or the basis for the classification (recent interstate travel) we conclude that the state must show a substantial and compelling reason for imposing durational residence requirements." Id. at 335. Further, since the residency requirements impinged on the fundamental rights of both voting and travel, they faced a double-barreled assault of strict scrutiny. Likewise, a State's refusal to recognize same-sex couples' marriages from Hawaii would also impinge upon at least two fundamental rights: the right to marry and the right to travel.

also Edwards v. California, 314 U.S. 160 (1941)[21]; Crandall v. Nevada, 73 U.S. 35 (1867).[22]

Whatever cluster of constitutional grounds ultimately proves successful, it is clear that those opposing recognition of same-sex couples' marriages are advocating a position that could do great damage not only to the individual couples and children involved, but also to the institution of marriage, family relationships, and the links and mobility vital to our federal union.[23] For all these reasons, the position that the

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[21] Edwards involved California's attempt to slow travel into the state by prosecuting citizens who knowingly brought into the state any indigent nonresident. The Supreme Court unanimously upheld the constitutional right to cross state lines, but disagreed on the constitutional provision abridged. The majority relied on the Commerce Clause as prohibiting "attempts...of any single state to isolate itself from difficulties common to all of them...by the single expedient of shutting its gates to the outside world." Id. at 173. The two concurrences found the Privileges and Immunities Clause of the Fourteenth Amendment to be the applicable constitutional text, and focused on individual rights in finding that right to free movement between states is a right of national citizenship. Mobility, Justice Douglas argued in his concurrence, is basic to any question of freedom of opportunity and to prevent the indigent from seeking new horizons would "contravene every conception of national unity." Id. at 181. This takes on even greater force when linked to marriage.

[22] In Sosna v. Iowa, the Court applied rationality review in upholding a one-year durational residency requirement for divorce. 419 U.S. 393 (1975). In distinguishing previous cases in which durational residency requirements held invalid, Justice Rehnquist explained that the recent traveler was not "irretrievably foreclosed from obtaining some part of what she sought; her access to the courts was merely delayed." Id. The Court's distinction seemed to turn on the perceived significance of the burden on the right to interstate migration. In the Court's view a "mere" one-year's delay in securing a divorce was not a sufficient "penalty" on travel as to merit strict scrutiny. On the other hand, in Boddie v. Connecticut, the Court held that Connecticut could not, consistent with the obligations imposed by the Due Process Clause, deny access to a divorce court based on ability to pay a fee. 401 U.S. at 380. A State's refusal to recognize a same-sex couple's marriage from Hawaii, would penalize, not merely delay, those individuals who have exercised their right to move freely throughout our country.

[23] The best things our opponents have going for them are, of course, (1) people's ignorance and hostility regarding gay issues, and (2) the fact that, as a historical matter, marriage

Constitution mandates full faith and credit for validly contracted marriages is right and should be developed.

II. The Common Law

Although there are a number of marriage-recognition decisions invoking the Full Faith and Credit Clause (and none explicitly rejecting it), the vast majority of cases regarding marriage recognition have proceeded under common law. Under that approach, marriages that are validly contracted in one state are given, at least, a strong presumption of validity in all other states. 52 Am.Jur.2d Marriage § 3 (1970).[24] We must be prepared to make arguments under the common law, although we should not, in doing so, concede the validity of abandoning the Full Faith and Credit Clause and its federalist imperatives.

The rule at common law has been that a marriage valid where contracted (under the "lex loci contractus") is valid everywhere (i.e., in the "forum state" or under "lex fori").[25] This general rule of course helped obviate the tensions that flow from non-recognition of people's marriages, and thus any need to invoke the Full Faith and Credit Clause. In addition, many states have subscribed to the Uniform Marriage and Divorce Act, or adopted some version of its requirement that all marriages validly contracted in one state will be valid in the forum state.[26]

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recognition has not largely been treated as a constitutional matter. We must address this latter point by showing (a) the parallels to non-recognition in other circumstances, i.e., race, and (b) the increasing constitutionalization of marriage and other rights. The fact that the Full Faith and Credit Clause was muzzled in the past does not justify its non-invocation in the future, if needed. Cf., e.g., Puerto Rico v. Branstad, 483 U.S. 219, 228 (1987) (Court reverses precedent of over a hundred years to reestablish view of federalism less deferential to states' rights).

[24] See also, 52 Am.Jur.2d Marriage §80 (1970); Restatement, Second, Conflicts of Laws §283 (1969).

[25] Patterson v. Gaines, 6 How. 550, 12 L. Ed. 553 (1848) and see, e.g., Franzen v. E.I. DuPont De Nomours, 146 F.2d 837 (3rd Cir. 1944); 52 Am.Jur.2d Marriage § 80 n9 (1970); Krug v. Krug, 296 So.2d 715 (Ala. 1974).

[26] The Uniform Marriage and Divorce Act expressly repudiates any "public policy" exception, and thus precludes invalidation of marriages whether or not they could have been celebrated under the law of the forum state.

Under some common law approaches, this general rule contains a disfavored loophole, what I call the "states' rights 'public policy' exception." Under this exception, although there is a presumption for recognition, states may elect not to recognize a marriage that is valid where contracted if recognition would contradict a strong public policy of the forum state or (in the Second Restatement's formulation) of the state "which had the most significant relationship to the spouses and the marriage at the time of the marriage."[27] Restatement, Second, Conflict of Law § 283 (1969).[28] This states' rights exception arose at least in large part from the historical desire not to have to recognize interracial marriage.

Citing the local "public policy exception" -- and ignoring the Full Faith and Credit Clause -- forum states have sometimes refused recognition to out-of-state or foreign marriages that either violated the forum's own marriage laws, or would not have been capable of celebration under those laws, regarding polygamy and bigamy, incest, miscegenation, age, prior divorce, common law marriage, capacity, and proxy marriages. On the other hand, the force of the general rule has often led other courts to recognize marriages that violated the forum's provisions regarding those same subjects.[29]

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[27] The distinction between "forum state" and "state with most significant relationship" could actually in theory be pivotal, if the "forum state," i.e., the state where recognition is being demanded, is not the state that had the most contacts at the time of the marriage (and thus does not have "standing" under the Restatement to invoke the "public policy exception"). In any case, the Second Restatement identifies factors to be considered in evaluating the strength of an asserted public policy, while emphasizing the strong policy in favor of recognition.

[28] The First Restatement contains a much more narrowly worded version of the "state's rights exception," requiring that a marriage be recognized unless it "not only [is] prohibited by statute but [also] offend[s] a deep-rooted sense of morality predominant in the state." At least fifteen states follow the First Restatement.

[29] As my colleague Matt Coles suggests, this fact sets up a case for a "public policy parity" argument: Where recognition was granted in one analogous case, it must be accorded in another, as the "public policy" purportedly justifying denial of recognition of a same-sex couple's marriage is no greater than that previously ignored in recognizing some other marriage (i.e., ones that were miscegenous, "evasive," between parties closely related, etc.). Thus, it is important to be prepared to probe the elements of the claimed "public policy," distinguishing, for example, between an outright prohibition on same-sex couples'

In keeping with this mixed pattern, some states undoubtedly will recognize same-sex couples' marriages, while others may attempt to deny recognition, invoking states' rights and adducing a public policy out of miscellaneous anti-gay aspects of their law. There are, of course, no legitimate public policies served by telling a couple that they are not married, or withholding equal protection, respect, and treatment.

If they are permitted to pursue this aconstitutional approach, courts would have to determine whether recognition of an out-of-state marriage offends a "strong public policy." They might consider whether the marriage was expressly or impliedly prohibited by local statute or case law,[30] and possibly (if seemingly unconstitutionally) whether such marriages are contrary to "morality," "natural law," the traditions of "Christiandom," or "Judeo-Christian teachings."[31] They might consider whether the forum state has somehow adopted (or in a meaningful way countenanced) a strong policy of anti-gay discrimination somehow related to same-sex couples' marriages.

However, given the strong interests in favor of ensuring that marital status enjoy uniform recognition throughout the states -- to protect parties from charges of unlawful cohabitation and adultery, to ensure orderly disposition of property in the event of death or divorce, to protect the interests of children, to facilitate mobility, and generally to protect the expectations of the parties -- states have generally recognized marriages (even if contrary to state law or public policy), refusing to recognize validly contracted marriages only on grounds of strong local public policy. 52 Am.Jur.2d Marriage §§ 80, 82 (1970); Restatement, Second, Conflict of Laws § 283 cmt. b (1969).

When challenged with a claim of "public policy," advocates should respond with the strongest countervailing policy and justice arguments available under the specific circumstances of the case, as well as general arguments. The policy balancing may occur in the context of the specific right, benefit, or responsibility of marriage arising in the litigation, e.g. intestate succession rights, insurance proceeds, tax status, or maintenance. See Restatement, Second, Conflict of Laws, § 283

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marriages and a mere tradition of applying a silent statute solely in favor of different-sex couples.

[30] The First Restatement requires that there be explicit statutory prohibition.

[31] Such language from the cases, of course, betrays the archaic and offensive roots of the states' rights public policy exception.

(1969). Under this approach, advocates may wish to focus on the policy advantages of recognizing the marriage for purposes of the specific incident (e.g. the orderly disposition of descendent's property in a case of intestate succession), and critical elements related to the parties' expectations and fair reliance interests, as well as on recognition of the status of the marriage itself. We might also argue that the "public policy" is not sufficiently strong, as evidenced by how it is expressed (i.e., as a civil rather than criminal statute, or only by inference from other state laws or policies rather than expressly or on point), or that an analogous "public policy" was disregarded in an analogous (albeit non-gay) case.

The states' rights exception to the common-law rule of presumptive recognition has not actually been invoked in decades, has received sharp, serious, and sustained scholarly criticism, and should, if necessary, be challenged on constitutional grounds. A product of a shameful past of racism, national disunion, and relatively less mobility, the states' rights exception contradicts the basic premise of federalism that the states cannot treat each other like foreign countries.[32]

III. Statutory Law

The Uniform Marriage and Divorce Act ("the Act") effective in at least seventeen states[33] provides that:

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[32] See Douglas Laycock, Equal Citizens of Equal and Territorial States: The Constitutional Foundations of Choice of Law, 92 Colum. L. Rev. 249, 313 (1992); see also 45 Colum. L. Rev. 1, 27 (1945) ("[i]t is hard to see how the faith and credit clause has any practical meaning as to statutes if the Court should adhere to" the public policy exception); Gary J. Simson, State Autonomy in Choice of Law: A Suggested Approach, 52 So. Cal. L. Rev. 61, 70 n.51 (1978) (because it prevents consistent results, public policy exception is inconsistent with Full Faith and Credit Clause); Jennifer Gerarda Brown, Competitive Federalism and the Legislative Incentives to Recognize Same-Sex Marriage 3/14/94 DRAFT at 52 n.157 (on file with Lambda) (article also analyzes economic benefits to state celebrating and recognizing same-sex couples' marriages).

[33] See Ariz. Rev. Stat. Ann. § 25-112 (1991); Ark. Code Ann. § 9-11-107 (Michie 1993); Cal. Family Code § 308 (West 1994); Colo. Rev. Stat. Ann. § 14-2-112 (West 1989); Idaho Code § 32-209 (1993); Kan. Stat. Ann. § 23-115 (1992);Ky. Rev. Stat. Ann. § 402.040 (Michie 1984); Mich. Comp. Laws § 551.271 (1993); Mont. Code Ann. § 40-1-104 (1993); Neb. Rev. Stat. § 42-117 (1992); N.M. Stat. Ann § 401.4 (Michie 1993); N.D. Cent. Code § 14-03-8 (1993); S.D. Codified Laws Ann. § 25-1-38 (1993); Utah Code Ann.

> All marriages contracted within this State prior to the effective date of the Act, or outside this State, that were valid at the time of the contract or subsequently validated by the laws of the place in which they were contracted or by the domicile of the parties, are valid in this State.

9A U.L.A., § 210 (1979). The Act has a great advantage over the common law rule in that its authors explicitly declared:

> the section expressly fails to incorporate the 'strong public policy' exception of the Restatement and thus may change the law in some jurisdictions. This section will preclude invalidation of many marriages which would have been invalidated in the past.

Id., official comment. In interpreting the Act an Illinois court stated that:

> Out-of-state marriages are recognized as valid, thereby giving full faith and credit to a sister State's laws, if they were valid when contracted. However, the statute further extends what marriages are valid, even if the marriages were not valid where contracted, if the marriages were subsequently validated, either by the law of the State where contracted or by the law of the State where the parties to the marriage were domiciled. By allowing prohibited marriages to become validated, the purpose of the Illinois statute, i.e., to "strengthen and preserve the integrity of marriage and safeguard family relationships" is furthered.

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§ 30-1-4 (1993); Wyo. Stat. § 20-1-111 (1993); Walker v. Walker, 44 N.E.2d 937 (1942); Ind. 50 Op. Att'y Gen. 346 (1967); Vital v. Vital, 319 Mass. 185, 65 N.E.2d 205 (1946). Brown, Competitive Federalism and the Legislative Incentives to Recognize Same-Sex Marriage, 3/14/94 Draft, at 49 n.143. See also, e.g., Conn. Gen. Stat. Ann. § 466-28 (1958) (marriages contracted in the foreign country where one or both parties are Connecticut citizens "shall be valid" provided (1) both parties have the legal capacity to marry in Connecticut and the marriage is celebrated in conformity to the law of the country of celebration; or (2) the marriage is celebrated in the presence of an American diplomat by ordained clergy). Hawaii's analogous statute is entitled "Contracted without the State." HRS §572-3.

Estate of Banks, 1994 Ill. App. Lexis 265, (App. Ct. Ill. 5th Dist. 1994) (citation omitted, emphasis added).[34]

Given that a significant number, indeed a plurality, of states are thus bound (independent of constitutional obligation) to respect marriages celebrated elsewhere, there are ample federalist arguments in favor of having a clean rule based on people's clear expectations regarding marriage and American union.

CONCLUSION

Most Americans, gay or non-gay, have not yet had to give real thought to the validity or meaning of same-sex couples' marriages and having the equal right to marry. While the initial reaction of many will range from incredulous to hostile, we also have much going for us: the fairness and rightness of respecting family relationships and committed, caring unions; the ability to present these stories in a compelling, positive, warm, and sympathetic manner (asking people how they would resolve this Catch-22); the logic, indeed, imperative of not requiring people to choose between marriage and movement from state to state; the sense that marriage is marriage, and this is one country in which if you are married, you are married; and a number of sound constitutional, statutory, common law, and fairness arguments.

Whether under the Full Faith and Credit Clause, other constitutional provisions, or the common law presumption of recognition, we should not give up on this fight before we have even begun to wage it. And we must begin to wage it, not just through legal preparation, but through public education and political organizing. Above all, we must frame the discussion so as to put forward what works for us, while casting our enemies in their true colors -- the same crowd that, hiding behind the banner of "states' rights," has always been hostile to others' equal rights and pursuit of happiness.

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[34] Similarly, in determining eligibility for social security benefits the U.S. Department of Health and Human Services recognizes as valid a marriage that would be recognized as valid by the courts of the state in which the wage earner was domiciled. Thomas v. Sullivan, 922 F.2d 132, 136 (2d Cir, 1990), citing 42 U.S.C. § 416(h)(1)(A). But see Adams v. Howerton, 673 F.2d 1036 (9th Cir.), cert. denied, 458 U.S. 1111 (1982) (court says same-sex couple not legally married under state law, nor would INS be obligated to recognize such marriage for purposes of immigration). Because immigration law has changed since Adams, because it lacked the benefit of cases such as Turner and Baehr, and because it is dicta, the assertions in Adams regarding congressional intent, the meaning of marriage, and the government's obligations are of dubious validity.

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TO: **Attorneys, Academics, and Students**

FROM: **Evan Wolfson, Lambda Legal Defense & Education Fund**
Jeffrey Gibson, ABA Section on Individual Rights and Responsibilities, Chair Lesbian & Gay Committee
Barbara Cox, California Western School of Law

DATE: **January 22, 1995**

RE: **CHECKLIST for State-by-State Legal Research on the Nationwide Recognition of Same-Sex Couples' Validly Contracted Marriages**

Lambda Legal Defense & Education Fund ("Lambda") and the Section on Individual Rights and Responsibilities of the American Bar Association, together with Gay & Lesbian Advocates & Defenders and other organizations, have formed a network of attorneys to research the critical constitutional and legal questions that may arise following what would be a landmark victory in Baehr v. Lewin, the Hawaii equal marriage rights case. We are seeking your participation in this state-by-state project.

If you are willing to help, please fill out the accompanying form and mail or fax it to Lambda today. We will then contact you to put you in touch with others researching in the same area.

What we need from you is research in your state on the following questions. Please try to be thorough, creative, and exhaustive in providing this information. Lambda's Marriage Project Legal Clearinghouse plans to compile and distribute the work we do together as part of a manual for attorneys around the country. *We would like you to submit your materials by June 1, 1995.*

Please research the questions set forth in this checklist (to get you started, see the accompanying memo entitled "Background materials..."). When writing up your research and appending cases or other materials, please indicate which question you are answering. This will help us in being accurate when compiling information gathered from attorneys around the country.

Through test-case litigation and public education, Lambda works nationally to defend and extend the rights of lesbians, gay men, and people with HIV. Lambda is a non-profit, tax-exempt organization founded in 1973.

QUESTIONS

CHOICE OF LAW APPROACHES

Marriage Validation Statutes:

1. Does your state have a marriage validation statute? If so, include a copy of the text of the statute.

If your state has a marriage validation statute, please review the cases under that statute and answer questions 2-5. If not, proceed to question 6.

2. Have the courts used the marriage validation statute to recognize an out-of-state marriage? If so:

(a) what types of out-of-state marriages were validated
(b) what was the court's reasoning for applying to validation
(c) how could we use the court's reasoning to argue that it should use the validation statute to recognize an out-of-state marriage by a same-sex couple?

Be specific.

3. Under what circumstances, if any, have any courts used a "public policy exception" to refuse to apply the marriage validation statute? Be specific in detailing the specific public policy exception used and whether there is any likelihood that a court would use that same public policy to refuse to apply the marriage validation statute in cases of an out-of-state marriage of same-sex-couples. Also indicate whether the use of the public policy has been critiqued in the courts or in local law reviews or journals.

4. If public policy exceptions have been used to refuse validation, have any courts used the marriage validation statute to recognize an out-of-state marriage despite the existence of public policy exceptions? Be specific in detailing the court's reasons for not using the public policy exception and recognizing the out-of-state marriage under the validation statute.

5. Determine whether the marriage validation statute in your state was adopted as a segment of the Uniform Marriage and Divorce Act or any other interstate arrangement. Be specific in indicating the uniform act of interstate arrangement.

MARRIAGE EVASION STATUTES

If your state has a marriage evasion statute, please review any prior cases under that statute and answer questions 7-10. If not, proceed to question 11.

7. Have the courts required that an out-of-state marriage must be statutorily prohibited within the state in order to be invalid under the evasion statute? If so, explain what the specific statutory prohibition was, and how the courts used that prohibition to find a violation of the marriage evasion statute. Be specific.

8. Have any courts recognized an out-of-state marriage by state domiciliaries that was statutorily prohibited within the state notwithstanding the evasion statute? If so, explain how the marriage was statutorily prohibited and why the court found that it did not violate the evasion statute. Be specific.

9. Have any courts found that an out-of-state marriage violated the marriage evasion statute even if the marriage was not specifically prohibited within the state by statute? If so, what type of marriage was involved and on what basis did the court find that the marriage was invalid under the evasion statute? Be specific.

10. If any courts have found that an out-of-state marriage violated the marriage evasion statute, did it do so on public policy grounds, rather than or in addition to statutory prohibition? If so, what were the public policy grounds and why did the court find that the marriage violated that public policy? Also indicate whether the use of the public policy has been critiqued in the courts or in local law reviews or journals.
Be specific.

General Public Policy Issues:

Because we have to be prepared to address "public policy" grounds that might be alleged to support or oppose recognition of out-of-state marriages by same-sex couples, the following broad public policy questions must be answered. Public policy concerns may arise at any time in the choice-of-law arena.

163.305
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deviate
per
intercourse

11. List any statutes or case precedent that might be used to support an argument that marriages by same-sex couples would violate state public policy (e.g. "sodomy" statutes, prohibition of lesbian or gay adoption, cases denying benefits to same-sex couple or refusing to permit co-parent adoption or visitation, etc.) If statutes exist, include a copy of the text of the statute. If precedent exists, include a brief summary of the case, an explanation of the public policy, and how you think that it might be used to argue that marriage by same-sex couples **violates** public policy.

12. List any statutes or case precedent that might be used to support an argument that marriage by same-sex couples would not violate state public policy (e.g. anti-discrimination or "domestic partnership" statutes or policies, cases determining that "sodomy" statutes are unconstitutional, cases permitting co-parent adoption or visitation, etc.) If statutes exist, include a copy of the text of the statute. If precedent exists, include a brief summary of the case, an explanation of the public policy, and how you think that it might be used to argue that marriage by same-sex couples does **not violate** public policy.

Recognition of Out-of-State Marriages:

Most states have handled cases on whether to recognize out-of-state marriages. In this question, do not consider cases decided under choice-of-law theory. Instead, focus on cases that do not specify choice-of-law theory but use public policy or other grounds for deciding whether to recognize the marriage. Save the choice-of-law cases for the next section.

13. Has your state had any cases deciding whether to recognize an out-of-state marriage by state domiciliaries? If so:

(a) list those cases,
(b) include the type of out-of-state marriage that was involved,
(c) why was there a question of whether it should be recognized in that state, and
(d) provide an explanation of the court's reasoning for recognizing or refusing to recognize the out-of-state marriage.

Be specific.

14. If your state prohibited interracial marriages, did any cases (whether majority, concurring, or dissenting opinions) discuss the racism inherent in the prohibition? List those cases (and any others of particular interest), and provide the court's reasoning and an explanation of how that reasoning challenges the inherent racism or denies that racism is behind the prohibition. Be specific. Have any commentators or local historians discussed the state's history regarding interracial marriage and how the law of the state was skewed by racism regarding marriage and family relationships? Discuss.

Choice-of-Law Theory Cases:

15. In deciding out-of-state marriage recognition cases, has your court explicitly used a choice-of-law theory (e.g. First Restatement, etc.) in deciding whether to recognize the marriage? If so, what choice-of-law theory did it use and how did it use that theory to determine whether to validate the out-of-state marriage? Be specific.

16. If your state has not had a marriage case decided by choice-of-law theory, what choice-of-law theory does it use for other conflicts cases? Primarily, these cases would be torts or contracts cases, although numerous other types are possible. Be specific in stating what choice-of-law theory your state uses. It is possible that your state uses one or more theories. If it does, be sure to indicate which theory it uses for which cases.

17. In applying that choice-of-law theory, how does your state court determine when to use its own law or when to use the law of the other state? In other words, using the cases, explain how the court applied its choice-of-law theory and how those cases might be used to support or oppose recognition of an out-of-state marriage by same-sex couples. Be specific.

18. If your courts have used any public policy grounds in deciding choice-of-law cases, how have they used public policy to decide which law to apply, how has the use of public policy been critiqued by the courts, and how has it been critiqued in local law reviews or journals? Be specific.

FULL FAITH AND CREDIT AND OTHER CONSTITUTIONAL APPROACHES

Advocates need to be prepared to address both the choice-of-law issues and the constitutional Full Faith and Credit issues that arise in marriage recognition cases. Research on a national basis is being done on Full Faith and Credit and other constitutional theories (i.e., right to travel, equal protection, fundamental right to marry). What we need from you in particular is research on when courts in your state have used the Full Faith and Credit clause (or other federalism-related doctrines) for cases arising in your state.

19. How have your state courts or the federal courts for your state defined (a) public acts, (b) records, or (c) judicial proceedings in Full Faith and Credit cases? How can these cases be used to support or oppose an argument that marriage fits within those definitions and thus an out-of-state marriage by same-sex couples should be protected under the Full Faith and Credit? Be specific.

20. Have any courts used the Full Faith and Credit clause in deciding whether to recognize out-of-state marriages or whether to refuse to recognize out-of-state marriages? If so:

(a) indicate the kinds of marriages the court considered,
(b) its reasoning for finding that the Full Faith and Credit clause controlled the issue, and
(c) its reasoning for providing constitutional protection or refusing to provide constitutional protection under the clause.

Be specific.

21. In cases when issues arising under the Full Faith and Credit clause might have been invoked but were not, do your courts or commentators in local law reviews or journals shed any light on why those issues were not raised (i.e. impact of racism, failure of attorneys to argue the issue and why). If so, explain the reasons for the failure to raise these issues. Be specific.

22. Other than Full Faith and Credit, have the courts or commentators in local law reviews or journals discussed the use of other constitutional theories (i.e., right to travel, fundamental right to marry) as a basis to recognize or not recognize out-of-state marriages? If so, explain those theories and how they would support the recognition or lack of recognition of the marriages. Be specific.

General Marriage Requirements:

23. We need to determine and collect the marriage requirements for every state. Please research your state's marriage statutes and indicate:

(a) what the requirements are to marry in your state;
(b) is there a domiciliary or residency requirement for your state and, if so, what is it;
(c) in issuing marriage licenses,
(1) does your state issue a marriage license that can be used in other states;
(2) does your state require that a marriage license be issued in your state even if the marriage is going to be held out-of-state;
(3) does your state allow weddings to be performed locally with a marriage license issued from out-of-state;
(d) what other requirements exist in your marriage statutes that might affect the ability of a same-sex couple to marry or have their marriage recognized in your state;
(e) who can officiate marriages in your state and what does "officiate" actually mean under your statutes; and
(f) are there any statutes in your state that recognize specific religious marriages as legally valid even when they do not conform to the other requirements in your marriage statutes (see, e.g., N.H. ch. 457, sec. 37, which recognizes marriages performed by Jewish rabbis or Quakers in the way usually practiced by those religions, notwithstanding other statutory requirements.)

Include a copy of all cited statutes.

24. Is marriage by same-sex couples expressly prohibited in your state?

(a) If so, include a copy of the text of the statute and any legislative history that exists for the prohibition. Many statutes are ambiguous, in that they often include references to "a man and a woman" or "husband and wife". If there is any possible reading of your statutes that would support an argument that marriage by same-sex couples is prohibited, include those statutes.

(b) If your state prohibits marriage by same-sex couples, how does the prohibition compare to other prohibitions (i.e., incest, polygamy, age or remarriage restrictions) and can we use those differences (or similarities) to argue in favor of marriage by same-sex couples (i.e., if they previously recognized a "more prohibited" out-of-state marriage)? Be specific.

For all of these questions, it is vital that your research be specific, creative, and exhaustive. We need to have as much information on all these questions, and the related ones that arise during your research, in order to make it possible to compile information that will be useful to other attorneys and all of us in the battle ahead..

▼

Thank you in advance for your willingness to participate in this national research effort. We are confident that this research will assist in preparing same-sex couples to assure equal recognition of their marriages nationwide.

If you know of others who can assist with this project, or if you have questions while completing this checklist, please contact:

Professor Barbara Cox, California Western School of Law at (619) 525-1496, or

Evan Wolfson, Senior Staff Attorney and Director of the Marriage Project, Lambda Legal Defense & Education Fund at (212)-995-8585.

Responses and supporting materials should be mailed to:

The Marriage Project Legal Clearinghouse
Lambda Legal Defense and Education Fund
666 Broadway, 12th Floor
New York, New York 10012

▼

OREGON LEGAL RESEARCH FOR HAWAII MARRIAGE ISSUE

1 - 5.

Oregon marriage validation statutes are codified at ORS 107.142 and 106.210. 107.142 makes marriages entered into before July 31, 1981, and January 1, 1965, and divorces entered prior to August 13, 1965, which have some procedural irregularities, mainly regarding violation of waiting periods, but which are "in all other respects legal and regular," valid. The phrase "in all other respects legal and regular" have not been litigated. This statute is not a general marriage validation statute, but one which appears limited to validating marriages and divorces put in question by procedural or record keeping irregularities. ORS 107.105(1)(e) mentions the Uniform Marriage and Divorce Act, but this is the only mention of the Act in the Oregon statutes.

ORS 106.210 validates inter-racial marriages not permitted under old Oregon statutes.

Certain marriages are void and voidable under Oregon law. ORS 106.020 provides that the following marriages, if solemnized in Oregon, are absolutely void:

(a) when one of the parties has a husband or wife living at the time of the marriage, and/or

(b) when the parties are first cousins or closer in consanguinity, by the whole or half blood, or by adoption, unless both are adopted.

ORS 106.030 makes a marriage voidable when:

a) either party is incapable of making the contract or consenting to for want of legal age or sufficient understanding, or

b) when the consent of either is obtained by force or fraud.

ORS 107.005(1) provides that a marriage may be declared void from the beginning for any of the causes specified in ORS 106.020, and whether so declared or not, shall be deemed and held to be void in any action, suit or preceding in which it may come into question. A marriage once declared valid by decree of a court having jurisdiction thereof, in a suit for that purpose, cannot afterward be questioned for the same cause directly or otherwise. ORS 107.005(3). This statue and common law have been interpreted to allow a third party to challenge a void but not a voidable marriage. See discussion in Werden v. Thorpe, 126 Or App 97, 100, 867 P2d 557, rev den 318 Or 661 (1994); Dibble v. Meyer, 203 Or 541, 546, 278 P2d 901, 280 P2d 765 (1955).

Oregon has recognized the presumption of validity of a marriage and public policy exceptions to this general rule of validity. This is common law, however, and is discussed below.

7 - 10.

Oregon does not have a marriage evasion statute. In fact, Oregon has recognized that

even if Oregon residents couldn't legally marry here and so went to a neighboring state to marry, such a marriage was valid, so long as it complied with the laws of the neighboring state and so long as the parties themselves were able to marry at all in Oregon.. Sturgis v. Sturgis, 51 Or 10, 93 P 696 (1908). In Sturgis, one of the parties to the marriage couldn't get a guardian's consent to marry, so the couple went to Washington to get married in order to avoid Oregon's age limitation requirements. The court held that the marriage was valid, even though the parties had gone out of state to marry to avoid Oregon's age consent law. The court recognized exceptions to the validity of out-of-state marriages for marriages contrary to the laws of nature, using examples of polygamy or incest, or marriages that the legislature has declared absolutely void. This case is discussed below at No. 11.

11.

A. CASES THAT SUPPORT ARGUMENT THAT SAME-SEX MARRIAGE DOES VIOLATE POLICY

1. *State v. Childs*, 252 Or 91, 447 P2d 304 (1968), *rev den* S Ct (1969): regarding freedom of expression in a book, Lesbian Roomate." The book had a lot of heterosexual and homosexual acts going on. "Illustrative of the candor used, the book in question portrays a homosexual act between two women where one is having oscillatory relations with the private parts of the other and is 'greedily' making 'syrupy noises.' We believe materials of this kind affronts national contemporary community standards." 98. The materially is not constitutionally protected. 99. They seem to be primarily affronted by the lesbian content, although this passage is the only one to really say so explicitly.

2. *State v. Casson*, 223 Or 421, 354 P2d 815 (1960): Defendant appealing conviction for bringing a "child to the home of a man known to him to be a promiscuous homosexual." 429. Apparently the man was known for liking young boys. Without going into the homosexual aspect, the court affirmed. The court said the legislature was concerned with protecting children from predatory adults. 429. Bottom line, a promiscuous homosexual is an immoral person within the meaning of the statute.

3. *Sturgis v. Sturgis* may be argued both ways. See *Sturgis* discussion below at question 13.

4. *State v. Tusek*, 52 Or App 997, 630 P2d 892 (1981): Defendant appealing conviction for ORS 163.455(1), which provides in pertinent part, (1) A person commits the crime of accosting for deviate purposes if while in a private place he invites or requests another person to engage in deviate sexual intercourse. Deviate sexual intercourse between consenting adults has not been a crime in Oregon since 1971. ORS 163.455 was intended not to discourage the underlying acts, but to discourage "open and aggressive solicitation by homosexuals." quoting the commentary. The court found the statute

unconstitutional because it prohibits speech that is protected. The statute prohibits speech soliciting conduct that is not prohibited (concentual deviate sex) as well as speech that solicits for illegal acts (deviate sex in public places). 1001. The court avoided the defendant's equal protection claim by finding the statute unconstitutional.1003.

5. Ashling and Ashling, 42 Or App 47, 599 P2d 475 (1979). (Mostly a bad case) Straight father and lesbian other of 3 children. Mother came out as a lesbian after the divorce. The parties originally had joint custody of the children, and both lived in the Eugene area. In the proceeding at issue, father moved to change custody to him, with visitation to mother, and trial court granted both motions, including a visitation limitation on mother that she not have any lesbians around during visitation. Per the briefs, the factual backgound is as follows: mother had the children most of the time, but placed them with the father temporarily when she ran into some financial problems. At that time she made some statements, the specifics of which the parties disagreed upon, about leaving the children with the father for a longer period, and possibility indefinitely. Mother moved to Ashland, then to Portland and enrolled the children in school. Father refused to let the children move to Portland, citing a 100 mile relocation provision in the judgment, and filed the motion to modify custody and to grant wife some visitation. Mother then transfered to a Eugene affiliate of her Portland employer and contested the motion. Father's motion was based on 1) mother's financial and geographical instability and 2) mother's lesbianism. Mother appealed both the custody change and visitation restrictions. The appeals court said that the children were aware of mother's sexual orientation. Mother had had sexual relations with other women while the children were at the home, but she was in the privacy of her bedroom. Mother had behaved affectionately toward other women in front of the children, but in a friendly, and not passionate or sexual way. The appeals court upheld the custody change, finding "the record" supported it, but lifted the visitation restriction, finding nothing in the record to justify it. The court said as long as mother's sexual practices remained discreet, whatever her sexual orientation, citing Niedert and Niedert, 28 Or App 309, 555 P2d 515 (1977), the presence of lesbians in the home, on this trial court record, did not of itself present difficulties to the children of a magnitude magnitude to justify such a restriction.

B. STATUTES THAT SUPPORT ARGUMENT THAT SAME-SEX MARRIAGE DOES VIOLATE POLICY

1. ORS 163.305, which defines "deviate sexual intercourse" as "sexual contact between persons consisting of contact between the sex organs of one person and the mouth or anus of another."

2. ORS 163.385, 3rd degree felony sodomy, which occurs when "if the person engages in deviate sexual intercourse with another person under 16 years of age or causes that person to engage in deviate sexual intercourse."

3. ORS 163.195, 2nd degree felony sodomy is the same as 3rd degree felony

sodomy. only the victim must be under 14 years of age.

12.

A. OTHER INDICATORS THAT SUPPORT ARGUMENT THAT SAME-SEX MARRIAGE WOULD NOT VIOLATE POLICY

1. Failure of Measure 9. See *Lowe v. Kiesling*, 130 Or App 1, for language; measure's subject is the relationship between governments and homosexuality, general policy is to prohibit governments from approving homosexuality. *Lowe* at 10.; "Although the measure may affect a number of constitutional provisions, and may in fact have substantive constitutional defects," *Lowe* at 13; court may not inquire into constitutionality of a measure until it is passed. *Lowe* at 15.

2. Failure of Measure 13 in Nov. 1994 election.

3. Abolishment of homosexuality as a crime in 1971: Or Laws, Ch 743, § 432, see comments in 1975 (p 144-45, § 114)

4. Merrick v. Board of Higher Education, 116 Or App 258 (1992). (see below)

5. Portland, Eugene, and Ashland city ordinances banning discrimination based on sexual orientation.

Portland City Code 23.01.010 *et seq*. Private enforceability in doubt in light of *Seidel v. Albertson's Inc.*, 1995 WL 82268, Civ. No. 94-1275-FR (D.Or.).

6. Oregon Administrative Rules for the Human Resources Division, at OAR 410-142-020, Hospice Care, the following definitions:

***

(11) "Family" - relatives or other significantly important persons who provide psychological, emotional, and spirtual support of the patient. The "family" need not be blood relatives to be an integral part of the hospice plan.

***

(25) "Primary Care Giver" - designated by the patient or representative. May be a family or individual who has personal significance to the patient but not a blood or legal relationship.

7. Dicta in State v. Anderson, 239 Or 200, 206-07, 396 P2d 558 (1964) involving a proxy marriage, in which husband, while in jail and unable to post bond, married wife by proxy to legitimize child she was carrying. At husband's criminal trial, state wanted to call wife as a witness against husband, but husband invoked marital privilege. State wanted to invalidate proxy marriage due to circumstances and consequences of its formation. The court found that proxy marriages are voidable, not void, and consequently, as a third party, the state could not invalidate the marriage. The court said "Regardless of the particular equities of a particular case, this court should not void a particular proxy marriage unless the same rule should be applicable in all cases of proxy marriage." *Anderson* at 206-07. By the same token, same rules

that apply to validating or invalidating straight marriages should apply to same-sex marriages.

B. STATUTES THAT SUPPORT ARGUMENT THAT SAME-SEX MARRIAGE WOULD NOT VIOLATE POLICY

1. ORS 166.165--Makes it a crime to [i]ntentionally, knowingly, or recklessly cause physical injury to another because of the actor's perception of that person's race, color, religion, national origin or sexual orientation, or with criminal negligence cause physical injury by means of a deadly weapon to a person based on the actor's perception of that person's race, color, religion, national origin or sexual orientation, or intentionally, because of the actor's perception of that person's race, color, religion, national origin or sexual orientation, place in fear of serious physical injury. The elements of the crime are set out in *State v. Plowman*, 314 Or 157, 165, 838 P2d 558 (1992), *cert den* 113 S.Ct. 2967, 125 LE2 666 (1993).

2. ORS 659.165--prohibits political subdivisions from enacting or enforcing laws that grant special rights, privileges or treatments to any citizen or group of citizens based on sexual orientation or enact or enforce laws that singles out citizens or groups of people based on their sexual orientation. Effectively nullifies all of the OCA-sponsored local "son of 9" measures passed by cities and counties.

a. *deParrrie v. State of Oregon*, 1995 WL 217945, upholding of statute based upon settled law that state substantive legislation displaced inconsistent local law.

b. *Boytano v. Fritz*, 131 Or App 466, 886 P2d 31 (1994), review pending: In regard to a local measure to prohibit the City of Klamath Falls from enacting or enforcing any "ordinance, rule, regulation, policy, or resolution that extends minority status, affirmative action, quotas, special class status or any similar concepts based on homosexuality . . . ." 477-78. The courts may not determine the validity of a proposed law or ordinance before its enactment. *Boytano* at 474. Prohibiting "enactment" of "offending" measures does not mean those measures cannot be submitted to a vote of the people. *Boytano* at 471.

3. ORS 351.070: Enables State Board of Higher education to make rules regarding the higher educational system. The following OARs were at issue in Merrick v. Board of Higher Education. See *Merrick* at 12(C)(3).

a. OAR 580-22-050: "No institution [under control of the Board of Higher Education] or division shall discriminate in employment

based on . . . sexual orientation."

b. OAR 580-15-010: "As used in rules 580-15-010 to 580-15-060, 'discrimination' means any act that either in form or operation, and whether intended or unintended, unreasonably differentiates among persons on the basis of . . . sexual orientation."

4. ORS 106.020 "Prohibited and Void Marriages", does not explicitly include same sex marriages.

C. CASES THAT SUPPORT ARGUMENT THAT SAME-SEX MARRIAGE WOULD NOT VIOLATE PUBLIC POLICY

1. *Franklin v. Biggs*, 14 Or App 450, 513 P2d 1216, *rev den* (1973): "[I]t is the public policy of this state that the marriage relationship be protected, and every reasonable doubt should be resolved in favor of a valid marriage." 458.

2. *A. v. A.*, 15 Or App 353, 515 P2d 730 (1973): Child custody cases. The children, two boys, had been awarded to the father some eleven years prior. 355. Mom had virtually no contact with the boys. 355. She based her claim to modify the custody arrangement on the father sexual orientation. 356. The father had been living with a man, also his business partner, for about two years, although this man had moved out just before the proceedings. 356. The court found that the mother's "evidence did not show that the two boys were being exposed to deviant sexual acts or that the welfare of the boys was being adversely affected in any substantial way." Giving weight to the trial judge "who heard and saw the witnesses and had the opportunity to talk to the boys themselves," the court concluded that they could not find the trial judge's decision clearly wrong. 359. Apparently the trial judge did modify the conditions of custody in some manner and the appellate court further ordered that the father's custody of his children be under supervision of the proper juvenile authorities. 359. The court does not say why these modifications were necessary, but *Niedert and Niedert*, 28 Or App 309, 319, 559 P2d 515, *rev den* (1977), *dissent* states the conditions were that his partner move out of the house and that they were not to have sexual relations when the child was in the home).

3. *Merrick v. Bd. of Higher Ed*, 116 Or App 258, 841 P2d 647 (1992), earlier case 103 Or App 328, 797 P2d 388 (1990): Lesbian employed by the Board of Higher Ed as a National Student Loan Manpower Assistant, supervises other state and student employees. *Merrick* 103 Or App at 331. Measure 8, codified as ORS 236.280 provides, "No state official shall forbid the taking of any personnel action against any state employee based on the sexual orientation of that employee." She sought a declaration that state regulations forbidding state institutions from

discriminating in employment decisions based on sexual orientation, OAR 580-22-050; OAR 580-15-010 to 165 (see above), were valid in light of passage of ORS 236.280. *Merrick* 103 Or App at 332-33. She claimed that because of the new statute, she was in a contradictory position that affected her speech, association and employment. The court concluded that ORS 236.280 was a content based restriction on free expression concerning sexual orientation and thus violated the Oregon Constitution. Merrick 116 Or App at 650.

4. *Taylor v. Taylor*, 11 Or 333, 8 P 354 (18??): A suit for divorce on grounds of cruelty. 303. "The policy of the law is to uphold and sustain the marriage relation, and courts of equity will not lend their aid to dissolve it unless the proof be clear and satisfactory of the truth of the charge preferred." 304. (Probably not of much import - Oregon is now no-fault divorce state since 1977)

5. *Dakin v. Dakin*, 197 Or 69, 251 P2d 462 (1952): suit for divorce. "The state is a party in interest to the marriage contract, together with the husband and wife, and the relationship is one in which the state is deeply concerned and over which it exercises a jealous dominion. Marriage is favored by the law, and the public policy is to foster and protect marriage, to make it a permanent and public institution, to encourage the parties to live together, and to prevent separation. The integrity of the family is basic to our American civilization." 72. (Quoted from *Guin v. Guin*, 188 Or 554, 217 P2d 248 (1950).

6. *Ireland v. Flanagan*, 51 Or App 837, 627 P2d 496 (1981). Dissolution of a domestic partnership involving a lesbian couple. Finding no reason to do otherwise, the court applied the same law and standards to dissolving a same-sex domestic partnership as it would have to a heterosexual domestic partnership.

13. CASES THAT VALIDATED OUT-OF-STATE MARRIAGES

A. *Boykin v. State Indus Accident Comm.*, 224 Or 76, 355 P2d 724 (1960): Court recognized common law marriage from Idaho. 85. Question was whether the plaintiff was the widow of a man killed in an employment covered by the Workmen's Compensation Act. 78. Plaintiff and deceased lived together for more than 10 years without the benefit of a marriage ceremony. 78-79. For three to five months of that time they lived in Idaho. 80. Thereafter they lived in Oregon exclusively. 80. They at all times held themselves out as husband and wife. 81. "A relationship recognized as a marriage in another state where it was consummated will be recognized in Oregon even though such a relationship would not be a marriage if the same facts had been relied upon to create a marriage in Oregon." 81-82. Here, the plaintiff met the elements of the Idaho common law marriage law, thus the marriage was recognized. 85.

B. *Crittenden v. Hanna*, 29 Or App 189, 562 P2d 609 (1977): Petitioner trying to be appointed personal representative trying to void a marriage because the parties did not meet Washington 3 "full day" waiting period before issuance of marriage license and because respondent was in one or more of the classes prohibited from marrying under Washington law. 191. Court does not discuss what prohibited class or classes respondent allegedly fell into. Failed as a matter of law because under Washington law the marriage was voidable but not void and now one party is dead. 191. "A marriage valid in the state where it is entered is valid in Oregon." 191. Does not cite policy exception.

C. *Johnson v. Georgia-Pacific Corp.*, 35 Or App 231, 581 P2d 108 (1978): Woman sought Worker's Compensation benefit's following the death of her common law husband. 223. She claimed they were legally married under the laws of Colorado for a common law marriage. 234. The court found that she proved by clear and convincing evidence that she did prove the elements of a common law marriage in Colorado. 234. "Where the relationship is legally established elsewhere, this state will recognize that relationship." 233.

D. *Garrett v. Chapman*, 252 Or 361, 449 P2d 856 (1969): Woman divorces first husband on Feb. 16 in Montana. 363. While en route to Oregon with her new beau, they stop in Idaho on March 6 and get married. 364. The question is whether the marriage was valid under Montana law. "The general rule is that a marriage which is recognized as valid in the state where it was performed will be recognized in Oregon." 364. "There may be exceptions to the general rule where the policy of this state dictates a different result than would be reached by the state where the marriage was performed. (See *Kelley v. Kelley choice of law case, 210 Or 226, 310 p 328 (1957)*)" 364. The policy in the state tends toward holding any marriage valid that was entered into in good faith. See *Ollschlager's*. 364. The court found that the Montana statute adopted the approach of Restatement (Second) of Conflict of Laws which tends toward recognizing the policy of upholding the validity of a marriage entered into in good faith. 367. This policy gets away from looking to the state of domicile to test the validity of the marriage where that state is not the state of paramount importance. 367. Here, the parties did not intend to return to and reside in Montana, thus the state was not the state of paramount importance. 368. When the domiciliary state is not the state in which the parties intend to reside, the marriage should be recognized if it is valid by the laws of the state where the marriage was consummated. 368.

E. *Werden v. Thorpe*, 126 Or 97, 867 P2d 557 (1993), *rev den* 318 Or 661 (1994): Child of decedent claims his father's marriage in Mexico was null and void, so that father was not married when he executed his will. 99. Son contends that requirements of Mexican law that the application and documents for the wedding be prepared before the wedding were

not met. 101. "The party challenging the validity of a marriage has a heavy burden to overcome the strong presumption that marriages are valid." 100. Review is de novo. 100. Under the laws of Mexico, the marriage was voidable, but not void. 103. [LOOK AT CASE]

F. *Booker v. Booker*, 27 Or App 779, 557 P2d 248 (1976): Will contest. Involves 2 Texas common law marriages and whether first one ever ended. Even though first wife was alive and testified that no divorce had occurred to end first marriage, wife one did not overcome the presumption of the validity of the second marriage. Wife one did not meet the clear and convincing evidence requirement to overcome the presumption of the validity of the second marriage. Of interest because it lists some actions that qualify as holding themselves out as "man and wife," including joint savings and buying real estate together.

G. *Walker v. Hildenbrand*, 243 Or 117, 410 P2d 244, *rev den* (1966): Husband and wife lived together for nine years in Washington and Oregon. They went to Idaho on fishing trips where they registered as husband and wife. Longest trip was seven days. 118. "A relationship recognized as a marriage in another state where it was consummated will be recognized in Oregon even though such a relationship would not be a marriage if the same facts had been relied upon to create a marriage in Oregon." 119.In this case, the court held that the Idaho courts would not have found that a common-law marriage was consummated, thus Oregon need not recognize it. 123.

H. *Bridgman v. Stout*, 5 Or App 558, 485 P2d 1101 (1971): Husband and wife began living together while each was married to another. 559. They continued to live together for 13-14 years after they each obtained divorces. 559. He went to Philippines to work, returned married another woman, divorced her, the resumed living with plaintiff. 560. He went to Philippines again and returned with a new wife. 560. Then he died. 560. W1, plaintiff, claims they entered into common law marriage in Ohio during a visit there while they first lived together. 560. "It is elementary that a marriage valid in the state where it is entered into is valid in Oregon." 560. In Ohio a common law marriage must be established by clear and convincing evidence. 562. Here, since parties were not aware their visit could cause a change in their marital status or "that the visit was made for the purpose of consummating a marriage[,]" the plaintiff did not establish by clear and convincing evidence that they entered into a valid common law marriage in Ohio.

I. *Sturgis v. Sturgis*, 51 Or 10, 93 P 696 (1908): Could be argued both ways, and is the closest to addressing the overall problem. A ward who had been adjudged a spendthrift in Oregon and had been appointed a guardian by the court wanted to marry. Guardian wouldn't permit wedding, which permission was required under Oregon law. Ward and his intended went to the state of Washington, complied with residency requirements there and married there. When the couple returned to

Oregon to live, guardian challenged the marriage. The court found the marriage valid, citing language in a Rhode Island case which had similar facts: "...it requires no argument to show that, even if the marriage might have been void if solemnized in this state it is nevertheless not such a union that it can in any sense be considered so subversive of good morals, so threatening to the fabric of society, as to fall within the exception to the general rule regarding foreign marriages. In other words, if valid in Massachusetts, it is equally valid here." Sturgis, 51 Or at 18-19, quoting Ex Parte Chace, 58 A 979).

Two exceptions to the general rule: "marriages which are deemed contrary to the law of nature as generally recognized by Christian countries, such as involve polygamy and incest, and marriages which the local lawmaking power has declared shall not be allowed any validity, either in express terms or by necessary implication, viz., such as are prohibited by Section 5217." 16.

The court in Sturgis also discussed a distinction Oregon had recognized between "marriage of divorced parties declared by law incapable of remarrying and marriage in volition of some statutory prohibition penal in its nature. In the one case the marriage is absolutely void, and in the other it is often held to be valid, although the party may be punished criminally for violating the prohibitory statute." Sturgis, 51 Or at 16, summarizing McLennan v. McLennan, 31 Or 480, 483, 50 P 802 (1897). In McLennan and a number of other cases, including Huard v. McTeigh, 113 Or 279, 232 P 685 (1925), and Leefield v. Leefield, 85 Or 287, 166 P 953 (1917), parties had divorced in Oregon and then gone out of state to remarry before the waiting period in Oregon had expired. The Oregon court uniformly found the remarriages voidable, because technically one of the parties to the new marriage was not yet divorced under Oregon law. In a sense, the court in Sturgis recognized Justice Bean in McLennan was drawing a distinction between remarriage out of state when procedurally one of the parties did not qualify (because they were not yet divorced in Oregon) versus parties who wanted to marry out of state to avoid Oregon substantive law. In the former case, the remarriage was not allowed. In the later case, the union would have to be so subversive of good morals or so threatening to the to the fabric of society before it would not be recognized. In Sturgis, the court found the ward's out of state marriage did not fall into the category of "being contrary to the law of nature as generally recognized in Christian countries, such as polygamy or those involving incest, but neither [was] it one prohibited by the waiting period statute." Sturgis, 51 Or at 1-17. The marriage was upheld.

Note - a number of the out-of-state marriage validity cases in Oregon involve common law marriages. Common law marriage is not recognized under Oregon law. The key in these cases is ties to the state (commonly Idaho) where the purported marriage

occurs. If the parties are only, for example, going to the other state for a few days vacation, the marriage will probably not be recognized, ie Walker v. Hildenbrand, Bridgman v. Stout. If the parties have more ties to the other state, and knew that by residing in the common law state they could affect their marital status, the marriage is more likely to be found valid, ie Boykin v. Industrial Accident Comm., (parties lived in Idaho for 5 months); Johnston v. Georgia-Pacific, (parties intended to live in Colorado as spouses).

II. CASES THAT INVALIDATED OUT-OF STATE MARRIAGES (OR ANYTHING CLOSE)

A. *Gorman v. Gorman*, 211 Or 550, 316 P2d 543 (1957). This is not exactly a case that invalidated an out-of-state marriage, but it does show that the court applied the law of Scotland, where the party said the marriage occurred. In this case, the law of Scotland recognized a marriage without benefit of ceremony if it could be shown that one party made a promise of marriage which induced the other party to then have sexual intercourse. 552-53. The promise had to be proved by the oath or by a writ of the promissor. 553. The plaintiff, Klara, had worked as a housekeeper for the defendant, known as the doctor since 1929. 551. She said that while stationed in Scotland, the doctor twice promised to marry her before they had sex. 553. The court analyzed the case in light of Scottish law and determined that Klara had not proven her case because she offered no proof of a written promise, and because her conduct following the supposed promise was that of a single women in that she signed her name using her maiden name and never introduced herself as the doctor's wife. 554-55. The final touch was that Klara was a good Catholic and had never took advantage of the counsel available through the church. 555.

B. *Kelley v. Kelley*, 210 Or 226, 310 P2d 328 (1957): Woman married Kelley before his divorce decree was finalized. 229. Eleven days after he dies, the divorce decree was finalized nunc pro tunc. 229. His kids wanted marriage to be invalid so they could cut her out of the will. 229-30. Court looked at Washington law to determine whether Kelley's death occuring before the entrance of the decree prevented the decree from validating the marriage. "The legality of a marriage must be determined by the laws of the state in which the marriage is consummated." 230, *citing Ollschlager's Estate v. Widmer*, 55 Or 154, 105 P 717, etc. The court found the entry of the final decree nunc pro tunc validated the marriage. 234. "Although the validity of the marriage should be determined by the law of Washington, we believe that in deciding the conflicting claims of the plaintiffs and the defendant to the property of the

decedent situated in Oregon, we should adopt a finding in harmony with the settled law of this state. In our opinion, the finding of the circuit court holding valid the marriage of defendant to John L. Kelley was in harmony with such law and public policy." 236-37. (This language is construed as an exception to the general rule. In other words, where the policy of Oregon dictates a different result than would be reached by the state where the marriage took place, Oregon may find the marriage invalid, see *Garret v. Chapman*).

14. Interracial marriages

A. COMPARISON OF PAST PROHIBITION AGAINST INTERRACIAL MARRIAGES AS A MATTER OF PUBLIC POLICY TO CLAIMS TODAY THAT SAME-SEX MARRIAGE VIOLATES PUBLIC POLICY

1. Statutory Prohibition Against Interracial Marriages

a. 1862--Oregon General Laws, p62, § 2, cl. 3; p88, §§ 16 and 17. (Johnson, p 172)

b. 1866--Laws, 1866, p10, §§ 1-4. (Johnson, p 172)

c. § 23-1010 of Oregon Compiled Law Ann. (1940) prohibited and made void certain miscegenetic marriages (one-quarter negro, etc.)

d. §63-102 prohibits the marriage of a white person with anyone having one-quarter or more Negro or Mongolian blood.

e. Both repealed by 1951 legislation, but it was not until 1955 that a curative act was passed, and it validated only those marriages that had, before 1951, been invalidated by § 23-1010. Finished the job with ORS 106.210.

2. Cases About Prohibition Against Interracial Marriages

a. *In re Pacquet's Estate*, 101 Or 393, 200 P 911 (1921):

A will contest. The wife, a full-blooded Indian, claims she married her husband, a full-blooded Caucasian, were married in Tillamook county in accordance with traditional Tribal custom. The court concluded that the attempted marriage occurred in Oregon, not within a legal tribal jurisdiction, thus she was bound by Oregon law. Oregon had a miscegenation statute, Section 2163, 2164, 2165, forbid and make void such marriages. Wife claimed the statute was void because Indians had the same rights as white persons. "It will be noted that the statute does not discriminate. It applies alike to all persons, either white, Negroes,

Chinese, Kanaka or Indians." The opinion does seem to indicate that had the two married in an Indian jurisdiction, or perhaps even in a state without miscegenation statutes, the marriage would be recognized. 401. Further, the court recognized the injustice of their decision by stating that , ". . . the record is conclusive that she lived with him as a good and faithful wife for more than 30 years. Although the question is not before this court, the writer feels that in the interest of justice, a fair and reasonable settlement should be made." 402-03.

3. Commentaries About Prohibition Against Interracial Marriages
39 Oregon Law Review
44 Texas Law Review

15. In Oregon, the courts use a Restatement Second approach, i.e., so long as the marriage does not violate public policy, Oregon will recognize the out-of-state marriage. As far as we know, Oregon has never used the public policy exception to invalidate a marriage. An Oregon court would be hard pressed to annouce an important public policy to prohibit a same-sex marriage when no public policy argument had heretofore been used. (See the cases listed with number 13 above.)

16. Oregon has used both a "significant relationship" and a "state's interest" theory in determining choice of law issues. However, it has been pointed out by one commentator that "in all modern Oregon Supreme Court cases, except [one], the court has applied Oregon law." Nafziger 146. Thus, Oregon strongly favors forum's law.

The choice of law theory to be used is dependant on the subject matter of the case. In *Casey*, the one modern Oregon Supreme Court case to apply the foreign law, the issue concerned the locus of an alleged tort. In *Casey*, a true conflict existed because both states had interests in controlling adjudication. However, Washington had a more "significant contact" because the tort occurred in Washington and the defendant resided in Washington. In this determination, the court explicitly used the draft Restatement (Second) "significant contacts" language. Although, in some tort cases, the courts sometimes use a state interest analysis to avoid the conclusion that a "true conflict" exists.

In most contract cases, Oregon courts use a "state interest" analysis. For example, the lead "choice of law" contracts case is *Lilienthal v.Kaufman*, 239 Or 1, 395 P.2d 543 (1964). In *Lilienthal*, a spendthrift entered in to a contract with a California resident. The parties executed and delivered the notes in California. When the defendant failed to repay the notes, the plaintiff sued for recovery. The court looked to the various interests that the states had. It found Oregon had an interest in thwarting a reputation that its citizens would not honor agreements. However, it also

found California had a strong interest in ensuring relief for its citizens. Because both states had strong interests, a true conflict existed. The court held the law of the forum state ought to prevail. Thus, where a true conflict exists, the use of a "significant relationship" or "state interest" analysis depends on whether case has been brought based on a tort or contract theory. Query: Is this outcome determinative?

Below are summaries of choice-of-law tort and contract cases. In most other types of cases, the courts use a the traditional "law of the locus" approach.

17. *Stubbs v. Weathersby*, 320 Or 620, 892 P2d 991 (1995).

In this case, mother consented to the adoption and later attempted to revoke the consent. The mother resided in Washington, gave birth in Washington, and signed the consent in Washington. However, the court concluded the general choice of law rule concerning adoptions should apply (i.e., apply the law where the parties filed the petition). The court noted the UCCJA prevented forum shopping, and went on to hold the decision of whose law to apply turns on which state has the closest connection to the child. Absent unusual circumstances, Oregon applies its own law if the petition was filed in Oreogn.

The current methodology in choice of law cases appears in this case. And, if this case is any indication, Oregon will bend over backwards to apply its own law. In order to find that Oregon had jurisdiction, the court looked to the filing of a documents entitled, "Amended Petition". The court said that it was not really an amended petition, but rather a "Supplemental Petition". With this holding, the court said the child had lived in Oregon for six months, and thus the UCCJA had been satisfied.

St. Paul Fire v. McCormick and Baxter, 126 Or App 689, 870 P2d 260, *modified* 128 Or App 234, 875 P2d 537 (1994).

This case dealt with the scope of coverage of insurance contracts for 2 hazardous waste sites: wood treatment plants in Oregon and California, with its corporate headquarters for both in Oregon. The defendant also had insurance contracts executed in Oregon. The court ruled, even though California had "substantial interest", the "public policy" interest of Oregon prevailed. The court said that "[a]lthough California has a substantial interest in the environmental cleanup, Oregon has a substantial interest in the regulation of insurance contracts and in determining the rights and liabilities of the parties who enter into those conatract in Oregon. Oregon has an important, fundamental interest in the transaction that clearly is not less important than California's interest. The public policy of Oregon should prevail." at 697, citing *Lilienthal, Straight Grain*.

Straight Grain Builders v. Track 'n Trail, 93 Or 86, 760 P2d 1350, *review denied* 307 Or 246, 767 P2d 76 (1988).

The plaintiff constructed stores for the defendant in California. The defendant raised an affirmative defense that the plaintiff did not have a California builders permit and thus could not bring a cause of action under California law. The court held both states had a "substantial interest, neither of which was clearly more important than the other. As a result, Oregon's public policy interest should prevail.

Buresh v. First National Bank of Oregon, 262 Or 104, 496 P2d 913 (1972).

This cased raised the issue related of the validity of a will. Testator was a California resident. He had real property in Oregon, devised by the will. California law would invalidate the will because testator died within thirty days of execution. The court held California had a stronger state interest because the testator was a California domicilary and because the will had been executed in California. Thus, California law controls.

Citizen's First Bank v. Intercontinental Express, Inc., 77 Or App 658, 713 P2d 1097 (1986).

This case involved failure to pay on checks delivered in Portland, drawn on a Portland bank, but deposited in Washington State branch. The court used the "significant relationship test", and held, because an Oregon corporation drew on an Oregon bank, Oregon law prevails.

In summary, Oregon has adopted a hybrid between a "substantial interest" and a "significant relationship" theories. In contract cases, presumably most analogous to a marriage contract, the courts place emphasis on the state's interest analysis. However, the crux of a determination of a state's interest is the relationship the state has to the parties and the contract. Where both states have significant interest, and where neither is clearly more important than the other, public policy concerns hold sway. Most often, this means the forum's law will be applied. In tort cases, such as the *Stubbs* case, both theories are used. However, the outcome depends on the relationship between the tort and the state. In fact, when both state's have significant interest, the forum state's law almost always applies. Thus, in regard to validation of an out-of-state marriage between two state domiciliaries, Oregon would likely have a strong interest in the marriage contract. However, Hawaii would also have an interest in having marriage contracts there solemnized accorded with full faith and credit. We predict the issue will boil down to Oregon public policy, which has not yet been determined.

18. A second policy question comes into play when a foreign states law is to be applied. The court may still hold that application of another state's law violates Oregon public policy. *Lilienthal* addressed how this public policy consideration determined the choice of law. Although the court found the determination of "what is a fundamental law forming a cornerstone of the forum's jurisprudence" suffers from a lack of "even remotely objective standards[,]" the court does provide a synopsis of the public policy standard to be used. The court cites Cardozo's opinion in *Loucks v.*

Standard Oil of N.Y., 224 NY 99 (1918), for the proposition that foreign law is not applied when it violates "some fundamental principle of justice . . . ." The court further indicated if the foreign law "offends by shocking moral standards, or is injurious or pernicious to the public welfare" it will not be applied. Q*uoting, Mcgirl v. Brewer*, 132 Or 422 .

In re Schultz v. First National Bank of Oregon, 220 Or 350, 348 P2d 29 (1959).

Under a petition for a judicial determination of the petitioner's status as an heir, the court held the Nebraska adoption survived demurral, even though the same adoption violated Oregon law. The fact that another state's law regarding adoption is inconsistent with Oregon law does not mean the other state's agreements are against Oregon public policy. Rather, to be held in violation of public policy, enforcement of the agreement must be beyond the bounds of social toleration.

Young v. Mobil Oil Corp., 85 Or App 64, 735 P2d 654 (1987).

This case involved a contract with a choice of law provision. The court used Restatement's (Second) Section 187(2) limitation on such provisions (i.e., there must be significant relationship to the state whose law is chosen, and the application of that law must not be contrary to the fundamental policy of the state). In determining the "public policy", the court noted, "Oregon requires that a public policy be clear and 'overpowering' before a court will interfere with parties freedom to contract." Q*uoting, Harrell* 279 Or 199 (1977). In this case, the court found a public policy violation because it was prohibited explicitly by statute.

In order for Hawaii law to be applied, it must not violate Oregonpublic policy. The standard for such an invalidation is high; requiring a clear and overpowering indication that the law to be applied offends some strong moral principles. Even with a clear legislative indication, public policy violations are rarely, if ever, used.

19. The terms (a) public, (b) records, (c) judicial proceedings have neither been defined nor treated in any detail by Oregon courts. The courts' treatment of the Full Faith and Credit clause has been limited to cases falling under "judicial proceedings", mainly court decrees.

Delehant v. Board on Police Standards, 317 Or 273, 855 P2d 1088 (1993).

In this case, the state denied a police officer certification because of a prior criminal conviction in Idaho. However, the conviction had been dismissed. The court held that, although the Idaho court had practically annulled the conviction, this case fell under the Full Faith and Credit exception of "improper interference with interest of a sister state." Rest. II Sec. 103. Because of strong state interest in ensuring moral fitness of police officers, the Idaho conviction could considered. The court noted the conviction was not totally unusable in Idaho.

Burback and. Burback, 81 Or App 74, 724 P2d 853, *rev. den.* 302 Or 299, 728 P2d 531 (1986).

Oregon court's modification of support decree by California court was attacked on the basis that Oregon courts had no power over a California decree which had not been registered in Oregon. The court held registration was not required for Oregon to exercise subject matter jurisdiction.

Fenn and Fenn, 63 Or App 506 774 P2d 1143 (1983).

Mother challenged an Oregon custody decree because Texas decree was currently pending. Full Faith and Credit does not require subordination of Oregon's interests to Texas' interests, especially when Texas' exercise of jurisdiction was not in conformity with the Uniform Child Custody and Jurisdiction Act.

Anderson v. Anderson, 102 OR App 169 793 P2d 138 *rev. den.* 310 Or 422 (1990).

A divorce decree of another state must be recognized under Full Faith and Credit. But, where issues relate to property which the foreign judgment could not determine, an Oregon court can determine those issue without violating the Full Faith and Credit clause.

Red Fox v. Red Fox, 23 Or. App. 393 (1975).

Wife, who wanted an Oregon court to determine the issue in the divorce, attacked a tribal court divorce decree. The Oregon court determined tribal court decree would be treated like a decree from a foreign country. The court held a foreign judgment would be recognized if jurisdiction had been properly exercised, the decree was not fraudulently obtained, there was due process, and the judgment does not contravene public policy. Citing, *Hilton v Guyot*, 159 US 113, 16 Sct 139, 40 L.Ed. 95 (1895). In this case, even though the husband could not have an attorney and had only a few days notice, the court found no due process violation.

McBean v. McBean, 61 P. 418, 37 Or. 195 (1900).

The court upheld a marriage between a mixed-blooded man and an Indian woman because it was a valid Indian marriage. Thus, it was valid everywhere.

Morphet v. Morphet, 263 Or 311, 502 P2d 2 (1972).

Where two conflicting judgments exist from separate states, the one entered last in time prevails. See Restatement (Second) of Conflicts of Law, Section 114.

20. Full Faith and Credit has not been used for recognition of out-of-state marriages.

21. No.

22. No.

23. General Marriage Requirements in Oregon

A. STATUTORY REQUIREMENTS

1. AGE--ORS 106.010--parties must be at least 17. If either party is younger than legal age, marriage is voidable. ORS 106.030.
2. IN PERSON--marriage must be entered into in person. ORS 106.010. (note: non-compliance makes the marriage voidable, not void). *See* State v. Anderson, 239 Or 200, 205-07, 396 P2d 558 (1964).
3. GENDER OF PARTIES--Oregon statutes do not specifically state that a marriage may occur only between one male and one female or between persons of the opposite sex. In fact, the statute specifically says that "Marriage is a civil contract entered into in person by males at least 17 years of age and females at least 17 years of age..." ORS 106.010. On the face of it, it could be read to require same sex marriage; however, it has not been interpreted that way. The licensing statute refers to "persons" who will be joined together as "husband and wife." ORS 106.041(1).
4. CAPACITY--The parties must be "capable." 106.010.
5. MARRIAGE LICENSE--All persons who wish to marry must obtain a marriage license from the county clerk. ORS 106.041.
6. WAITING PERIOD--three days, but is waivable by certain persons (not parties getting married). ORS 106.077.
7. SOLEMNIZATION--All marriages must be solemnized, although the form of the solemnization is not fixed. ORS 106.150(1). The parties must assent or declare in the presence of a minister, county clerk, or judicial officer, and two witnesses, that they take each other as husband and wife. ORS 106.150(1). Marriages to which there are no legal impediments, may validly be solemnized according to the established ritual or form commonly practiced therein before or in any religious organization or congregation. ORS 106.150. (O.R.S. § 106.130. Marriage by person acting in capacity of person authorized: A marriage solemnized before any person professing to be a judicial officer of this state, a county clerk or a minister of any church or congregation therein is not void, nor shall the validity thereof be in any way affected, on account of any want of power or authority in such person, if such person was acting at the time in the office or the capacity of a person authorized to solemnize marriage and if such marriage is consummated with the belief on the part of the persons so married, or either of them, that they have been lawfully joined in marriage.)

24. No. A number of same-sex couples have tried to apply for marriage licenses, but all have been turned down. In fact, as discussed above, the marriage solemnization statute, on its face, does not prohibit same sex marriage and can even be read to require it. 15.

Responding to Backlash Organizing: preemptive legislation and personal safety

CITIZEN LOBBYING

Prepared by Ron Schlittler

What is lobbying?

Lobbying is about influencing, negotiating and creating the language of public policy. As it pertains to the legislative process, lobbying is about influencing the crafting of laws and the supporting, opposing or amending of laws. When preparing for a vote in either the House or the Senate, it is about carefully counting your friends and effectively motivating those who are "soft" on your issues. It is also about knowing how to develop constructive relationships, as much as is possible, with those whom you disagree.

A good lobbyist is a credible source of quality information who advocates for a particular point of view. Effective lobbying is about building relationships with lawmakers and their staff. It can also be about building grassroots networks that are activated at key times to pressure, motivate and persuade elected representatives during the course of the law making process.

No elected official can know all things about all issues. Everyone's numerous interests are "special" and deserve quality advocacy. Lawmakers depend on lobbyists to help bring them up to speed on innumerable issues, to provide information and insights, and to help them be more effective.

What is a lobbyist?

There are *professional lobbyists* - influence for hire - who advocate for the interest of those who pay them. They may be employees of a particular interest group or they may be independent contractors who take on clients and represent several interests simultaneously. Some "special interests" have huge sums of money to spend and unduly influence the political process through their campaign contributions and hired-gun lobbyists. Other "special interests" with paid lobbyists are simply fighting for the many everyday concerns of everyday people.

There are also *citizen lobbyists*. These folks can be like gold. They are motivated by their personal interest and commitment to some issue. They often represent interests that have little or no money to hire a professional. The quality of their work ranges from clumsy and minimally effective to astonishingly powerful.

Citizen Lobbying and Movement Politics

There is great potential for citizen lobbyists in the work of Movement Politics. A key component of effective long-range activism is the affecting and influencing of laws.

Laws are about public policy. Public policy is about the quality of our lives. The electoral and legislative processes, through which lawmakers are selected and through which laws get written, are opportunities for citizens to participate in the process of Democracy; to raise issues and to educate.

How ever imperfect these processes may be, and sometimes personally painful, they offer potent public forums and crucibles for important public discussions which could not happen otherwise. That is the beauty and bane of the creative process called Democracy.

It is important to recognize that Movement Politics means developing a long-range view that looks beyond a single election or legislative cycle. It means patience and persistence. It means that even if some part of your goals are not embraced by your elected officials, that it is still important to develop and coordinate citizen lobbyist efforts House district by House district, Senate district by Senate district, and Congressional district by Congressional district.

Movement Politics is also about building coalitions with other individuals and organizations. It is about recognizing the connections between issues and interest groups. It is about knowing when others may be able to more effectively argue for some part of your agenda, and visa versa. It is about knowing when others can bring another level of expertise and/or credibility to your efforts. Ultimately, Movement Politics it is about sharing power.

For citizens to effectively influence the legislative process, there is no substitute for systematically developing respectful, mutually useful long-term relationships with your elected officials and their staff.

Why?

- You and your friends and supporters are often the experts on issues that your elected representatives need to know more about. You put a human face and voice to your interests and issues, and are motivated to understand and express them clearly, deeply and fully.

- Get lawmakers and their staff to acknowledge and better understand issues and interests of importance to some number of their constituents - whether individuals, community based organizations or interest groups.

- Get lawmakers and their staff to work on behalf of, and advocate for, those issues and interests in public, among their colleagues, and in the legislative process.

- Possibly change the mind of an unsympathetic lawmaker and gain an ally. At least begin the process of personalizing an issue in the district.

- Blunt the efforts of a lawmaker who is inclined to actively oppose your particular interests.

- Learn more about the political process, effective strategy and related issues.

How?

- Educate yourself and your community about your issues. It is an ongoing process. Also, recognize that your issues will evolve and change. *The cutting edge is not static. It is a critical nexus for the creative evolution of how we think about and articulate our concerns.* Long-term relationships with elected officials provide us with opportunities to keep them up to speed and on board with our issues.

Campaigns *The process of developing relationships with lawmakers can begin even before an individual is in elective office. Campaigns for candidates offer a unique opportunity to establish solid relationships with community leaders and opinion shapers.*

- Agree to be on the steering committee of a campaign.

- Give money.

- Help raise money.

- Volunteer to help with the campaign.

- Have a House Party to introduce your friends and your issues to the candidate.

- Donate office space and/or supplies.

Interim *This is the period of time when the legislature is not is not in session.*

Meetings and events:

- Call your representatives and ask for a meeting. These can be one-on-one meetings or small groups. The setting might be in the district office, a coffee shop, at a breakfast, lunch or dinner meeting, etc.

- Invite them to a House Party, a community organization meeting (offer some time for them to speak and have a question and answer opportunity), etc.

- Attend town hall meetings. Ask questions. Introduce yourself.

- Invite your lawmakers to a special event such as an organization's picnic, party, or, when possible, a special event with a national or regional notable person who is in town, etc.

- Use videos, literature, reports, etc. *Don't just drop off or mail these materials. They will most likely end up in a file unseen. Set up a meeting to review and discuss the material. Ideally, keep videos brief, and provide useful summaries of reports.*

Actions:

- Personal calls and letters, coordinated calls and mailings of cards or letters.

- Press conferences - invite them to participate or, at least prepare them to offer comments to reporters.

Session *This is the period of time when laws are introduced, debated and passed or killed; in Oregon, usually lasting about six months.*

This is when relationship building efforts hopefully will pay off. The accelerated pace of the session is not the time to begin building relationships with your representative, but to put them to use. There are numerous techniques and strategies to consider. Some are best managed by allies who live in Salem and can more easily track what is going on day by day. This may be a representative's staff people or it may be local activists or both. Strategies to consider include:

- Meetings at the beginning of the session - Ask for a 15 minute meeting with your representatives to check in. Update on the likely tone of the session, reinforce your interests, discuss what kinds of bills are

being introduced and what kinds of bills should be introduced, find out what is up with the bills you are interested in, etc. **Confirm or work toward vote commitments.** *Note: "Yes" generally means yes and "No" generally means no. Anything else is equivocating.*

- Invite all lawmakers and staff to a reception in the Capitol Building or in a near-by restaurant, or to a meeting in the Blue Room downstairs in the Capitol.

- Be prepared to get as many people as possible (or appropriate) to committee hearings on bills. Only 24 hours notice is required for hearings. Be prepared to offer verbal testimony (with written copy) to support or oppose a bill or some part of a bill. *Note: Toward the end of the session, a "Suspension of the Rules" may result in a waiving of the 24 hour notice rule.*

- Coordinate a Lobby Day. This is where as many people as possible from all over the state come to the Capital to visit with their representatives and advocate for their interests. It is helpful for some visitors to have already met their representative during the interim. *Note: Consider arranging housing with local supporters if necessary for lobby days and committee hearings.)*

- Keep in touch with friendly staff. Know when bills of interest are likely to be heard in committee, are not moving through the committee process fast enough, or should <u>not</u> be moving through the committee process at all.

- Know when it is time to activate letter writing and/or post card and phone call campaigns. Know who to direct them to. These communications may be directed to your own representative, but it is also likely that they should be directed to the Chair of a committee and the members of a committee which does not necessarily included your own representative. This action may be necessary when a good bill is not getting a hearing or a bad bill is expected to get one.

- Participate in a press conference or a major protest or advocacy event.

- Coordinate with friendly lawmakers and/or professional lobbyists who may be hired by organizations representing your interests.

- Know when it is important for your community organization or interest group to notify the press about the progress or lack of progress of your issues. *Note: Whether or not your concerns, objections or views are covered by the press at the time you send out*

your press release is not necessarily the total goal. Your communications can help frame the context of a particular issue and serve educate the media about detail and nuance. This often influences how it may be covered later.

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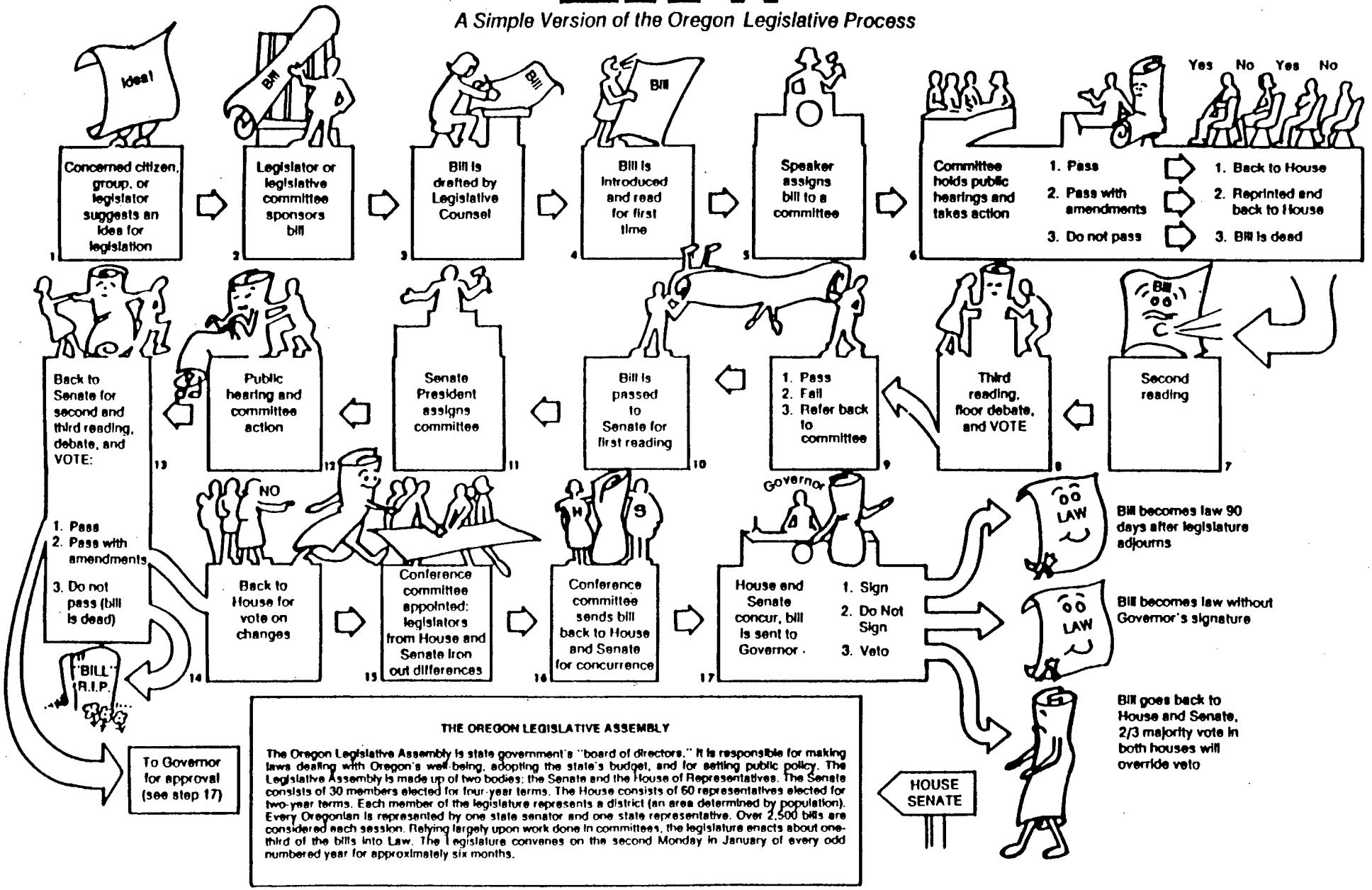
How An Idea Becomes LAW

A Simple Version of the Oregon Legislative Process



THE OREGON LEGISLATIVE ASSEMBLY

The Oregon Legislative Assembly is state government's "board of directors." It is responsible for making laws dealing with Oregon's well-being, adopting the state's budget, and for setting public policy. The Legislative Assembly is made up of two bodies: the Senate and the House of Representatives. The Senate consists of 30 members elected for four-year terms. The House consists of 60 representatives elected for two-year terms. Each member of the legislature represents a district (an area determined by population). Every Oregonian is represented by one state senator and one state representative. Over 2,500 bills are considered each session. Relying largely upon work done in committees, the legislature enacts about one-third of the bills into Law. The Legislature convenes on the second Monday in January of every odd numbered year for approximately six months.

House Bill 2317

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Presession filed (at the request of Representative Kevin Mannix)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Declares policy of state that legal marriage between man and woman is special relationship that should be favored and supported by state and political subdivisions of state. Prohibits rule, regulation, charter provision, ordinance, resolution or policy that is inconsistent with policy. Requires provision in public contracts that contractor not adopt or enforce policy that is inconsistent with state policy.

A BILL FOR AN ACT

Relating to marriage; creating new provisions; and amending ORS 279.312.

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

SECTION 1. (1) It is the policy of this state that legal marriage between a man and a woman is a special relationship that should be favored and supported by the state and political subdivisions of the state.

(2) It is the policy of this state that laws, rules and regulations of the state, and the charter provisions, ordinances, resolutions and policies of the political subdivisions of the state, may not give favored status to sexual relationships other than the relationship that exists within the bonds of matrimony. For the purposes of this section, a law, rule, regulation, charter provision, ordinance, resolution or policy violates the prohibition of this subsection if the law, rule, regulation, charter provision, ordinance, resolution or policy extends a benefit based on a marital relationship and also extends that benefit based on sexual relationships outside of the bonds of matrimony. Any provision that extends a benefit to a domestic partner based on a domestic partnership relationship violates the provisions of this section.

(3) A public body may not enact or enforce any rule, regulation, charter provision, ordinance, resolution or policy that violates the policy set forth in this section. This subsection applies to any public body that is eligible to participate in the Public Employes' Retirement System under the provisions of ORS 237.001 to 237.315.

(4) Any person who believes that a public body has enacted or is enforcing a rule, regulation, charter provision, ordinance, resolution or policy in violation of this section may bring an action in circuit court to have the rule, regulation, charter provision, ordinance, resolution or policy declared invalid, for injunctive relief and for such other relief as the court may consider appropriate. The court shall award reasonable attorney fees and costs to the prevailing party in an action under this subsection. An action under this subsection may be brought at any time after the adoption of the challenged rule, regulation, charter provision, ordinance, resolution or policy.

SECTION 2. ORS 279.312 is amended to read:

NOTE: Matter in boldfaced type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in boldfaced type.

LC 1209

279.312. Every public contract shall contain a condition that the contractor shall:

(1) Make payment promptly, as due, to all persons supplying to such contractor labor or material for the prosecution of the work provided for in such contract.

(2) Pay all contributions or amounts due the Industrial Accident Fund from such contractor or subcontractor incurred in the performance of the contract.

(3) Not permit any lien or claim to be filed or prosecuted against the state, county, school district, municipality, municipal corporation or subdivision thereof, on account of any labor or material furnished.

(4) Pay to the Department of Revenue all sums withheld from employees pursuant to ORS 316.167.

(5) Not adopt or enforce any policy that is inconsistent with the policy stated in section 1 of this 1995 Act.

Civil Contract of Marriage

Change ORS 106.010 as follows:

ORS 106.010 Marriage as civil contract; age of parties. **Marriage is a civil contract entered into in person between two persons at least 18 years of age, who are otherwise capable, and solemnized in accordance with ORS 106.150.** Please note that I have not only changed the civil contract to permit same sex marriages, but I have also increased the age to 18. I decided to increase the age of consent to marry because it will make it consistent with the age of majority.

Change all references to husband or wife in the statutes to "lawful spouse", "civil partner", "legal partner" or a phrase which legally designates the solemnization is between two persons, but does not refer to the gender of the person. An example might be ORS 106.020(1) should be changed to: **"When either party thereto was lawfully married to another person at the time of such marriage."** (Query: Will this prohibit polygamy as well as bigamy? Theoretically, an unmarried person could marry two or more persons simultaneously. If we need a section to guarantee that polygamy remains illegal we should add it.)

The statutes should be "globalized" to determine where changes need to be made such as estates, revenue, adoption etc. I understand legislative counsel has the authority to change all references in the statutes without including each statutory change in my proposed bill. Is this true?

UPDATE!

ANTI-GAY MARRIAGE LEGISLATION

Missouri	SB 895 ***PASSED*** on 5/10/96 SB 768 an unrelated bill, was Amended to include the text from SB 895, and it ***PASSED*** the House and Senate 5/18/96
North Carolina	Session ends 6/15/96, legislators have announced intent to introduce an anti-gay marriage bill
South Carolina	Governor ***SIGNED*** on 5/20/96
Tennessee	Governor ***SIGNED*** on 5/15/96

UPDATED STATE CHECKLIST:

Pending (1996):
CA, DE, IL, MI, MO, NY, PA (7)

Could Introduce - Still in session (1996):
CT, LA, MA, NC, NH, NJ, OH, VT (8)

Defeated, Withdrawn, or Killed (1996):
AL, CO, FL, HI, IA, KY, ME, MD, MN, MS, NM, RI, VA, WA, WV, WI, WY (17)

Did not introduce - Session ended (1996)
IN, NE (2)

Adopted:
AK, AZ, GA, ID, KS, OK, SC, SD, TN, UT (10)

States not in session (1996):
AR, MT, ND, NV, OR, TX (6)

A Special Report of the Human Rights Campaign

Wedded to Intolerance

Extremists Lead Nationwide Assault on the Lives of Lesbian and Gay People

Inflammatory Rhetoric Key to Anti-Gay Groups' Efforts to Raise Money, Promote Discrimination, Pass Restrictive Laws

HUMAN
RIGHTS
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The Human Rights Campaign envisions an America where lesbian and gay people are ensured of their basic equal rights — and can be open, honest, and safe at home, at work, and in the community.

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Introduction

Seizing on the possibility that Hawaii may grant equal marriage rights to gay people in thefuture, religious political extremists, led by Pat Robertson's Christian Coalition, have mounted a nationwide campaign to ban same-sex marriages and rewrite state marriage laws. In the process, they are resorting to false and defamatory statements about gay people and people with AIDS in order to raise money to finance their extreme political agenda and extend their influence in states from coast to coast.

Lost in the hail of rhetoric is the fact that the Hawaii legal case in question, *Baehr v. Lewin*, is far from resolved and that same-sex unions have yet to gain legal recognition anywhere in the nation.

On May 5, 1993, a two-judge plurality of the Hawaii Supreme Court ruled that the denial of marriage licenses to three same-sex couples in the state to be discriminatory under the Equal Rights Amendment to the state constitution. The opinion—which achieved majority status when a subsequent appointee to the court later signed onto its reasoning—set a stringent test for the state to meet in defending the denial of marriage rights to gay couples. In a later trial on the merits of the case, as ordered by the ruling, lawyers for the state would have to prove that discrimination in the issuance of licenses is legally permissible because it advances a "compelling state interest." This hurdle has proven a notoriously difficult one for states to overcome in several other discrimination-related cases. The trial is expected to occur this fall.

The landmark nature of the Hawaii Supreme Court's ruling is not the only reason the case has sparked interest nationwide. The U.S. Constitution's "full faith and credit" clause guarantees reciprocity on contracts among states. Under this clause, each state has historically tended to acknowledge as valid and abide by the contracts made in any other, including marriages. A final decision in Hawaii ending sex-based discrimination in issuing marriage licenses would allow gay people to marry. Religious political extremists, incensed that same-sex couples from Hawaii might enjoy the same rights that most heterosexual Americans take for granted, have thus mounted a national as well as state-by-state campaign to outlaw same-sex marriages and to undermine the authority of the federal Constitution on the matter of interstate contracts.

Findings

Anti-gay forces are pursuing the campaign against equal marriage rights at the national and state levels simultaneously. Research conducted by the Human Rights Campaign with the help of national and state-based coalition partners indicates that 33 state legislatures have taken up bills assailing same-sex marriage, with such proposals winning final approval in eight states to date.

The issue has also surfaced in the presidential campaign, with GOP advisers including former Education Secretary William Bennett urging presumptive Republican nominee Bob Dole to go beyond his endorsement of an anti-gay "marriage protection resolution," made just before the Iowa caucuses, and brandish the gay marriage issue in attacks on the president and other Democratic candidates.

Orchestrating this anti-gay campaign are religious political extremists, with Pat Robertson's Christian Coalition in the vanguard. Largely thwarted in their efforts to pass statewide anti-gay ballot measures, these groups have turned to gay marriage to replenish their coffers and extend their influence in states from coast to coast. Pat Robertson's legal counsel, Jay Sekulow of the American Center for Law and Justice, said he planned to lead efforts to oppose gay marriage "in every state" and pledged to be "aggressive" in doing so.

Taking advantage of syndicated broadcasts, in-church distribution of lobbying materials, and large organizational mailing lists, groups ranging from Beverly LaHaye's Concerned Women for America to James Dobson's Focus on the Family have assailed same-sex marriage in numerous rounds of fund-raising letters, alerts and telegrams.

Meanwhile, many of these same groups, through affiliates or offshoots that they sponsor, have fought to pass restrictive measures in state legislatures. In most states, the legislation would define marriage as between one man and one woman and deny recognition to same-sex marriages performed in Hawaii. The language is almost identical from state to state, adding to the evidence that these bills are emanating from a single source.

Coordinated messages have emerged in the nationwide campaign to pass restrictive measures at the state level.

A primary tactic is to characterize gay marriage as an attack on heterosexuals and on traditional marriage and family. As in previous disputes over civil rights, religious political extremists appear to see both marriage and family as zero-sum games.

For instance

- The Christian Coalition's direct mail in March heated up its usual serving of anti-gay boilerplate to assail the "homosexual lobby," which it sees as detrimental to "the survival of the traditional marriage-based family in America."

- Family Research Council's Robert Knight put it more luridly, telling readers of Focus on the Family's April 22 *Citizen* magazine that same-sex marriage is "the greatest threat to the family that homosexual activists have concocted. It would cause the family to lose its special legal, social and economic status."

A second tactic is to claim that ending discrimination in marriage opens the door to absurd, even farcical pairings and multi-party unions, possibly involving relatives, children or animals.

For instance

❑ At a meeting of the National Religious Broadcasters in Indianapolis in February, Christian Coalition counsel Jay Sekulow asserted, "What do think is their next step? Bigamy!"

❑ The Family Research Council's Knight, an especially fervent foe of gay rights, said in an article for the American Family Association magazine, "Once the 'one man, one woman' definition is abandoned, there is not logical reason for limiting it to two people or even to people. ... Why not have three partners? Or why not a man and his daughter?"

A third line of argument tries to link gay marriage to the spread of HIV and AIDS and playing on an unfounded stereotype that gay people are incapable of long-lasting relationships.

For instance

❑ In a March 1996 fund-raising letter, Donald Wildmon of the American Family Association writes: "From a moral point of view, homosexuality is against God's law. From a health perspective, homosexual activity leads to AIDS and early death."

❑ During a three-day "700 Club" series featuring gay marriage which ended March 28, Pat Robertson, founder and president of the Christian Coalition, sought to link all topics involving homosexuality to AIDS, telling viewers: "We will take a look at the lives of homosexuals who are suffering the ultimate consequence of their behavior: the nightmare of AIDS." Robertson later declared that a young man identified in a report on the show had "died as a result of his homosexual lifestyle."

While patently false, each of these arguments is calculated to pre-empt a civil debate on the issue by tapping into fear and intolerance. And though they fail to yield informed political discussion, as in past battles over gay issues, these tactics more than suffice as staple of fund-raising letters by religious political extremist groups, such as those listed below.

Key Players

Religious political extremist groups leading the national and state-by-state campaigns to ban same-sex marriage are following a blueprint from previous assaults on lesbian and gay civil rights, during which their organizations worked in concert to pass discriminatory statewide anti-gay initiatives and to block lifting of the ban on gay people in the armed services. Their aggregate membership over more than 5 million is 33 times greater that of the Human Rights Campaign, the largest gay and lesbian organization in the country

Close ties among the groups have only deepened in the course of the current anti-gay campaign. Representatives of several of these groups met in January in Memphis for a strategy session before launching their anti-marriage offensive. Several of the groups' leaders also met in a secretive national steering committee of right-wing extremists called the Council on National Policy, which coordinates extremist policy initiatives, and the Religious Roundtable, which also met in Memphis in January.

Many leaders also attended the early February gathering of the National Religious Broadcasters in Indianapolis, where the anti-gay marriage message went out to a host of receptive right-wing media moguls.

Shortly thereafter, several of the groups co-sponsored a rally Feb. 10 in Des Moines, Iowa, where the campaign gained national exposure and the hearty endorsement of several GOP presidential candidates, including Bob Dole.

As in past campaigns, video propaganda has proved a useful tool. Several of the groups listed below have taken to selling and showing a video called "The Ultimate Target of the Gay Rights Movement: Same-Sex Marriage," produced and marketed by The Report, a religious political extremist group based in Lancaster, Calif.

Christian Coalition

Pat Robertson, the group's founder and president, has repeatedly dived into the debate on same-sex marriage in his organization's fund-raising appeals; on his syndicated television program, "The 700 Club" and his telecommunications empire, the Christian Broadcasting Network; as well as through his litigation arm, American Center for Law and Justice, situated with the Christian Coalition in Virginia Beach, Va.

❑ During a three-day "700 Club" series featuring gay marriage that ended March 28, Robertson featured discredited researcher Paul Cameron, who claims the titles psychologist and sociologist, although he has suffered numerous rebukes from professional associations and remains an outcast from both fields..

❑ In a telling reference to the deep roots of his anti-gay intolerance, Robertson said during the series: "This whole idea of a God of love is so misunderstood. God is a God of love, but he's also a God of wrath."

❑ During the three-day segment, callers to the "The 700 Club" were sent materials condemning homosexuality and characterizing gay people as disease-ridden and miserable: "But everything is wrong with homosexuality, from the shattered self-image of the victims of the homosexual activity, to the alienation and deep loneliness which characterizes the homosexual lifestyle. Finally, anger, self-loathing and fear dominate the homosexual and the destructive sexuality of the so-called 'gay life' too often ends with disease. ... Because homosexual activity can not procreate, it profanes and mocks life. Homosexual union is a mockery against God who is life."

❑ Robertson's American Center for Law and Justice, led by chief counsel Sekulow, has spearheaded the legislative assault on same-sex marriage. In appearances on Robertson's show and elsewhere, Sekulow has boasted that his group "is sending a legal memorandum to all 50 states' attorneys general and state legislators" calling for marriage to be defined as between one man and one woman.

❑ Speaking at the Feb. 10 rally in Des Moines, which was attended by several then-GOP presidential candidates, Sekulow said, "[Same-sex marriage] strikes at the very core of who we are as a people. Marriage defined as a man and a woman has been around more than 6,000 years and has served most cultures very well."

❑ Later, as a guest on Robertson's program, he said, "We need to be praying aggressively on this," calling the Hawaii ruling "the most important case in the United States. ... I really believe there will be a revolt in this country if it becomes the law."

National Campaign to Protect Marriage

The campaign, launched at the January meeting of religious political extremists in Memphis, is headed by Phil Burress, the Cincinnati-based head of an anti-gay, pro-censorship group known as Citizens for Community Values.

According to Burress, "Everyone is born either male or female, and therefore heterosexual. Homosexuality is something heterosexuals do—like incest, adultery and bestiality."

Burress is among a cadre of religious political extremists calling for a boycott of Hawaii if courts there eventually rule that the state must grant marriage licenses without regard to the sex of couples who seek them. "Once the word gets out that this was not the will of the people but heavy-handed politics, this thing could take off. I still don't think a boycott is the way to go, but it might be impossible to stop. ... Hawaii may never be the same."

Successful in a 1993 campaign to strike down Cincinnati's non-discrimination protections for gay men and lesbians, Burress has more recently suffered a string of embarrassing setbacks, including charges of deliberate entrapment of a local bookstore owner on obscenity charges and a failed bid to ban a gay magazine in the library system of Clermont County, a conservative enclave east of the city.

In addition, Burress continues to be dogged by investigations into dubious campaign finance activities involving his 1993 campaign to repeal sections of the city's anti-bias law. Colorado for Family Values, an anti-gay group also active in the current national campaign against same-sex marriage, contributed nearly $400,000, or 80 percent of the campaign's total spending. In responding to concerns of city residents about the actual source of the monies, Burress refused to reveal that information.

In an effort to promote his censorship efforts on a national level, Burress recently joined with northern Virginia anti-gay, pro-censorship activist Karen Jo Gounaud to form Family Friendly Libraries.

❑ Another key player in the campaign is Bill Horn, regional head of The Report, an anti-gay group based in Lancaster, Calif. It, in turn, is operated by Springs of Life Ministries, whose head is Ty Beeson.

Horn led the Feb. 10 anti-gay marriage rally in Des Moines, which, with its explicit attacks on gay people as a political rallying tool, was a first-of-its-kind event in presidential politics. It was heavily attended by GOP presidential candidates.

The rally had co-sponsorship from a virtual "Who's Who" of religious political extremist groups, including the Christian Coalition, the American Family Association, Colorado for Family Values, and the Eagle Forum.

At the rally, Horn showed The Report's new video, "The Ultimate Target of the Gay Agenda: Same-Sex Marriage," which the group is selling and distributing nationwide through religious political extremist groups.

Beeson, in a recent interview in Concerned Women for America's magazine, sounded an ominous tone, claiming a religious compulsion for his hostility to gay rights. "The Word of God is very clear that as 'watchmen on the wall,' we are responsible to say what's coming. The Bible says that if we do not fulfill our responsibility to deliver the message, then the blood of the situation is on our hands."

Beeson's and Horn's group is responsible for circulating the 1992 anti-gay propaganda video "The Gay Agenda," which it distributed to the Oregon Citizens Alliance in their failed bid that year to pass a sweeping anti-gay statewide initiative. In 1995, Horn moved to Iowa to assail non-discrimination protections in the Des Moines school district and spearheaded the attack on Jonathan Wilson, an openly gay member of the local school board, who later lost his race for re-election to candidates backed by Horn and the Christian Coalition.

Indicating that he sees no role for gay people in the political process in Middle America, Horn said, "If Mr. Wilson wants to be a homosexual activist school board member, he needs to move to San Francisco."

Focus on the Family

The Colorado Springs, Co.-based right-wing political group, headed by Jim Dobson and having strong affiliates in several, mostly Western states, has availed itself of both the airwaves and the mail to rally opposition to same-sex marriage. Its public affairs radio program "Family News in Focus" reaches an estimated 20 million listeners across the country, and its mailing list, built on Dobson's reputation as a Christian family counselor, reaches about 3 million homes and churches.

❑ In a March 1996 fund-raising letter to supporters, Dobson sought to play the multi-partner card, saying, "Who would have believed that in 1996, for example, lawmakers in 22 states would be trying to decide whether or not to legalize marriages between two or more men, or two or more women?"

Dobson also compared liberal advocates of same-sex marriage to "flower children" who "experimented blatantly with casual sex, communal marriage, cohabitation, homosexuality and lesbianism."

❑ Dobson's group has also distributed a full-page anti-marriage ad that has appeared in several states. Among its claims is the assertion that "the American family is not a laboratory animal," and the mock question "'Do you, Tom, take Harry...?' That's what some social engineers have in mind." The ad, featuring two male figures atop a wedding cake, concludes: "Same-sex marriage. One more experiment we don't need."

❑ Focus on the Family has also sent out alerts and lobbying letters to its own members as well as state legislators in various states to push for bans on same-sex marriages. "At stake is the very sanctity of the family structure," the group said in a letter to South Dakota households.

In a move reflecting the growing use of grassroots communications technology by religious political extremists, contributors to the group from California who had provided the organization their fax numbers were sent a "Family Issues Alert" urging calls to a list of state senators.

American Family Association

Notorious boycott instigator Don Wildmon and his Tupelo, Miss.-based group have jumped into the same-sex marriage debate and seized the issue as a major fund-raising tool. At the February anti-gay marriage rally in Des Moines, Wildmon fawningly introduced Pat Buchanan, who moments later signed a pledge to ban same-sex marriage which had been placed on stage.

❑ The front-page headline on the group's March 1996 magazine hyperbolized "Homosexual 'marriage' could be legal in all states."According to Wildmon, "Radical homosexuals are using the issue as their prime propaganda weapon to coerce our society to accept their behavior."

❑ In April, AFA devoted a 24-page "special supplement" in its magazine to "exposing the myths" of homosexuality. "If we are to combat the destructive effects of homosexuality socially and personally, we must face the reality, understand the agenda and answer the arguments," the headline read.

The report relies on discredited sociologist Paul Cameron and Joe Nicolosi, whose claims to being able to convert gay men to heterosexuality have been widely disputed.

❑ In a March fund-raising letter to supporters nationwide, Wildmon sees a media-led conspiracy wherein "homosexual 'marriages' and homosexual dating are all put forward as normal and healthy." According to the letter, "To date, Hollywood's drive to make homosexuality appear normal and healthy is having an impact. Hawaii is on the verge of making same-sex 'marriages' legal. ... They want to force their perverse lifestyle on our children! ... It is our duty before God to resist them! Especially when they use network TV and the public airwaves to promote their sinful lifestyle." Enclosed with the mailing is a pamphlet titled "Top Sponsors of Pro-Homosexual Programs," whom Wildmon urges supporters to boycott.

The contribution slip enclosed with the letter continues the alarmist tone, stating, "Homosexual activity is NOT normal, healthy or moral. And I don't want my children becoming recruits for the homosexuals."

❑ Emboldened by the acrimonious debate on same-sex marriage, AFA in its May magazine turns to attacking domestic partnership protections for gay people in several municipalities and private companies. Again, the group plays the multi-partner card and even invokes incest: "These companies have either lowered the status of marriage, or raised the status of what society used to condemn as sodomy. ... Yet exactly the same reasoning could be used to justify extending benefits to polygamists or those involved in incestuous relationships between consenting adults."

Also appearing in the issue is an advertisement for the video "The Ultimate Target of the Gay Agenda: Same-Sex Marriage."

Christian Action Network

Headed by Martin Mawyer, the Lynchburg, Va.-area anti-gay group sent out fund-raising letters to all contributors seeking financial help in banning same-sex marriage in every state.

"Don't let America become the first country in the world to legalize homosexual marriages," Mawyer declaims in the letter, apparently forgetting that same-sex couples can be legally married in Sweden and Denmark.

"Hawaii is expected to legalize homosexual marriages by next summer. And if they do, then those marriages will be legal in every town, city and community in America," Mawyer says.

Mawyer's group, which attacked candidate Bill Clinton four years ago, claiming he backed "job quotas for homosexuals," was brought up before the Federal Election Commission on charges of illegal electioneering stemming from the ads. The case was dismissed last year, however, leaving the door open to a resumption of the anti-gay attacks on the Democratic ticket in this year's presidential campaign.

Concerned Women for America

Headed by Beverly LaHaye, the Washington, D.C.-based group co-sponsored the Feb. 10 rally in Des Moines and has aided several state efforts to bar same-sex marriage.

❑ The group's April 1996 magazine is dedicated to attacking same-sex marriage—and to blaming gays for the AIDS epidemic. "When homosexuals begin reaping the bountiful financial blessings of the legally wed, the rest of society will be paying the price," the cover story on gay marriage warns. "The most important step is to provide a state constitutional amendment declaring that a marriage consists of one man and one woman."

❑ The group dedicated a section of its March 1996 magazine issue to rallying opponents of same-sex marriage and to supporting state bids to deny recognition to gay unions. According to Jim Woodall, the group's vice president of management, "This could be the last straw for the already weakened family."

Later, the group states, "It is critical that every pro-family American get involved in this issue NOW!" The same issue urges readers to back a California anti-marriage bill, which after passing the Assembly, is still pending in the Senate.

Colorado for Family Values

Led by Will Perkins, the Colorado Springs, Co.-based anti-gay group, which sponsored 1992's anti-gay Amendment 2, has become a leader in the national campaign to ban gay marriage. It has been distributing copies of the video "The Ultimate Target of The Gay Agenda," which it claims is the definitive statement on "why we cannot let the legal benefits of marriage be dragged down to the level of an endorsement for sexual aberrations."

❑ Writing in the group's March newsletter, Perkins claims, "Extending legal privileges to same-sex marriages could unravel many of our most lasting distinctions for marriage, including the number of spouses one can marry!"

Family Research Council

Gary Bauer's Washington, D.C.-based group has dedicated two nationwide fund-raising letters and alerts to the same-sex marriage issue.

❑ On the front-page of the group's March 26 "Washington Watch" newsletter, Bauer warns that, should gay marriages become legal, "government power will be wielded against anyone who holds the biblical view of homosexuality." He also raises the specter of "cultural decay" as a result of legally recognized gay marriages.

❑ In the Feb. 26 issue of the publication, Bauer warns that "businesses will be forced to subsidize homosexuality, schoolchildren will be taught that homosexuality is equivalent to marital sex, and churches will be pushed into a religious 'ghetto,' where pressure will mount for conformity to civil law. ... Redefining marriage would redefine the family, giving homosexuals an uncontested 'right' to adopt children."

Traditional Values Coalition

Led by Lou Sheldon, the Anaheim, Calif.-based anti-civil rights and anti-gay group has jumped headlong into the debate. Sheldon's chief tactic, honed in his attacks on civil rights for racial minorities and later for gays, is to assume that legal protections are a zero-sum game and to make the spurious charge that equal marriage rights for gays would somehow take away rights from others.

According to Sheldon, same-sex marriage would "undermine the most important institution in our civilization: heterosexual marriage and family."

❑ In a March alert to activists and financial backers in California, Sheldon cannot resist the temptation to raise money off the gay marriage hysteria or to lie to his readers: "We have become the 'victims.' We are the victims of the homosexuals promoting their agenda to ruin marriage, to seduce our children, and to steal our Christian nation."

And in an outburst of ignorant stereotyping, Sheldon asserts: "Homosexuality is only one of numerous sexual appetites which include pedestry [sic] (sex with children), bestiality, incest and multiple partners."

❑ In November 1995, Sheldon met with African-American ministers in Washington, D.C., and used a tirade against same-sex marriage to drum up their support for his then imminent congressional hearings on homosexuality in the public schools. The hearings, which Sheldon had envisioned as a grand opportunity to set back gay rights, flopped, as Sheldon became the subject of critical disclosures in the media. Among them was the revelation that his non-profit group had received at least $40,000 from Republicans in California to turn out the vote on their behalf in recent elections.

❑ Sheldon has also sounded off on a right-wing boycott of Hawaii: "The only thing we know that we can do now is have an economic boycott. If people want to go to the South Pacific, we will urge them to go to other islands."

State-by-State Campaign

So far, the religious political extremists' campaign of intolerance against gay marriage has resulted in bills being introduced in 33 states. These measures would ban same-sex marriage within each state and deny recognition to unions forged in Hawaii. Of those 33 bills, 17 have been defeated, killed or withdrawn; eight remain pending; and eight have become law, in the states of Alaska, Arizona, Georgia, Idaho, Kansas, Oklahoma, South Dakota and Utah. Activity involving far-right anti-gay groups includes the following:

Hawaii

❑ On the political front, several groups have stepped forward to encourage state legislation against ending the ban on marriage licenses to same-sex partners. The latest of these is Concerned Women for America, which in late March distributed postcards to supporters throughout the state, which demand, "STOP same-sex marriage" and urge recipients to ask lawmakers to place a referendum to ban same-sex marriage on a statewide ballot. This attempt failed in a vote in the state Senate on April 26.

❑ For the last few years, however, the Rutherford Institute, a Virginia-based right-wing anti-gay group has touted its role in spearheading the litigation against equal marriage rights in the state.

❑ And Mike Gabbard, head of a Hawaii-based group called Stop Promoting Homosexuality America, has made numerous appearances throughout the mainland to rally anti-gay sentiment, including at the anti-gay marriage rally in Des Moines on Feb. 10. Gabbard has called gay marriage "a blatant attempt to normalize homosexuality."

❑ Operation Rescue founder Randall Terry, eager to leap again into anti-gay politics as a springboard for his broader crusade against abortion and secular government, headed for Hawaii to recapture the limelight lost in the wake of his 1992 arrest and imprisonment for brandishing a fetus at President Clinton. Late that year, Terry, who became infamous for blockading women's health care clinics, held a rally against gays in the military in Colorado, seeing the issue as a potential fund-raising tool. The battle over gay marriage seems to have a similar attraction for him.

❑ On his way to Hawaii to drum up opposition to sanctioning of same-sex unions, Terry stated "We're not going to Hawaii to make friends, we're going to play hardball."

And later, he cautioned: "Remember, there is a God that judges men and nations, and this nation cannot survive homosexual unions. Hawaii need not become the Sodom and Gomorrah of America. We will never stop. We are prepared to lay down our lives for the church."

Alabama

❑ A bill banning same-sex marriage was introduced in the state senate by Sen. Bill Armistead, a Republican from Columbiana. On May 3, Armistead called the bill dead, blaming its demise on Democratic Lt. Gov. Don Siegelman. Both Gov. Fob James and fellow Republican Attorney General Jeff Sessions, a leading contender for the state's open U.S. Senate seat, had called for passage of the bill. Sessions called the refusal by Democratic leaders in the Senate to act on the gay marriage ban "disastrous." James called the bill "something the people of Alabama need so desperately."

❑ Earlier in the session, in an environment increasingly marked by the harsh rhetoric over gay marriage, James. Sessions, and Armistead spearheaded efforts to shut down a gay and lesbian student conference slated for the University of Alabama in Tuscaloosa using a 1992 anti-gay law. The law was struck down Jan. 29 by U.S. District Judge Myron Thompson, who cited First Amendment grounds.

Alaska

❑ A group called Alaskans Opposed to Pro-Homosexual Policies, led by self-proclaimed ex-homosexual with AIDS Michael Johnston, along with Baptist minister Jerry Prevo, has spearheaded a campaign to block same-sex marriage in the state. Johnston also operates an anti-gay organization called Kerusso Ministries and a fledgling group, endorsed by Lou Sheldon of the Traditional Values Coalition, called National Coming out of Homosexuality Day, which works on a national level with other religious political extremists.

On April 16, they succeeded in persuading the state House to pass a bill barring recognition of same-sex marriage. On March 28, the state Senate had already approved such a ban. On May 6, Gov. Tony Knowles allowed the bill to pass into law without signing it.

❑ The negative environment for gay issues fostered by the gay marriage debate helped prompt lawmakers to target domestic partnership programs which might provide health benefits for gay people. On May 1, Knowles signed a bill allowing employers in the state to discriminate against same-sex couples in the granting of such benefits.

Arizona

❑ A bill banning same-sex marriage passed both houses of the state Legislature and on May 2, was signed by Republican Gov. Fife Symington. According to Rep. Ken Cheuvront, a Phoenix Democrat, religious political extremist groups in the state strongly supported the bill.

❑ In an attempt to ride the coattails of the gay marriage debate, a bill was also introduced this session seeking to ban any mention of homosexuality as a "positive alternative lifestyle" in the state's schools.

California

❑ The Capitol Resource Institute, an affiliate of Focus on the Family, has led the state drive for a ban on same-sex marriage, which passed the state Assembly Jan. 31. Lou Sheldon's Traditional Values Coalition, a national group known for its distortions on civil rights, also weighed in heavily in the fight.

The state's chapter of Concerned Women for America lobbied legislators on April 11, distributing copies of "The Ultimate Target of the Gay Rights Movement: Same-Sex Marriage."

Colorado

❑ Will Perkins and Colorado for Family Values vigorously pushed a state bill banning gay marriage, which eventually passed both houses of the Legislature by narrow margins, but was vetoed by Democratic Gov. Roy Romer on March 25.

Perkins denounced Romer after the veto, claiming the action was "almost comical, watching him obey the homosexual lobby while passing himself off as a friend of family values. ... What homosexual activists are actually seeking is affirmation of their sexual conduct—and so will other sexual orientations if we abandon our historic definitions."

Later, Perkins mocked the governor's positions on gay rights and equal marriage rights, saying "After all, the state of Colorado owes every single person within its boundaries the warm, fuzzy feeling of having their idiosyncrasies officially validated."

❑ Perkins has taken the opportunity provided by the marriage debate to assail protections for gays in state hate crimes legislation: "I found myself the only person testifying against this awful law, which would turn our government into politically correct 'thought police.' ... I simply feel that the government should stay out of the business of policing citizens' inner thoughts."

❑ Perkins, anxiously awaiting a U.S. Supreme Court ruling on Amendment 2, the statewide anti-gay ballot measure, has already announced plans to place an anti-gay marriage ban on a statewide ballot as early as this fall.

Delaware

A group called Delaware Family Foundation, which is sponsored by the Christian Coalition, joined by The Conservative Caucus of Delaware, is pushing a bill to ban same-sex marriage in the First State. Its sponsor is Rep. Gerald Buckworth, a Republican from Fairfield Farms.

Tony Nollet, a leader of the Conservative Caucus, wrote in the group's March newsletter that "in addition to divine opposition to such 'marriages,' there are practical reasons for secular opposition to these 'unions.' Because they do not have children, same-sex partners, in effect, come to depend on the public sector for benefits that normally accrue through parenthood."

Florida

A bill aimed at banning same-sex marriage was introduced Feb. 28 by Rep. Buddy Johnson, a Republican from Plant City, but was pulled by Johnson on March 12.

Georgia

❑ Backed by a vigorous phone campaign on the part of the state's Christian Coalition, an anti-marriage bill recently cleared the state Legislature and was signed into law by Gov. Zell Miller. According to Rep. Ron Crews, a Christian Coalition backer and the measure's Republican sponsor in the state House of Representatives, "We are rejoicing in our state that Georgia's law will now conform to God's law concerning marriage."

The bill passed the House, and with the help of the state's conservative Republican Lt. Gov. Pierre Howard and the Senate Special Judiciary Committee, the only committee in that chamber with a Republican majority, it later passed the upper body, as well.

❑ Nancy Schaefer, former Atlanta mayoral candidate and head of a statewide religious political extremist group called Family Concerns, has assisted the assault on same-sex marriage. "It's an in-your-face type of demand that we should turn society upside down after 2,000 years to accommodate 2 percent of the population," she said.

Idaho

❑ Dennis Mansfield, of Idaho Family Forum, an offshoot of James Dobson's Focus on the Family, boasted in a March broadcast: "We will be the third out of 50 states who will have taken a stand in law on this issue." Mansfield's group successfully pushed an anti-marriage bill through the state Legislature—the most heavily GOP-dominated body in the nation—and saw it signed in March by Republican Gov. Phil Batt.

Also active in the drive was the Idaho Citizens Alliance, sponsors of two statewide anti-gay initiatives in the state, one slated for the fall ballot.

Kelly Walton, head of the group, is running for the state House of Representatives.

Illinois

❑ David Curtin, Christian Coalition state executive director, maintained in March that "We need to uphold our traditional moral standards and shield our society from the political maneuvers of the homosexual lobby." The bill passed the state Senate and on April 25, the Illinois House gave final approval to the bill, sending it on to Gov. Jim Edgar.

Iowa

❑ On the heels of the Des Moines anti-gay marriage rally in February, a ban bill made its way through the state House of Representatives.

A major backer of the legislation was Larry Johnson, American Family Association state director, who stated in a February opinion column in the Cedar Rapids newspaper, "'A committed relationship between homosexuals is an oxymoron. Heterosexuals are looking for lasting relationships but may not know how to find them. Homosexuals, on the other hand, are looking for something entirely different. And they have found it, and the facts confirm it. A 1972 study by the Centers for Disease Control revealed 50 percent of homosexuals have had over 500 different sexual partners. Studies also reveal that many of the sexual encounters were with total strangers."

Kansas

Republicans in the state Legislature, many strongly backed by the state's Christian Coalition and still reveling from victories in 1992 and 1994, pushed through an anti-gay marriage bill on April 10.

With hardly any debate, which the state's largest paper called an "unusual but not unprecedented" situation, the Republican caucus pushed the bill through, sending it to Republican Gov. Bill Graves, who promptly signed it.

"I would guess at least 90 percent or more of Kansans believe that marriage should be between adults of the opposite sex and that it's just plain wrong for homosexuals to marry," said sponsor Sen. Mike Harris, a Wichita Republican.

Kentucky

❑ A total of 13 anti-gay bills under consideration by state legislators drew the support of the Ku Klux Klan, who held a rally April 13 in Louisville. According to Troy Murphy, a regional Klan leader, "Intolerance of, discrimination against and death penalty for homosexuals is prescribed in the Bible. ... If the Klan is guilty of hatred, so is Jesus Christ and God himself. ... Our message is not anti-black, anti-Jew or even anti-faggot. We will be here to speak the truth. ...We will be here to bring a message of love, order and a message of almighty God, in whom we trust."

The bills were later defeated.

Maine

Religious political extremist groups in the state, including the Christian Civil League and the Coalition To End Special Rights, got behind a bid to block same-sex marriage in the state. The effort failed, however, after state Sen. Georgette Berube of Lewiston withdrew a bill written by one of her constituents.

The bill was penned by Mike Poulin, an attorney formerly allied with an anti-gay group called All Catholics for Truth and a local leader in last fall's failed bid to pass a statewide anti-gay initiative.

Maryland

A bill to ban same-sex marriage was introduced in the General Assembly, but died in the House Judiciary Committee after strenuous lobbying efforts by gay activists and their allies.

Michigan

❑ In Michigan, state Sen. William Van Regenmorter and state Rep. Deb Whyman, both arch-conservative Republicans, have introduced anti-gay marriage bills in their respective chambers. Whyman, who admits to being in close contact with religious political extremists on the national level, has raised the specter of a right-wing boycott of Hawaii: "Unless something amazing happens, there will be a boycott. They [Hawaii] need to understand how we feel about this on the mainland." Furthermore, she said, "We have disposable income to spend on vacations and we have alternatives. People would be urged to go to California or Mexico or the Virgin Islands."

One supporter of the bills, state Sen. Doug Carl, a Republican from Sterling Heights, recently claimed that AIDS stands for "Anal-Inserted Death Sentence." "I don't support gay living or gay marriages," Carl said in a meeting March 9 with two teen-age constituents.

❑ Anti-gay groups have taken advantage of the volatility surrounding the gay marriage debate to deplore a proposal to grant gay people protection under state hate crimes laws. Jeff Fisher, political director of Citizens for Traditional Values, affiliated with Focus on the Family, said in a March broadcast, "It's not an attack. It's us speaking out against something we feel is immoral."

❑ Anti-gay forces have also put forward a proposal to bar domestic partnerships at public colleges. State Sen. Bill Schuette, a Republican and onetime U.S. Senate candidate, said: "Extending medical coverage to non-married domestic partners is just bad public policy. ... Domestic partners are not recognized by our laws as a legal union."

❑ An anti-gay group in Lansing, the state capital, has also sought to capitalize on the hostile climate created by the marriage debate to repeal a Lansing ordinance prohibiting discrimination against gays. The group, called Majority Opposing Special Treatment and led by Thomas Hruska, asked, "Does anyone believe that the supporters of these ordinances have spent so much effort fighting for the right to be celibate? ... Once we start protecting such behaviors rather than characteristics such as age, sex, and race, we open a can of worms that will create endless problems."

Missouri

Leading the campaign for three bills seeking to ban same-sex marriage in Missouri are Paul Summers, head of a group called Citizens for Decent Standards, and Kerry Messer, head of the Missouri Family Network and formerly the leader of The Amendment Coalition, which led a failed bid in 1994 to pass a statewide anti-gay initiative.

Summers has close ties with discredited anti-gay psychologist Paul Cameron and his Family Research Institute. In testimony before the state House of Representatives on March 28, Summers cited two bogus "studies" by Cameron, one dealing with gay men's life spans and another dealing with pedophilia. Cameron, while claiming such studies are scientific, simply cuts obituaries and articles out of newspapers and calculates from these to reach his conclusions.

According to Summers' testimony, "Medical expenses will skyrocket because of health problems associated with homosexual behavior. Homosexuals have a much greater need of medical, psychological and psychiatric treatment."

Playing on the false stereotype of gays as pedophiles, Summers added, "Children are at the point of greatest risk."

And in a strategy mimicked in other states, Summers warned, "Look for an attempt down the road to legitimize multiple-partner relationships as marriage."

❑ In a special legislative election on April 4, Republicans used attacks on gay marriage in attempts to mobilize voters in a closely contested state House of Representatives race. The Democratic candidate won.

Nebraska

❑ A bill intended to reaffirm the U.S. Constitution's "full faith and credit" clause with regard to gay marriage was enough to draw the ire of religious political extremists in and outside the state.

Doug Patton, Christian Coalition state executive director, speaking at a rally March 12 at the State Capitol in Lincoln, said, "This is the most important issue facing our legislature this year. Taxes, gambling, education issues, these are all very important. But they pale in comparison to the battle for traditional marriage and the family."

Omaha

❑ Larry Burtoft, Focus on the Family research analyst, wrote the *Omaha World-Herald* from the group's headquarters in neighboring Colorado, saying, "What about relationships between parents who want to marry their children, aunts who want to marry their nephews, men who deceitfully marry two, three or more women, or minors who want to marry? ... If Nebraskans want to encourage their children to try homosexuality, 'same-sex marriage' is a good beginning. Of course, they will want to remember that those who participate in homosexual behavior are at risk of debilitating and fatal diseases."

New Mexico

Backed by the state's Christian Coalition, a bill to ban same-sex marriage was introduced, but later died in the Legislature.

Oklahoma

Republican Gov. Frank Keating signed a bill April 29 concerning child visitation rights that included an amendment banning recognition of same-sex marriages.

Rhode Island

The state's chapter of the Christian Coalition and the Coalition to Preserve Traditional Values (CPTV) saw their push for a state bill banning same-sex marriage come up short in the Legislature. The chairman of the House Judiciary Committee, Democrat Charles Knowles, put a block on the legislation, effectively killing it for this year.

Stephen Patton, a Christian Coalition state lobbyist, urged lawmakers to pass the bill, hoping to influence possible court action on the subject.

Mark Miller, of the CPTV, expressed dismay at the bill's demise. "Natural law tells us that marriage is appropriate only between man and woman. And history tells us that societies that prosper are not those where homosexual relations were the rule."

South Carolina

The state's chapter of the Christian Coalition has been trying to cash in on the gay marriage debate while pushing a bill banning same-sex unions through the Legislature.

Residents in the Beaufort area report having received fund-raising calls from the Christian Coalition seeking donations to support a bill in Columbia designed to ban recognition of equal marriage rights.

One backer of the bill, Sen. Joe Wilson, a Republican, said, "A same-sex marriage defies Western culture. If a society were to use it as their foundation, certainly Sodom and Gomorrah come to mind. You'd have a destruction of family."

"By legalizing same-sex marriages, you have lessened what the institution of marriage stands for," said a sponsor of the bill, Republican Rep. Gary Simrill of York.

In addition, the state's Republican Attorney General Charlie Condon invoked the Bible in a recent opinion giving the Legislature a legal green light on the bill. "The institution of marriage is a union of man and woman ... [and] is as old as the book of Genesis," he wrote.

Gay activist Peter Tepley of Columbia indicates the bill has benefitted from the backing of the governor, Republican David Beasley, who won a close election in 1994 with the blessing and substantial backing of the Christian Coalition.

South Dakota

❑ The South Dakota Family Policy Council, an affiliate of Focus on the Family, weighed in early this year on anti-marriage legislation with a letter to supporters and churches throughout the state. "Legalizing same-sex marriage would put the state's seal of approval on a dangerous and costly lifestyle. The last thing our state should want to do is encourage anyone—through legal and financial incentives—to participate in the homosexual lifestyle," the letter reads, proceeding to cite figures about AIDS.

A subsequent "ActionGram" by the group to members across the state argued that "[g]ranting legal recognition to same-sex marriage would place the state's seal of approval on a very dangerous lifestyle." As in previous letters, the group asks recipients to give money "as generously as you can."

The telegram lists Focus on the Family's battle plan for defeating same-sex marriage and also includes a map assembled by Focus on the Family showing states where same-sex marriage has already been banned.

Despite a spirited campaign from gay marriage supporters, who fought back a similar ban last year, this year's bill passed and was signed by Gov. William J. Janklow in February.

Tennessee

A bill banning same-sex marriage has passed both houses of the state Legislature; differences in the language must be worked out in a conference committee before the bill goes to the governor, Republican Don Sundquist, who is expected to sign it.

Utah

❑ Utah approved a bill banning gay marriage last year. But religious political extremists in the state this year sought to take advantage of the hostile climate on gay issues to lash out against gays.

Leading the charge is Gayle Ruzicka, state director of Phyllis Schlafly's Eagle Forum, which helped push through the gay marriage ban last year. Ruzicka this year turned her attention to banning informal clubs for gay youth from state schools, saying "Homosexuals can't reproduce, so they recruit. And they are not going to use Utah high school and junior high school campuses to recruit." Ruzicka has also been active in efforts to oust an openly gay teacher from his position in the Granite School District.

After vetoing one version of an anti-gay clubs bill, Gov. Mike Leavitt called a special session of the Legislature to approve a different version of the bill, which he is expected to sign.

Virginia

❑ An anti-gay marriage bill backed by the state's Republican Gov. George Allen was voluntarily withdrawn by its patron in the state House of Delegates.

Washington

❑ Annetta Small, co-founder of Washington Opposed to Pro-Homosexual Policies, which is active in a bid to pass a discriminatory statewide anti-gay ballot measure, pushed a bill in Olympia seeking to ban gay marriage in the state. Passed by the GOP-controlled state House of Representatives, the bill failed in the state Senate, where Democrats retain a one-vote edge.

"Even homosexual activists admit that legalizing same-sex marriages will radically restructure and uproot all cultural mores and traditions," Small claimed. "Where will the line be drawn? Once the 'one-man, one-woman' definition is abandoned, there is no logical reason to limit it to two people or even to people."

To aid her lobbying activities, Small assembled a scrapbook called "The Gay Legacy." It is filled with the obituaries of gay men who had died of AIDS, compiled from state and national gay publications.

❑ Rep. Gene Goldsmith, a Republican, invoked a former state legislator in his bid to pass a state ban on gay marriage. "Everyone wants to honor Cal Anderson, but no one wants to talk about how he died. Sin has consequences." Anderson, who was openly gay, died of AIDS in 1995. Goldsmith cited a sham study by discredited researcher Paul Cameron, who claims the average age of death for homosexuals is 42. This "study" is based solely on obituaries from gay newspapers.

❑ Robert Larimer of Washington for Traditional Values, a group affiliated with Lou Sheldon's Traditional Values Coalition, also lobbied in vain for the measure, claiming that ending discrimination in the issuing of marriage licenses somehow takes rights away from someone else. "An entire culture should not be manipulated for the benefit of a special interest whose sole distinguishing characteristic is the claimed means of achieving sexual gratification."

West Virginia

A bill banning same-sex marriage was introduced in the state Legislature but failed, along with two measures designed to include gay people in the state's hate crimes and non-discrimination laws.

"I think someone's going to discriminate whether you tell them to or not. You can't change their view or way of thinking," said Delegate Eric Blass, a Republican, who ridiculed both bills. "As for hate crimes ... if you go out and beat or shoot somebody, I don't think you're doing it because you like them."

❑ The heated debate over same-sex marriage contributed to an effort by religious political extremists, led by Sam Cravotta, to censor gay-themed films at a movie festival at West Virginia State College, a historically black institution. Adding force to the campaign was a petition from state legislators, led by Delegate Dan Greear, who claimed the college was "promoting liberal issues" and had become "a voice of the radical left, as have so many other institutions."

The bid failed to block the showing of the films, as the college's president defended the students' right to use a campus building for the showing. The state's largest paper, the Charleston Gazette, referred to the campaign's promoters as "right-wing Neanderthals" and "gay-hater of the Pat Buchanan type."

Wisconsin

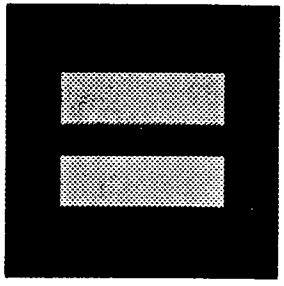
A bill banning same-sex marriage was introduced by Republican state Rep. Lorraine Serotti, a religious political extremist with close ties to the anti-abortion movement and the U.S. Taxpayers Party.

In 1994, at its state convention, Serotti's Wisconsin taxpayers group played host to anti-abortion extremist Randall Terry and to Matthew Trewhella, leader of the radical anti-abortion group Missionaries to the Preborn who has encouraged churches to become more involved in the militia movement.

Serotti defended her bill by saying it "will protect traditional marriage and family culture in Wisconsin."

Wyoming

A bill banning same-sex marriage was introduced, but died in the state Legislature.



HUMAN RIGHTS CAMPAIGN

'95-'96 ANTI-GAY MARRIAGE LEGISLATION

Bills in 34 States

STATE	BILL #	SESSION ENDS	HOUSE STATUS	SENATE STATUS	GOVERNOR STATUS
AL	HB 142 SB 396	5/8	DEAD	DEAD	
AK	HB 227 SB 308	4/20	*PASSED* 2/28/96	*PASSED* 4/2/96	LAW - GOV. DID NOT SIGN 5/6/96 midnight Waiting period on desk expired
AZ	HB 106 SB 1038	4/17	*PASSED* 4/12/96	*PASSED* 4/18/96	*SIGNED* 5/2/96
CA	AB 1982 AB 3227	9/1	*PASSED* 41-31	judic. comm - hearing 5/8/96	
CO	HB 1291	5/8	*PASSED* 33-31	*PASSED* 20-14	VETOED 3/25/96
DE	HB 503	6/30	judic. comm. 5/13-5/17		
FL	HB 2369	5/3	WITHDRAWN 3/12/96		

STATE	BILL #	SESSION ENDS	HOUSE STATUS	SENATE STATUS	GOVERNOR STATUS
GA	HB 1580 HB 1278 SB 681	3/15	*PASSED* 164-4	PASSED spec. jud com *PASSED* 50-3	*SIGNED* by Gov. Miller 4/2/96
HI	HB 609 HB 2172 HB 2366 HB 2367 HB 2723 HB 3256 HB 3801 SB 2172 SB 2501 SB 3112 SB 3114	5/3	jud. com 1/23/95 jud. com 1/27/95 *PASSED* introduced 1/19/96 jud. com 1/25/96 jud. com 1/25/96 jud. com 1/30/96	DEAD com. ag/labor/emp jud. com 1/24/96 jud. com 1/30/96 introduced 1/30/96	Ballot Question
ID	HB 658	3/1	*PASSED* 59-6	*PASSED* 28-4	*SIGNED*
IL	SB 603 SB 1773	5/31	*PASSED* 87-13 4/25/96	DEAD *PASSED* 42-9 3/28/96	BEFORE GOVERNOR - must veto by 5/25 or becomes law
IA	HF 2183	4/26	*PASSED* 86-11	DEAD 3/21/96	
KS	SB 515	4/6	*PASSED* 3/21/96	*PASSED* 4/4/96	*SIGNED*
KY	HB 500 H-AM 1- SB 68 HB 882 SB 339	4/12	DEAD in judic. comm. WITHDRAWN WITHDRAWN	 DEAD in judiciary com.	
ME	SB 531	3/29		WITHDRAWN 1/24/96	
MD	HB 1268	4/8	DEFEATED in jud. comm. 13-8		

STATE	BILL #	SESSION ENDS	HOUSE STATUS	SENATE STATUS	GOVERNOR STATUS
MI	HB 5661 HB 5662 SB 937 SB 938	12/31	judic & civil rights comm. (Both bills)	fam, mental hlth & hum serv. com (both bills)	
MN	AMEND	4/12	DEAD - not germane		
MS	HB 1210 SB 2863	4/8	introduced 1/25/96	DEAD judic. com.	
MO	HB 1255 HB 1454 HB 1458 HB 1653 SB 895	5/17	WITHDRAWN on special house calendar com. chld/yth/fam sponsored by 20 Dems	PASSED committee 3/6/96	
NM	SJR 10	2/16		DEAD 2/15	
NY	SB 7345			judic. com	
OK	HB 2554 SB 73 - AMEND	5/31	*PASSED* w/o hearings child visitation bill	DEAD 3/28/96	*SIGNED* 4/29/96
PA	HB 2604	11/30	introduced 5/8/96 - in judiciary committee		
RI	HB 7587	4/29	TABLED by jud.com		
SC	HB 4502 SB 1151	6/6	*PASSED*	*PASSED* 5/2/96	After pro-forma vote, Goes to Governor
SD	HB 1143	3/29	*PASSED* 49-18	*PASSED* 26-8	*SIGNED* 2/21/96
TN	HB 2907 SB 2305	5/16	*PASSED* 91-1	*PASSED* 31-0	BEFORE GOVERNOR Announced intention to sign 5/2/96 - has until 5/21 to veto
UT			*PASSED*	*PASSED*	*SIGNED*
VA	HB 1189	3/15	STRICKEN from docket		

STATE	BILL #	SESSION ENDS	HOUSE STATUS	SENATE STATUS	GOVERNOR STATUS
WA	HB 2262	3/8	*PASSED* 60-36	DEAD - session ended.	
WV	HB 4730	3/9	DEAD - introduced on last day of session		
WI		5/17	Action WI DIVERTED Kaufert plan to introduce bill		
WY	HB 142	3/15	INSUFFICIENT votes to intro.		

Note: Shaded states are no longer in play.

STATE CHECKLIST:

Pending (1996):
CA, DE, IL, MI, MO, NY, PA, SC, TN (9)

Could Introduce - Still in session (1996):
CT, LA, MA, NC, NH, NJ, OH, VT (8)

Defeated, Withdrawn, or Killed (1996):
AL, CO, FL, HI, IA, KY, ME, MD, MN, MS, NM, RI, VA, WA, WV, WI, WY (17)

Did not introduce - Session ended (1996)
IN, NE (2)

Adopted:
AK, AZ, GA, ID, KS, OK, SD, UT (8)

States not in session (1996):
AR, MT, ND, NV, OR, TX (6)

Family Impact: the pressures on couples, children and families

Religious Perspective: how will churches respond

Freedom to Marry Conference

July 27, 1996

Workshop Presentation

"The Religious Perspective: How will churches respond?"

Presenter: The Reverend Roy A. Cole, Pastor
Metropolitan Community Church of Portland

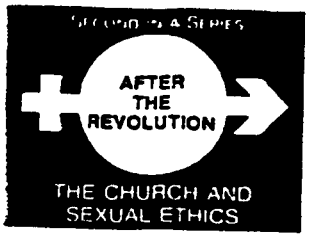
I. Introduction - Homosexuality and Western Religious Thought
   A. Biblical commentary
   B. Historical Commentary
   C. Literature Review

II. The Traditional Christian View of Marriage
   A. One man and one woman
   B. Monogamy
   C. Procreation
   D. Lifelong commitment

III. The Rationale Used to Oppose Same Sex Marriages
   A. "It's plain immoral.... It goes against Scripture"
   B. "Marriage as an institution will be rendered meaningless"
   C. "It undermines the stability of the family"

IV. The Response from Progressive Churches and Theologians
   A. The Church and Sexual Ethics
      1. "The Christian Century" March 11, 1987
      2. "The Church and Human Sexuality:
         A Lutheran Perspective
         First Draft of a Social Statement - October 1993
      3. "Human Sexuality: Working Draft - October 1994
      4. "The Report on Human Sexuality"
         The Presbyterian Church (USA)
   B. Denominations and churches making progress
      1. Faith groups that publicly support full civil rights to gays and lesbians.
      2. The story of Pullen Memorial Baptist Church, Raleigh, N.C.
         – Lessons of hope –

V. How will Churches Respond? The debate continues.



Homosexuality: Challenging the Church to Grow

JOHN J. MCNEILL

IT HAS BEEN more than ten years since I wrote *The Church and the Homosexual* (Sheed Andrews & McMeel, 1976). I wrote the book out of love for and loyalty to the Christian tradition in general and the Roman Catholic Church in particular, and out of a desire to support the church's moral authority. I felt what I had to do as a trained professional moral theologian was to play the role of a critical lover and loving critic and try to help the church realize a viable ethic concerning homosexuality. I also wrote it out of love for and loyalty to the homosexual community.

Certainly one of the major motivating factors behind my work for the past 20 years—in research, writing and psychotherapy, and in the pastoral activities of preaching, leading retreats and giving lectures and workshops to gay people—is the fact that I myself am a homosexual. It was with great struggle and pain that I gradually learned to accept that essential aspect of myself and learned to live with it with a certain degree of peace, joy and even pride. I have wanted to share that grace with as many people as possible. I agree with Meister Eckardt: "The fruitfulness of a gift is the only true way to show gratitude for the gift."

Most importantly, I wrote *The Church and the Homosexual* because of my increasing awareness of the enormous amount of unjust suffering in the Christian gay community. I observed that many, if not most, lesbian women and homosexual men felt caught in a dilemma: to accept themselves and to affirm their sexuality, they believed that they must leave the church and even give up their faith; and to affirm their Christian faith, they felt that they had to repress and deny their sexuality and lead a life devoid of any sexual intimacy. The evidence was clear to me that both solutions led to an unhappy and unhealthy life. I was convinced that what is bad psychologically has to be bad theologically and that, conversely, whatever is good theologically is certainly good psychologically. For as St. Irenaeus claimed, "The glory of God are humans fully alive."

In *The Church and the Homosexual* I sought to overturn three traditional stances taken by the Christian community regarding lesbian and homosexual relationships. I opposed, first of all, the view that God intends all human beings to be heterosexual, and that therefore a failure to be heterosexual represents a deviation from God's creative plan—a deviation that demands an explanation, usually given in terms of sin or, more recently, in terms of sickness. According to this view, those who find themselves to be homosexual must change their orientation through prayer and counseling or, failing that, live totally chaste and sexually loveless lives. This is the position held in the Vatican letter "On the Pastoral Care of Homosexual Persons" issued last October to all the bishops of the world. This letter was deemed necessary to offset "deceitful propaganda" coming from gay Christian groups challenging the church's tradition and its in-

Dr. McNeill, a psychotherapist who practices in New York City, is now in the process of being expelled from the Jesuit order because he has refused to give up his ministry to gay people. He is an independent scholar, lecturer and writer, currently working on a manuscript titled Message to a Gay Christian—*reflections on Scripture in the light of gay experience.*

terpretation of Scripture. According to this position, sexual fulfillment is exclusively the right of the heterosexual.

I proposed instead that God so created humans that they develop with a great variety of both gender identities and sexual-object choices. Consequently, the attempt to force humans into narrow heterosexist categories of what it means to be a man or a woman can destroy the great richness and variety of God's creation. Always and everywhere a certain percentage of men and women develop as homosexuals or lesbians. They should be considered as part of God's creative plan. Their sexual orientation has no necessary connection with sin, sickness or failure; rather, it is a gift from God to be accepted and lived out with gratitude. God does not despise anything that God has created.

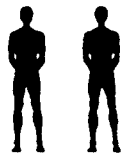
It should be stressed here, in opposition to certain current views, that human beings do not choose their sexual orientation; they discover it as something given. To pray for a change in sexual orientation is about as meaningful as to pray for a change from blue eyes to brown. Furthermore, there is no healthy way to reverse or change sexual orientation once it is established. The claim of certain groups to be able to change homosexuals into heterosexuals has been shown to be spurious and frequently based on homophobia (cf. Ralph Blair's pamphlet "Ex-Gay" [HCCC Inc., 1982]). The usual technique used to bring about this pseudo-change involves helping gay persons internalize self-hatred, an approach that frequently causes great psychological harm and suffering. The Christian communities that make use of this sort of ministry usually do so to avoid any challenge to their traditional attitude and to avoid any dialogue with self-accepting gays and truly professional psychotherapists. (The psychotherapists whom these churches frequently cite are generally very conservative and homophobic in their orientation.) The real choice that faces lesbians and homosexuals is not between heterosexuality and homosexuality but between a homosexual relationship or no relational intimacy whatsoever.

Other churches have confined their official ministries to helping gay people live out celibate lives. According to Christian tradition, celibacy is a special gift of God given to a certain few for the sake of the kingdom. The occasional homosexual who receives this gift is, indeed, blessed. Clergy choose a celibate lifestyle voluntarily, but laypeople are given no choice; they are told they must live celibate lives. But there is no reason to believe that God grants this gift to everyone who is lesbian or homosexual. On the contrary, empirical studies have shown that the vast majority of gay people who have attempted a celibate lifestyle end up acting out their sexual needs in promiscuous and self-destructive ways. Every human being has a God-given right to sexual love and intimacy. Anyone who would deny this right to any individual must prove without a doubt the grounds for this denial. The only healthy and holy Christian response to a homosexual orientation is to learn to accept it and live it out in a way that is consonant with Christian values.

The second thesis of my book was that homosexuals, rather than being somehow a menace to the values of society and the family, as Christians have tended to assume, have, as a part of God's creative plan, special gifts and qualities and a very positive contribution to make to the development of society (cf. also my article "Homosexuality, Lesbianism, and the Future: The Creative Role of the Gay Community in Building a More Humane Society," in *A Challenge to Love: Gay and Lesbian Catholics in the Church*, edited by Robert Nugent [Crossroad, 1984]). Indeed, if lesbians and homosexuals were to disappear, the further development of society toward greater humanness could be seriously endangered. Consequently, I am convinced that there is a special providence in the emergence of visible gay communities within the Christian churches at this point in history.

The third thesis of my book was perhaps the most controversial. The traditional position has been that since every homosexual act is sinful and contrary to God's plan, the love that exists between gay people is a sinful love which alienates the lovers from God. I argued that the love between two lesbians or two homosexuals, assuming that it is a constructive human love, is not sinful nor does it alientate the lovers from God's plan, but can be a holy love, mediating God's presence in the human community as effectively as heterosexual love.

I fully appreciated how controversial my arguments were. But I pointed out that there was new evidence—from biblical studies and from various empirical studies in the human sciences, especially psychology and sociology—that completely undermined the traditional understanding of homosexuality as a chosen and changeable state. Examples of recent psychological data come from new insights into psychosexual development, e.g., (a) one has no choice about sexual orientation; (b) the only healthy reaction to being homosexual is to accept it. And, above all else, there was new evidence coming from the collective experience of lesbians and homosexuals who as committed Christians were seeking to live their lives in conformity with Christian faith and Christian values. All this evidence should give every Christian community serious reason to reconsider its understanding of homosexuality.



Every human being has a God-given right to sexual love and intimacy.

I HOPED that my book would open up a serious moral debate in the churches concerning homosexuality. But in ten years no such debate has taken place. My own church's response was to try to silence the messenger rather then debate the message. One year after my book's publication, the Vatican Congregation for the Doctrine of the Faith ordered me to be silent on the issue of homosexuality and sexual ethics, forbidding me to publish

anything further in the field. For nine years I obeyed that order to be silent. However, the recent letter on pastoral care of homosexuals (already referred to), as well as the demand by the Vatican that ethicist Charles Curran retract his position on homosexuality and other sexual moral issues, or relinquish his position as a Catholic theologian, and its more recent order to me that I give up all ministry to homosexual persons, have convinced me that I can no longer in conscience remain silent.

It is the AIDS crisis that above all else makes it clear that churches do not have the luxury of time in dealing with homosexuality. In the U.S. alone as of February 9, there had already been 30,632 recorded cases of AIDS and 17,542 recorded fatalities, a majority of them gay men. It is predicted that in the next decade there may be as many as 200,000 victims. I am convinced that the churches will not respond properly to this crisis until they resolve the underlying moral issues. The Catholic Church in its recent pastoral letter has taken a dogmatic stance, allowing no room for debate or dialogue. But my ultimate religious obedience must be to truth, justice and the will of God as revealed in the sufferings of the Christian gay community. Therefore, with the publication of this article, I am making my first detailed public statement in ten years on the issue of homosexuality.

I find the absence of a serious moral debate within American churches on homosexuality truly puzzling. Robert Bellah and his associates throw some general light on this absence in their recent sociological study of American culture, *Habits of the Heart: Individualism and Commitment in American Life* (Harper & Row, 1985). They point out that the liberal middle class has a therapeutic mentality which is uncomfortable with moral argument. Those who share the therapeutic attitude embrace pluralism and the uniqueness of the individual, and conclude that there is no common moral ground and no publicly relevant morality. They tend to see moral debate as leading inevitably to irresolvable conflict or coercion.

Bellah and his co-authors acknowledge that the therapeutic critique of traditional morality is frequently legitimate. "Where standards of right and wrong are asserted with dogmatic certainty and are not open to discussion, and, even worse, where these standards merely express the interests of the stronger party in a relationship while clothing those interests in moralistic language, then that criticism is indeed justified" (p. 140). Most gay people share this distrust of morality. Having been the victims of moralistic condemnation and control, they eagerly adopt the therapeutic live-and-let-live stance.

The mainline Protestant churches, too, share the therapeutic mentality. In place of the moral question, Is this right or wrong? they pose the therapeutic question, Is this going to work? The liberal churches tend to assert individual autonomy and freedom, and the right to do your own thing. However, this therapeutic attitude is usually accompanied by an institutional search for compromise on moral issues. For example, some churches, in the face of psychological evidence that sexual orientation is not freely chosen, have begun to distinguish between homosexual orientation—which, they agree, is not morally culpable—and homosexual activity, which is always morally wrong insofar as it is freely chosen. This compromise is intrinsically unstable. It reminds me of the nursery ditty: "Mother may I go out to swim?" "Yes, my darling daughter. Hang your clothes on the hickory bush, but don't go near the water!"

Only a sadistic God would create hundreds of thousands of humans to be inherently homosexual and then deny them the right to sexual intimacy. I, for one, would prefer to believe that the church is wrong about homosexual activity than that this sadistic, superego God has any true relation to the God of love revealed by Jesus.

Conservative and fundamentalist churches, for their part, also do not engage in moral debate. They feel that they have a clear and direct revelation of God's will concerning homosexuality, and they vigorously condemn it on the basis of biblical fundamentalism and a conservative acceptance of certain cultural mores, especially in the sexual realm (such as the dominance of men over women).

Christians opposed to gay rights frequently cite Genesis 19, the story of Sodom. The history of the interpretation of this passage displays how prejudice and homophobia have distorted the message of Scripture. Throughout the Old and New Testaments, the sin of Sodom was never understood as homosexuality. Rather, that sin was understood as selfishness, pride, neglect of the poor and inhospitality to strangers. (In the desert context of these passages, inhospitality to a stranger meant certain death.) For example, Ezekiel writes, "Behold, this was the sin of your sister Sodom: she and her daughters lived in pride, plenty and thoughtless ease; they supported not the poor and the needy; they grew haughty and committed abominations [sexual orgies to bring fertility] before me. So I swept them away . . ." (16: 49-50). And every time Jesus refers to Sodom he identifies the sin of that city as inhospitality to strangers. For example, in Luke, Jesus says of those towns that were inhospitable to his disciples: "I tell you on that day Sodom will fare better than that town" (10: 12).

In *The Church and the Homosexual* I traced the interesting historical process by which the biblical condemnation of inhospitality was transformed into a condemnation of homosexuality. Here is one of the supreme ironies of history: for thousands of years in the Christian West, homosexuals have been the victims of inhospitable treatment—the true crime of Sodom—in the name of a mistaken understanding of Sodom's crime. Inhospitality, the crime that cries out to God for vengeance, has been and continues to be repeated every day. Who in our midst lives in pride and plenty and thoughtless ease, neglecting the poor, being inhospitable to refugees and persecuting those who, like Lot, offer them sanctuary? They indeed are the sodomites!

The absence of serious moral debate leaves conserv-

ative and even reactionary moral forces as the only voice on the subject of homosexuality. When a crisis comes, such as when gays fall ill with AIDS, they can easily be victimized by traditional homophobia disguised as moral judgment and, as a result, fall back into self-condemnation and self-hatred. As noted, self-hatred and internalized homophobia undermine gay relationships and tempt gay people to act out sexual needs in self-destructive ways. In the age of AIDS, only two choices are really open to Christian gay people in conformity with Christian values: abstaining from all sexual activity—a response which the majority find impossible—or entering a monogamous relationship. However, to have a stable, healthy relationship, one needs to have a healthy self-love and self-acceptance, which is psychologically possible only when one can accept one's sexuality as morally good and, in a Christian context, compatible with God's love.

A striking example of the negative result of the absence of an open debate on the moral meaning of homosexuality is the recent U.S. Supreme Court decision upholding the rights of states to outlaw sodomy. In the majority opinion, Justice Byron White argued that the right to privacy does not extend to same-gender sexual activity, even when confined to the home. He accepted the state of Georgia's argument that sodomy laws can be justified by the need to protect morality. Chief Justice Warren Burger concurred with Justice White that "to establish a fundamental right to homosexual sodomy would be to cast aside millennia of moral teaching."

Here is an example of traditional homophobia disguised as moral judgment and the will of God. Even the court's dissenting opinion, expressed by Justice Harry Blackmun, entirely avoids the moral issue. "That certain, but by no means all, religious groups condemn the behavior at issue," wrote Blackmun, "gives the state no license to impose [its] judgments on the entire citizenry. The legitimacy of legislation depends instead on whether the state can advance some justification for its law beyond its conformity to religious doctrine." Blackmun's opposition to the law is based on the right to privacy, "the most comprehensive of rights and the most valued by civilized men, [namely] the right to be left alone."

BOTH GAY PEOPLE and the liberal churches are wrong to steer clear of moral debate, or to think that moral standards are, as described in *Habits of the Heart*, "inherently authoritarian and in the service of domination." On the contrary, there are standards of right and wrong within Christian tradition concerning human sexuality, based in human nature and biblical revelation, which are acceptable to homosexual and heterosexual alike, and which can form the moral basis of public policy.

In light of the gay Christian experience, however, two fundamental issues of sexual morality must be re-examined. The first issue is what makes a sexual act fully human: the second is the biblical understanding of homosexual acts.

Christian tradition has always emphasized that human sexuality has two primary functions—it provides an experience of loving intimacy ("It is not good that a human be alone. Every human has need of a companion" [Gen. 2:18]); and it is the means of procreation. What is unique to human sexuality is the fusion that God has made of biological sexuality with the uniquely human vocation to, and capacity for, love.

The debate over birth control some years ago led liberal churches to conclude that the relational aspect of sexuality has primacy and, when appropriate, can be separated from the procreational aspect. Even the Catholic Church acknowledged the value of heterosexual activity exclusively as an expression of love when it approved the rhythm method of birth control. At that moment, if the church had been logical and free of homophobia, it would have re-examined the value of homosexual activity as an expression of human love and companionship.

What does Scripture have to say about homosexuality? The Christian community now possesses for the first time some excellent scholarly works on the treatment of homosexuality in Scripture, such as Robin Scroggs's *The New Testament and Homosexuality* (Fortress, 1984) and George Edwards's *Gay/Lesbian Liberation: A Biblical Perspective* (Pilgrim, 1984). We also have an excellent study of the development of Christian tradition regarding homosexuality: John Boswell's *Christianity, Social Tolerance, and Homosexuality: Gay People in Western Europe from the Beginning of the Christian Era to the Fourteenth Century* (University of Chicago Press, 1980). And there are some very good theological reflections on human sexuality in the light of Christian revelation: see James Nelson's, *Embodiment: An Approach to Sexuality and Christian Theology* (Pilgrim, 1978) and *Be-*

Winter Aconite

In February
Or early March
The aconite
Rewards my search
By being first
To blossom where
The sun has swept
A cranny bare
Of stubborn snow,
A space so small
It scarcely seems
A miracle
Could happen there.
A star is born
Of winter's lack:
My doubt is shorn.

John Robert Quinn.

tween Two Gardens: Reflections on Sexuality and Religious Experience. (Pilgrim, 1983).

These scholars conclude that nowhere in Scripture is there a clear condemnation of a loving sexual relationship between two gay persons. Homosexuality is never mentioned in the Four Gospels' accounts of the ministry of Jesus—a silence that would be inexplicable if this were the "most heinous crime," as tradition claims. Scriptural authors never deal with homosexual orientation, and when they do treat homosexual activity, they never do so in the context of a loving relationship. They presuppose that they are dealing with lustful activity freely chosen by heterosexuals (as in Romans 1), or they deal with a humanly destructive activity in the context of idolatry, prostitution, promiscuity, violent rape, seduction of children or violation of guests' rights.

There can be no valid moral debate on these issues that does not include lesbian and gay people as full participants. The Holy Spirit has something to say to the churches in and through the experience of lesbian and homosexual Christians. A truly extraordinary witness to the kind of full human love that can exist between two gay persons is being manifested daily by AIDS victims and their lovers and friends. The exceptional fidelity, self-sacrifice and affection, as well as the pain, grief and sorrow and the deep spiritual response to the suffering and bereavement that is being expressed, is a sign to the churches of the presence of the Spirit of love in these relationships. "See how they love one another!"

Nowhere in Scripture is there a clear condemnation of a loving sexual relationship between two gay persons.

The recent paper produced by Lutherans Concerned, "A Call for Dialogue: Gay and Lesbian Christians and the Ministry of the Lutheran Church," is an example of the eloquent theological reflections that are coming from gay Christians. Similar statements have been made by the Catholic gay group, Dignity; the Episcopal group, Integrity; the Methodist group, Affirmation; the Metropolitan Community Church; Evangelicals Concerned and others.

Lutherans Concerned summarizes its theological reflection with the following observation: "Indeed, gay and lesbian Christians, like any other Christians who have had deep encounters with the word of the Gospel, are able to see the word speaking directly and profoundly to their own experience. Lesbians and gay men will be bold enough to offer new insight into the Gospel to the whole community of Christ. They will claim the biblical word for themselves, in the experience of hoping and believing in the Gospel, of trusting in one's own conscience, even in the face of opposition. . . . Ultimately, lesbian and gay people within the church will make a great contribution to construction of relational ethics and to evangelical outreach, which we pray will draw many others who are estranged, alienated or unloved, to Jesus Christ, to the household of faith, and into the reconciliation which has begun."

All in all, this is a great moment to be gay and Christian. This is the age when the Holy Spirit is fulfilling the promise made in Isaiah (56: 2-8) that after the Messiah comes and the new covenant is established, those who are sexually different, who were formerly excluded from the community of God, will have a special place in the house of the Lord and "an everlasting name which shall not be cut off." The fulfillment of this prophecy was foreshadowed when the Holy Spirit led the apostle Philip to encounter the eunuch, who was reading Isaiah (Acts 8:26-40). The author of Acts intended to show how under the new covenant the church, led by the Holy Spirit, would reach out to include all those who were excluded by the Old Testament's procreational covenant. The eunuch symbolizes all those excluded from the Old Testament community because they were sexually different. The eunuch believed in Christ as the Messiah, was baptized, received the Spirit and went off "full of joy."

"My house," God says through Isaiah, "shall be called a house of prayer for all people." The gay Christian movement is continuing this initiative of the Holy Spirit, offering the Christian churches a challenge and an opportunity to grow to the full stature of the human family. ■

Interracial Marriage: comparing and contrasting the legal and social history of interracial marriage and same gender marriage in the U.S.

ANTI-MISCEGENATION LAWS IN THE UNITED STATES[1]

I. A Very Brief History

Anti-miscegenation[2] laws existed in the United States prior to its independence from Britain. Wadlington, The Loving Case: Virginia's Anti-Miscegenation Statute in a Historical Perspective, 52 Va L Rev 1189, 1191-92 (1966). Numerous states continued to maintain and enforce these laws until 1967, when the United States Supreme Court effectively found all anti-miscegenation laws to be unconstitutional in the case Loving v. Virginia, 388 US 1, 87 S Ct 1817, 18 L Ed 2d 1010 (1967).

In 1955, more than half of the states had anti-miscegenation statutes. Naim v. Naim, 197 Va 80, 87 SE 2d 749 vacated 350 US 891 (per curiam), aff'd 197 Va 734, 90 SE 2d 849 (per curiam), appeal dismissed, 350 US 985 (1956). In 1966, the year before the United States Supreme Court decided the Loving case, 17 states still had laws banning miscegenous marriages. Wadlington, The Loving Case, 52 Va L Rev at n 8. Of these 17 states, Alabama, Florida, Mississippi, North Carolina, South

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[1] Kurt Nath Tandan, B.A. Brandeis University (1989); J.D. Georgetown University Law Center (1992); member of the Washington State Bar since 1992 and the Oregon State Bar since 1994; co-chair Oregon Minority Lawyers Association; associate, Lane Powell Spears Lubersky.

The author acknowledges the help of Shaun Wardinsky, J.D. Northwestern College of Law (1995), and member of the Oregon State Bar since 1996, in preparation of these materials.

[2] Miscegenation can mean either racial interbreeding or racial intermarriage. Wadlington, The Loving Case: Virginia's Anti-Miscegenation Statute in a Historical Perspective, 52 Va L Rev 1189, n 9 (1966). As used in these materials, the term will be used to mean racial intermarriage.

Carolina, and Tennessee, had provisions in their state constitutions banning miscegenous marriages. Id.

The anti-miscegenation laws varied in their application and scope. Virginia's laws, which were at issue in the Loving case, were among the most restrictive in the county.[3] The Virginia laws made miscegenous marriages "void". Va Code Ann § 20-57 (1960). The effect of this provision was that any marriage between a white person and a person of any other race, as defined by the statute, was not a marriage at all. In contrast, West Virginia's laws declared a miscegenous marriage to be "voidable", meaning the marriage would remain in effect unless some affirmative act was taken to nullify it. WVa Code Ann § 4701 (1961). In addition, Virginia's laws prevented "any white person in the State to marry any save a white person or a person with no other admixture of blood than white and American Indian." Va Code Ann § 20-54 (1960). The laws of some other states were more limited. North Carolina's constitutional provision banning miscegenous marriages apparently did not prohibit the marriage of a white person and a person of Chinese ancestry. See Naim v. Naim, 197 Va 80, 87 SE 2d 749. California's anti-miscegenation law prevented whites from marrying Negroes, Mongolians, members of the Malay race, or Mulattoes, but permitted "marriages not only between Caucasians and others of darker pigmentation such as Indians, Hindus, and Mexicans, but

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[3] Virginia's anti-miscegenation laws were amended numerous times until 1924, when Virginia passed "An Act To Preserve Racial Integrity." Naim v. Naim, 87 SE 2d at 750. That 1924 act made Virginia's anti-miscegenation laws more restrictive than at any other period in Virginia's history. Wadlington, The Loving Case, at 1200.

between persons of mixed ancestry including white." Perez v. Lippold, 32 Cal 2d 711, 198 P2d 17, 18, 23 (1948). Finally, Virginia's laws voided even those marriages performed in states allowing interracial marriages. See Va Code Ann § 20-57 (1960); Naim v. Naim, 197 Va 80, 87 SE 2d 749. In contrast, California law upheld the validity of mixed-race marriages when the marriage occurred in a jurisdiction which allowed the marriage. Perez v. Lippold, 198 P2d at 32 (Carter, J., concurring) (citing Pearson v. Pearson, 51 Cal 120, 125 (1875)).

II. Oregon's Anti-Miscegenation Statutes

Oregon passed its anti-miscegenation statute in 1866. That statute provided:

> "**Intermarriage With Negro, etc. Declared Void.** Hereafter it shall not be lawful within this state for any white person, male or female, to intermarry with any negro, Chinese, or any person having one-fourth or more negro, Chinese, or Kanaka blood, or any person having more than one-half Indian blood; and all such marriages, or attempted marriages, shall absolutely null and void." Or Code § 2163 (1920).

A number of Oregon statutes set forth criminal penalties for knowingly or willfully committing either the act or the attempted act of entering into, performing, or licensing a miscegenous marriage. Any person convicted in Oregon of the offense of knowingly entering into, or attempting to enter into, a marriage barred under Oregon Code § 2163 shall be imprisoned "not less than 3 months nor more than one year." Or Code § 2164. Any person convicted of willfully or knowingly licensing, marrying, or attempting to marry any persons forbidden to marry under the anti-miscegenation statute was subject to imprisonment for not less than

3 months and not more than one year and fines of no less than $100 nor more than $1,000. Or Code §§ 2161, 2162, 2165.

In 1921, Ophelia Paquet challenged the constitutionality of Oregon's anti-miscegenation statute. In Re Estate of Paquet, 101 Or 393, 200 P 911 (1921). That case arose out of Ms. Paquet's petition to be appointed as the administrator of the estate of Fred Paquet on the basis that she was his lawful wife. Id. at 394, 395. The undisputed facts in the case were that Ms. Paquet was a "full blooded Indian woman and that Fred Paquet was a white man," and that she "lived with him as a good and faithful wife for more than 30 years." Id. at 397, 402.

In deciding the constitutional issue, the Oregon Supreme Court found that the Oregon anti-miscegenation statute was a proper exercise of Oregon's power to make laws controlling its own citizens. In re Estate of Paquet, at 399. Despite the fact that the law only forbade intermixing between whites and other races, and not intermixing among other races, the Oregon Supreme Court also found that "the statute does not discriminate. It applies alike to all persons either White, Negroes, Chinese, Kanaka or Indians." Id.

At the time the Oregon Supreme Court decided In re Estate of Paquet, courts across the country had uniformly found anti-miscegenation laws to be constitutional. A legal treatise cited by the Oregon Supreme Court in In re Estate of Paquet reflects the law of the day:

> "There can be no doubt as to the power of every country to make laws regulating the marriage of its own subjects; to declare who may marry, how they may marry, and what shall

> be the legal consequences of their marrying; and accordingly although miscegenation statutes have been persistently attacked on the ground that they are violative of the United States Constitution they have been universally upheld as a proper exercise of the power of each state to control its own citizens." In re Estate of Paquet, at 398-99 (quoting, RCL, Vol 8, Section 381).

After the failed constitutional challenge in In Re Estate of Paquet, Oregon's anti-miscegenation laws remained in effect until they were repealed in 1951.[4]

III. The Unconstitutionality of Anti-Miscegenation Marriage Laws

A. Perez v. Lippold

In 1948, the California Supreme Court became the first court to declare an anti-miscegenation statute unconstitutional. Perez v. Lippold, 32 Cal 2d 711, 198 P2d 17. In Perez v. Lippold, the California Supreme Court held that the California anti-miscegenation laws violated the Equal Protection Clause of the Fourteenth Amendment because of the laws' racial classifications and violated the Due Process Clause of the Fourteenth Amendment because the laws were "too vague and uncertain to be enforceable regulations * * * [affecting the] fundamental right [of marriage]." Id. at 29.

The Perez case was brought by Andrea Perez, a white woman, and Sylvester Davis, a black man, to compel the county clerk of Los Angeles County to grant them a marriage license. Perez, at 17-18. Their constitutional challenge was not based on the Equal Protection Clause but on the First Amendment's clause protecting

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[4] Washington repealed its anti-miscegenation laws in 1868. Perez v. Lippold, 198 P2d at 46 (Schenk, J., dissenting).

the free exercise of religion. Id. at 18. Ms. Perez and Mr. Davis contended that California's anti-miscegenation statutes prevented them from participating fully in the rites of the Roman Catholic Church, whose laws did not prohibit their marriage. Id.

In its analysis of the case, the California Supreme Court restated that only the most exceptional circumstances can excuse discrimination on the basis of race under the Equal Protection Clause. Perez, at 21. The court then found that no exceptional circumstances existed to justify the law. In making this finding, the California Supreme Court addressed and rejected a litany of arguments that historically had been used successfully to defend anti-miscegenation statutes. The court rejected the following arguments as failing to support the law: (1) the inherent physical and mental inferiority of the progeny of marriages between persons of different races; (2) the diminution of race tensions; (3) the prevention of the birth of children who might become social problems, and (4) white superiority.[5] Id. at 22-27.

The concurring opinion by Justice Carter, stressed the unconstitutionality of the law based on its interference with the right to marry. Justice Carter found that the right to marry derived from a number of sources, including the clause in the Declaration of Independence providing "that one of man's unalienable rights" is the "pursuit of Happiness." Perez, at 29 (Carter, J., concurring). Justice Carter continued "[n]o one will

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[5] In support of his argument for white superiority, the county clerk for Los Angeles County apparently quoted from Hitler's Mein Kampf. Perez v. Lippold, 198 P2d at 33-34 (Carter, J., concurring).

question that, so far as petitioners are concerned, this case involves the pursuit of happiness in its clearest and most universally approved form." Id. at 30.

Justice Carter also rejected the proposition that the social ostracism which may result from an interracial marriage is grounds for restricting them. He stated:

> "If they choose to face this possible prejudice and think that their own pursuit of happiness is better subserved by entering into this marriage with all its risks than by spending the rest of their lives without each other's company and comfort, the state should not and cannot stop them." Perez, at 33 (Carter, J., concurring).

B. Loving v. Virginia

In Loving v. Virginia, 388 US 1, the United States Supreme Court declared that "restricting the freedom to marry solely because racial classifications" was unconstitutional. The Loving case arose out of a grand jury indictment charging Mildred Jeter Loving, an African American woman, and Richard Loving, a white man, with violating Virginia's prohibition on interracial marriages. Id. at 2-3. The Lovings, residents of Virginia, were married in Washington, D.C. in 1958, and, shortly thereafter, returned to Virginia to live as husband and wife. Id. at 3. After their indictment, the Lovings pleaded guilty to violating Virginia's anti-miscegenation statutes and were each sentenced to one year in jail. Id. The sentences were suspended by the judge on the condition that the Lovings leave the state and not return to Virginia together for twenty-five years. In his opinion deciding the case, the trial court judge stated:

> "Almighty God created the races white, black, yellow, malay, and red and he placed them on separate continents. And but for the interference with his arrangement there would be no cause for such marriages. The fact that he separated the races shows that he did not intend for the races to mix." Id. at 3.

In 1963, the Lovings filed a motion asking the state trial court to vacate the judgment, arguing that the statutes supporting the sentences imposed on them violated the Equal Protection and Due Process clauses of the Fourteenth Amendment of the United States Constitution. Loving, at 3. Both the trial court and the Supreme Court of Appeals of Virginia rejected the argument that the statute was unconstitutional. Loving v. Commonwealth, 206 Va 924, 147 SE 2d 78, reversed, 388 US 1, (1967). The Supreme Court of Appeals of Virginia reached its decision because "no court, save one [the California Supreme Court], has held such statutes unconstitutional" and there was "no sound judicial reason" to depart from its prior decisions upholding the constitutionality of the statutes. Id. at 80, 82.

The United States Supreme Court reversed the decision of the Supreme Court of Appeals of Virginia in 1967, finding that Virginia's anti-miscegenation marriage laws were violative of the Equal Protection and Due Process clauses of the Fourteenth Amendment. Loving v. Virginia, 388 US at 12.[6]

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[6] It is interesting to note that between 1948, the year the California Supreme Court found that its state's anti-miscegenation laws were unconstitutional, and 1967, the year the United States Supreme Court decided Loving v. Virginia, the United States Supreme Court declined three opportunities to consider the constitutionality of anti-miscegenation laws. Wadlington, The Loving Case, at 1213. In 1954, the United States Supreme Court declined to take the case Jackson v. State, 37 Ala App 519, 72 So (continued...)

Addressing the Equal Protection claim, the Supreme Court considered Virginia's purposes in preventing miscegenous marriages. Those stated purposes were "to preserve the racial integrity of its citizens" and to prevent "the corruption of blood" a "mongrel breed of citizens" and the "obliteration of racial pride." Loving, at 7. Based on these stated purposes, the United States Supreme Court found that there was:

> "no legitimate overriding purpose independent of invidious racial discrimination which justifies this classification. The fact that Virginia prohibits only interracial marriages involving white persons demonstrates that the racial classifications must stand on their own justification as means designed to maintain White Supremacy." Id. at 11.

Citing its consistent rejection of the constitutionality of measures that restrict the rights of citizens on account of race, the Court held that the statutes violated the Equal Protection Clause. Id.

The United States Supreme Court also found that Virginia's anti-miscegenation laws violated the Due Process Clause

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[6](...continued)
2d 114, cert denied, 260 Ala 698, 72 So 2d 116, cert denied, 348 US 888 (1954), which involved a conviction under the Alabama anti-miscegenation marriage law. In 1955 and again in 1956, the United States Supreme Court declined to review the Virginia statutes it later declared unconstitutional in the Loving case. Naim v. Naim, 197 Va 80, 87 SE2d 749, vacated and remanded, 350 US 891 aff'd, 197 Va 734, 90 SE 2d 849 appeal dismissed, 350 US 985 (1956). Finally, in McLaughlin v. Florida, 379 US 184 (1964), the majority of the Court found it unnecessary to reach the question of the validity of Florida's miscegenous marriage law in declaring unconstitutional Florida statutes which imposed special punishment upon interracial couples who occupied the same room at night. Wadlington, The Loving Case, at 1213. The Florida statutes struck down by the United States Supreme Court in McLaughlin were part of Florida's anti-miscegenation statutes. Id.

of the United States Constitution. Loving, at 12. The Supreme Court first reiterated the well-established law that the "freedom to marry is one of the vital personal rights essential to the orderly pursuit of happiness by free men." Id. From this proposition, the court reasoned that denying this freedom based on no other reason than racial classifications deprived the citizens of Virginia of liberty without due process of law. Id.

While specifically addressing only Virginia's anti-miscegenation marriage laws, the effect of the United States Supreme Court's decision in Loving was to invalidate as unconstitutional all anti-miscegenation statutes. Since the Loving case, the Supreme Court has not been confronted with any other cases involving the constitutionality of anti-miscegenation laws.

§ 2161. **Issuing License to Marry Contrary to Law.** Any clerk who shall issue a license contrary to the provisions of this act shall, upon conviction thereof, be punished by imprisonment in the penitentiary or county jail not more than one year, or by a fine of not more than $500 nor less than $100. [L. 1862; D. p. 786, § 16; D. & L. § 687; H. § 1925; B. & C. § 1997.]

§ 2162. **Solemnizing Marriage Without Authority or Contrary to Law.** Any person who shall undertake to join others in marriage knowing that he is not lawfully authorized so to do, or any person authorized to solemnize marriage who shall join persons in marriage contrary to the provisions of this act, shall, upon conviction thereof, be punished by imprisonment in the penitentiary or the county jail not more than one year, or by a fine of not more than $500 nor less than $100. [L. 1862; D. p. 786, § 17; D. & L. § 688; H. § 1926; B. & C. § 1998.]

§ 2163. **Intermarriage With Negro, etc., Declared Void.** Hereafter it shall not be lawful within this state for any white person, male or female, to intermarry with any negro, Chinese, or any person having one-fourth or more negro, Chinese, or Kanaka blood, or any person having more than one-half Indian blood; and all such marriages, or attempted marriages, shall be absolutely null and void. [L. 1866, p. 10, § 1; D. & L. § 689; H. § 1927; B. & C. § 1999.]

§ 2164. **Penalty for Intermarrying in Violation of Preceding Section.** If any white person, negro, Chinese, Kanaka, or Indian, within the degrees forbidden in section 2163, shall knowingly intermarry, or attempt the same, by procuring a solemnization of marriage, under any of the forms or ceremonies legalized in this state, such person or persons, upon conviction thereof, shall be punished by imprisonment in the penitentiary or county jail not less than three months nor more than one year. [L. 1866, p. 10, § 2; D. & L. § 690; H. § 1928; B. & C. § 2000.]

§ 2165. **Penalty for Solemnizing Prohibited Marriages.** If any person authorized to license marriages or to solemnize marriages within this state shall willfully or knowingly license, marry, or attempt to marry any of the persons forbidden to marry by section 2163, such person or persons, upon conviction thereof, shall be imprisoned in the penitentiary or county jail not less than three months nor more than one year, and be fined not less than $100, nor more than $1,000. [L. 1866, p. 10, § 3; D. & L. § 691; H. § 1929; B. & C. § 2001.]

§ 2165-1. **Advertising for Divorce Business Prohibited.** Whoever advertises, prints, publishes, distributes, or circulates, or causes to be advertised, printed, published, distributed or circulated, any circular, pamphlet, card, handbill, advertisement, printed paper, book, newspaper, or notice of any kind, offering to procure or obtain, or to aid in procuring or obtaining any divorce, or the severance, dissolution or annulment of any marriage, or offering to engage or appear or act as attorney, counsel, or referee, in any suit for alimony, separate maintenance or divorce, or the severance, dissolution, or annulment of any marriage, either in this state or elsewhere, shall be guilty of a misdemeanor. This section shall not apply to the printing or publishing of any notice or advertisement required or authorized by any law of this state. [L. 1915, c. 68, § 1.]

§ 2165-2. **Penalty for Advertising for Divorce Business.** Any person convicted of the violation of any of the provisions of section 1 of this act shall be punished by fine of not less than one hundred dollars ($100) nor

sold on the twenty-sixth day of August, 1919, to defendant for the sum of $303.17.

"That when possession of said Overland automobile was taken by plaintiff on the first day of February, 1919, said automobile was in good repair and in usable and salable condition and was of the fair and reasonable value of $600; that while said Overland automobile was in the possession of plaintiff, said plaintiff carelessly and negligently misused and abused said automobile, rendering the same almost a total wreck and wholly unfit for use and unsalable, and that the deterioration in the value of said automobile while in the possession of plaintiff and subject to his control and use deteriorated to an amount equaling or exceeding the sum of all the payments of chattels and money paid to defendant by plaintiff upon the purchase price of said automobile, namely, $367.41, and that it would be unjust and inequitable for plaintiff to recover from the defendant the money or any portion thereof paid in by him upon said automobile after retaining possession of the same for more than six months and misusing and abusing the same and rendering the same unfit for use or sale and retaining said automobile until after his minority and thereafter until the same was demanded and taken back by defendant.

"That said plaintiff did not rescind his contract either before or after attaining his majority, either by himself or by any person authorized to act for him and did not tender back the automobile, but that defendant was compelled to retake the machine on account of the violation of said contract by plaintiff."

Upon these findings a judgment was rendered for defendant, and plaintiff appeals. AFFIRMED.

For appellant there was a brief and oral argument by *Mr. Arthur I. Moulton.*

For respondent there was a brief over the names of *Mr. George Estes* and *Mr. W. B. Kauffman,* with an oral argument by *Mr. Estes.*

McBRIDE, J.—1. The testimony in the case was somewhat conflicting, but we are of the opinion that there is some evidence tending to sustain each finding. We are therefore precluded from any inquiry into the comparative weight of the testimony.

2. Assuming, therefore, as we must, that the findings are correct, this case does not differ in principle from *Petit* v. *Liston,* 97 Or. 464 (191 Pac. 660, 11 A. L. R. 489). That case was carefully considered and we are not disposed in any way to depart from the doctrines therein enunciated. On the authority of that precedent and the cases therein cited, the judgment in the instant case must be affirmed, and it is so ordered. AFFIRMED.

BEAN, JOHNS and HARRIS, JJ., concur.

Argued June 29, affirmed September 27, 1921.

IN RE ESTATE OF FRED PAQUET, DECEASED.

(200 Pac. 911.)

Constitutional Law—Marriage—Statute Prohibiting Mixed Marriages Valid.

1. Sections 2163–2165, Or. L., prohibiting marriages between white persons and Indians, negroes, or Chinese, etc., are not unconstitutional as discriminating between the races.

Marriage—Burden upon Full-blooded Indian to Show Valid Marriage With White.

2. There is no legal presumption that a white man and full-blooded Indian woman living together for 30 years were married, in view of Sections 2163–2165, Or. L., prohibiting the intermarriage of white persons and Indians of more than the half blood, and, in

a proceeding by the Indian to be appointed administrator of the white person's estate, the duty devolves upon her to allege and prove that she was his lawful wife.

Marriage—Rule as to Validity of Marriage Valid According to Custom of Place Held Inapplicable.

3. In a proceeding by a full-blooded Indian woman to be appointed administrator of the estate of a white man with whom she had lived for thirty years, the rule that a marriage, valid according to the law or custom of the place where contracted, is valid, did not apply where an alleged marriage according to Indian custom took place at a place in the state where the state had original and exclusive jurisdiction and both parties then lived and mingled with the white people as ordinary citizens of the state, and neither the government nor any Indian tribe had any control or jurisdiction over the place, in view of Section 2163, Or. L., prohibiting marriage between whites and Indians of more than the half blood.

Executors and Administrators—Brother as Only Relative Entitled to Administer Estate.

4. A brother who is the only relative of a decedent, if otherwise qualified, is entitled to administer upon his estate.

From Tillamook: GEORGE R. BAGLEY, Judge.

Department 1.

September 30, 1919, Ophelia Paquet filed a petition in the County Court of Tillamook County to be appointed as administratrix of the estate of Fred Paquet, in which she alleges that he died in that county on September 27, 1919, of which he was then a resident and left personal property there of the value of $500 and real property of the probable value of $12,000; that the petitioner is his widow; that she resides in Garibaldi in said county and is about 65 years of age; that she is living on the real property which was the home of the deceased during his lifetime, and is now in possession of it; that she is a suitable, competent person to administer the estate and "that there has never been any children born to

3. Validity of common-law marriage in American jurisdictions, see notes in 124 Am. St. Rep. 104; Ann. Cas. 1912D, 598; Ann. Cas. 1917E, 252.

the said deceased and this petitioner." Based upon the petition the County Court made an order appointing her administratrix of Fred Paquet's estate.

October 1, 1919, John B. Paquet filed his petition in the County Court alleging jurisdictional facts and claiming that he was a brother of the deceased and naming certain other heirs and alleging:

"Your petitioner further shows that the said Ophelia Katata, calling herself Ophelia Paquet, is not the wife of the deceased and was never the wife of the said deceased and is in no way related by blood or marriage to the deceased and that the allegations in said petition are false. That your petitioner is a brother to the deceased and his next of kin, and the only next of kin residing in the State of Oregon. That said Ophelia Katata is a full-blood Indian woman and that the deceased Fred Paquet was a white man."

In her reply Ophelia Paquet admits that the parties named in the petition of John B. Paquet are related to the deceased Fred Paquet as therein alleged and otherwise makes a general denial of its material allegations and further alleges that she was the wife of Fred Paquet, deceased, is now his widow and sole heir and is entitled to administer on his estate. After the testimony was taken, on January 3, 1920, the County Court made findings of fact and conclusions of law, upon which it was adjudged and decreed that Ophelia Paquet should be removed and that the petitioner John Paquet should be appointed as administrator of the estate of Fred Paquet, deceased. From this decision an appeal was taken to the Circuit Court and after a transcript of the pleadings and the evidence was filed and while the appeal was pending in the Circuit Court and before trial, Ophelia Paquet filed a motion in the Circuit

Court for leave to take testimony or for a ruling upon the County Court to take further evidence,

"for the purpose of supplying the omission and lack of evidence heretofore taken in this cause as shown by the transcript filed herein, showing that the appellant was a member of a tribe of Indians then existing and being in and around Tillamook Bay, and in the vicinity of the place where she was married and subsequent residence and that at said time and prior thereto and afterwards, there existed a head or chief of and to said Indian tribe,"

and to further show that said tribe regulated its own domestic affairs. The affidavits of Frank Hobson and W. S. Cone were attached to and made a part of the motion. The motion was overruled and on May 15th, the Circuit Court rendered a decree affirming the decision of the County Court, from which Ophelia Paquet appealed, claiming: (1) That the court erred in holding that her marriage with Fred Paquet was void; (2) "in not finding and holding that the marriage between appellant and said Fred Paquet, some thirty years ago in Oregon according to Indian rites and custom she being a full-blooded Indian woman, he being a full-blooded white man, was valid"; and (3) in not rendering a decree in favor of the appellant. After Ophelia Paquet was removed as administratrix and John Paquet was appointed and qualified, claiming to be a creditor, I. N. Henkle filed his petition in the County Court in which he alleged that John Paquet is of unsound mind, insolvent, of immoral character and is not competent to administer the estate, and prayed for his removal and that he be appointed as administrator. Based upon this, a citation was issued to John Paquet, who appeared and filed an answer in

the nature of a general denial. On such issues a trial was had in the County Court and it made an order removing John Paquet, from which an appeal was taken to the Circuit Court and on that question the Circuit Court reversed the County Court and reinstated John Paquet as administrator. From that decision Henkle appealed to this court. The attorneys stipulated that both cases should be consolidated and tried here as one. AFFIRMED.

For appellants there was a brief and oral arguments by *Mr. T. H. Goyne* and *Mr. Webster Holmes.*

For respondents there was a brief over the name of *Messrs. Johnson & Handley,* with an oral argument by *Mr. S. S. Johnson.*

JOHNS, J.—It is conceded that John is a brother of Fred Paquet, deceased, that both of them were *bona fide* residents of Tillamook County and that if Ophelia was not the lawful wife of Fred Paquet, John is his only living relative residing in the State of Oregon. The primary questions involved here are: (1) Whether or not Fred and Ophelia were husband and wife and (2) whether John is a competent and suitable person to administer upon the estate. Although the evidence is conclusive that Ophelia and Fred lived together as husband and wife and that he recognized and treated her as such, it is not claimed that they were ever legally married under the statutory law of any state. It is also conceded that Fred Paquet was a white man and that Ophelia was a full-blooded Indian woman. Section 2163, Or. L., provides:

"Hereafter it shall not be lawful within this state for any white person male or female, to intermarry with any negro, Chinese, or any person having one fourth or more negro, Chinese, or Kanaka blood, or any person having more than one half Indian blood; and all such marriages, or attempted marriages, shall be absolutely null and void."

Section 2164 enacts that if any white person or Indian within the degree forbidden in Section 2163 shall knowingly intermarry under any of the forms legalized by the state, upon conviction they "shall be punished by imprisonment in the penitentiary or county jail not less than three months nor more than one year." Section 2165 provides:

"If any person authorized to license marriages or to solemnize marriages within this state shall willfully or knowingly license, marry, or attempt to marry any of the persons forbidden to marry by Section 2163, such person or persons, upon conviction thereof, shall be imprisoned in the penitentiary or county jail not less than three months nor more than one year, and be fined not less than $100, nor more than $1,000."

1, 2. The appellant contends that such statutory provisions are unconstitutional and void. R. C. L., Volume 8, Section 381, says:

"Miscegenation is a purely statutory offense, consisting in the intermarriage of a person of the white race with a negro or a colored person. Most states in which the negro or colored people form an appreciable element have enacted these laws inhibiting intermarrying between the white and black races, and the offense thereby created is usually of the grade of a felony. There can be no doubt as to the power of every country to make laws regulating the marriage of its own subjects; to declare who may marry, how they may marry, and what shall be the legal consequences of their marrying; and accordingly although miscegenation statutes have been persistently attacked on the ground that they are violative of the United States Constitution they have been universally upheld as a proper exercise of the power of each state to control its own citizens."

Appellant also contends that "an Indian has the same right as a white person, and any statute of the state, attempting to abridge their rights of marriage, in any manner, is void." It will be noted that the statute does not discriminate. It applies alike to all persons either white, negroes, Chinese, Kanaka or Indians. The proof is conclusive that the parties have been continuous residents of Tillamook County, Oregon, for more than 30 years. There is no legal presumption that either of them would violate the law or commit a crime and under the above sections of our statute, their marriage in this state would be a crime and "absolutely null and void." Ophelia, claiming to be the wife of Fred Paquet, a white man, and it being admitted that she is a full-blooded Indian, the duty devolves upon her to allege and prove that she was his lawful wife. Appellant relies upon *Leefield* v. *Leefield,* 85 Or. 287 (166 Pac. 953). That decision construed and was founded upon Sections 7017, 2098, and 502, L. O. L. The parties there were first cousins and notwithstanding the provisions of the statute, they were married in the State of Washington, and the opinion says:

"That such a construction of the statute might, as in this instance, induce prohibited persons temporarily to leave Oregon in order to evade the laws thereof and go to some other state to consummate a marriage which if celebrated in this state would be void is a legislative question with which the courts have no right to meddle."

The opinion quotes from *Sturgis* v. *Sturgis*, 51 Or. 10–15 (93 Pac. 696, 131 Am. St. Rep. 724, 15 L. R. A. (N. S.) 1034), where it is said, "nor does our statute contemplate that such marriages as the one involved here shall be deemed void, but, if in violation of the statute, are only voidable." In the instant case there is no claim that the parties were married in another state. In fact, it is claimed that they were married in Tillamook County, Oregon, in accord with an Indian tribal custom and that such marriage is valid. There is some indefinite, uncertain testimony tending to show that Fred Paquet paid Ophelia's mother $50 for her daughter and that under the Indian custom, followed by marital relations, this would constitute a valid marriage and make them husband and wife. Upon that point appellant relies upon *McBean* v. *McBean*, 37 Or. 195 (61 Pac. 418), and *Kalyton* v. *Kalyton*, 45 Or. 122–124 (74 Pac. 491, 78 Pac. 332). On page 202, in *McBean* v. *McBean*, this court says:

"As a general proposition, it is well settled that a marriage valid according to the law or custom of the place where it is contracted is valid everywhere: Story, Confl. Laws, § 113. And it is the adjudged policy of the law to treat the Indian tribes who adhere to their peculiar customs, as separate communities or distinct nationalities, with full and free authority to manage their own domestic affairs, and to pursue their own peculiar habits and customs, especially as it concerns the marriage relation. And this is so although their territory is located within the state lines, and the federal government manages their affairs through agencies designated for the purpose. Nor are they regarded as subject to the state laws."

On page 203, it is said:

"At the time of the alleged marriage the Territory of Washington had been set apart by Congress and provided with a form of government, but some of the Indian tribes, yet maintaining their distinct tribal customs, among whom may be designated the Cayuses, Walla Wallas, Umatillas, and Nez Perces, still occupied, without relinquishment of the Indian title, a large portion of the territory, which included Fort Walla Walla within its boundaries."

3. That is not this case. Ophelia was one of a small remnant of what is known as the Clatsop Indians, who once lived in and around Seaside in Clatsop County. At the time of the alleged marriage she was living with her mother at Garibaldi in Tillamook County. She was not living on a reservation and was not a ward of the United States government, in fact the alleged marriage took place within Tillamook County and at a place where the state would have original and exclusive jurisdiction over any marriage contract between them, and both parties then lived and mingled with the white people as ordinary citizens of the state. Neither the government nor any Indian tribe had any control or jurisdiction over the place of the alleged marriage. Under appellant's contention, if an Indian woman without regard to her actual residence was a member of one tribe and should marry a white man under an Indian custom, such a marriage would be valid and Section 2163 would be a nullity. That is not the law. As in this case where both parties and the alleged marriage were within the original and exclusive jurisdiction of the state, they are subject to and are bound by the state law. Such a marriage would only be valid where Indians lived together under

the tribal relation and a tribal form of government and for the reason that they would then be subject only to the jurisdiction of Congress. After the appeal was taken from the County Court to the Circuit Court and based upon affidavits, the appellant asked for leave to offer testimony that she was a member of a tribe of Indians in and around Tillamook Bay at the time of her marriage and that there was a chief of the Indian tribe. We have carefully read the affidavits and assuming all the facts therein stated to be true, it would not bring the instant case within the law of this court in *McBean* v. *McBean*, above quoted. Upon the record, we hold that Ophelia was never the lawful wife of Fred Paquet.

4. Being the only relative in the state, if otherwise qualified, John was entitled to administer upon his brother's estate. Henkle was never a personal creditor of Fred Paquet. His only claim against the estate is for funeral expenses. Upon the petition of Henkle, the County Court removed John Paquet as administrator, which ruling was reversed by the Circuit Court. It is true that there is some testimony against his ability and reputation, but a large number of respectable citizens testified that he was an honorable man and well qualified to act as administrator. The main value of the estate is in real property which cannot be sold without an order of the probate court and we must assume that it would protect the interests of all parties. In both appeals, the opinion of the lower court is affirmed.

Legally, Ophelia was not the lawful wife of the deceased, yet the record is conclusive that she lived with him as a good and faithful wife for more than thirty years. Although the question is not before this court, the writer feels that in the interests of justice, a fair and reasonable settlement should be made. In the case of *Ophelia Paquet* v. *John Paquet*, neither of the parties will recover costs. Costs will be allowed to the respondent in the Henkle case.

AFFIRMED.

BURNETT, C. J., and HARRIS and MCBRIDE, JJ., concur.

Argued July 1, affirmed September 27, 1921.

JONES *v.* WARING.

(200 Pac. 908.)

Partnership—Sham Sale by Partner Held not Termination of Relationship so as to Deprive Copartner of Interest in Business.

1. Where plaintiff advanced one fifth of the price of a lease and furnishings of an apartment house and was to have one fifth the net profits from same and one fifth of the amount of selling price when lease was sold, *held*, that a sham sale was not such termination of relationship as would excuse managing partner from accounting for rents and profits after such sale, and for the proceeds of an actual sale thereafter made in the name of the sham vendee.

Appeal and Error—Jurisdictional Question to be Raised in Lower Courts.

2. Having tried a case upon issues raised in the lower court, in the absence of demurrer to the complaint, the defendant cannot for the first time in the appellate court raise the question of equitable jurisdiction.

Appeal and Error—Finding not Disturbed When Accounts are Uncertain and Lower Court has Heard the Evidence.

3. In an action for accounting, where the accounts are not intelligible and were crudely kept, and from the record it is hard to determine the amount of net profits, the finding of the trial court, who saw and heard the witnesses testify, will not be disturbed.

From Multnomah: H. H. BELT, Judge.

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1. Duty of partner to account for secret profits, see note in Ann. Cas. 1914D, 433.

*[388 US 1]

*RICHARD PERRY LOVING et ux., Appellants,

v

VIRGINIA

388 US 1, 18 L ed 2d 1010, 87 S Ct 1817

[No. 395]

Argued April 10, 1967. Decided June 12, 1967.

SUMMARY

The issue presented in the instant case concerned the validity of the Virginia antimiscegenation statutes, the central features of which are the absolute prohibition of a "white person" marrying any person other than a "white person."

A husband, a "white person," and his wife, a "colored person," within the meanings given those terms by a Virginia statute, both residents of Virginia, were married in the District of Columbia pursuant to its laws, and shortly thereafter returned to Virginia, where, upon their plea of guilty, they were sentenced, in a Virginia state court, to one year in jail for violating Virginia's ban on interracial marriages. Their motion to vacate the sentences on the ground of the unconstitutionality of these statutes was denied by the trial court. The Virginia Supreme Court of Appeals affirmed. (206 Va 924, 147 SE2d 78.)

On appeal, the Supreme Court of the United States reversed the conviction. In an opinion by WARREN, Ch. J., expressing the view of eight members of the court, it was held that the Virginia statutes violated both the equal protection and the due process clauses of the Fourteenth Amendment.

STEWART, J., concurred in the judgment on the ground that a state law making the criminality of an act depend upon the race of the actor is invalid.

Classified

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HEADNOTES

Classified to U. S. Supreme Court Digest, Annotated

Civil Rights § 4.5; Constitutional Law § 528.5 — miscegenation statutes

1. A state statutory scheme to prevent marriages between persons solely on the basis of racial classification violates the Fourteenth Amendment's equal protection clause and its due process clause, which guarantees the freedom to marry.

Marriage § 2 — state regulation

2. While marriage is a social relation subject to the state's police power, such power is limited by the commands of the Fourteenth Amendment.

Civil Rights § 4.5 — miscegenation statute — analysis

3. The mere fact of equal application of a miscegenation statute to whites and Negroes does not mean that the Supreme Court's analysis of the statute should follow the approach the court has taken in cases involving no racial discrimination; the fact of equal application does not immunize a statute containing racial classifications from the very heavy burden of justification which the Fourteenth Amendment has traditionally required of state statutes drawn according to race.

Constitutional Law § 17 — Fourteenth Amendment — history

4. Although the legislative history as to the adoption of the Fourteenth Amendment casts some light on its construction, statements made by the framers of the amendment are not sufficient to resolve a problem of racial discrimination, and at best they are inconclusive.

Constitutional Law § 317 — classification

5. The equal protection clause requires the consideration of whether the classifications drawn by any statute constitute an arbitrary and invidious discrimination.

Civil Rights § 4.5 — Fourteenth Amendment — purpose

6. The clear and central purpose of the Fourteenth Amendment is to eliminate all official state sources of invidious racial discrimination in the states.

Civil Rights § 4.5 — distinctions because of ancestry

7. Distinctions between citizens solely because of their ancestry are odious to a free people whose institutions are founded upon the doctrine of equality.

Civil Rights § 4.5 — equal protection — racial classifications

8. The equal protection clause of the Fourteenth Amendment demands that racial classifications, especially

TOTAL CLIENT SERVICE LIBRARY REFERENCES

AM JUR, Miscegenation (1st ed § 3)
US DIGEST ANNO, Civil Rights § 4.5
ALR DIGESTS, Marriage § 29
L ED INDEX TO ANNO, Civil Rights
ALR QUICK INDEX, Marriage

ANNOTATION REFERENCE

Recognition of foreign marriage as affected by local miscegenation law. 3 ALR2d 240.

suspect in criminal statutes, be subjected to the most rigid scrutiny, and, if they are ever to be upheld, they must be shown to be necessary to the accomplishment of some permissible state objective, independent of the racial discrimination which it was the object of the Fourteenth Amendment to eliminate.

Civil Rights § 4.5 — racial discrimination

9. The Supreme Court has consistently denied the constitutionality of measures which restrict the rights of citizens on account of race; restricting the freedom to marry solely because of racial classification violates the central meaning of the equal protection clause.

Constitutional Law § 525 — liberty to marry

10. The freedom to marry is one of the vital personal rights protected by the due process clause of the Fourteenth Amendment as essential to the orderly pursuit of happiness by free men.

Marriage § 1 — basic right

11. Marriage is one of the basic civil rights of man, fundamental to our very existence and survival.

Civil Rights § 4.5 — marriage — freedom of choice

12. The Fourteenth Amendment requires that the freedom of choice to marry not be restricted by invidious racial discriminations; the freedom to marry, or not marry, a person of another race resides with the individual and cannot be infringed by the state.

APPEARANCES OF COUNSEL

Philip J. Hirschkop argued the cause for appellants, pro hac vice, by special leave of Court.

Bernard S. Cohen argued the cause for appellants.

R. D. McIlwaine argued the cause for appellees.

William M. Marutani argued the cause for the Japanese American Citizens League, amicus curiae, by special leave of Court.

Briefs of Counsel, p 1639, infra.

OPINION OF THE COURT

*[388 US 2]

*Mr. Chief Justice **Warren** delivered the opinion of the Court.

[1] This case presents a constitutional question never addressed by this Court: whether a statutory scheme adopted by the State of Virginia to prevent marriages between persons solely on the basis of racial classifications violates the Equal Protection and Due Process Clauses of the Fourteenth Amendment.[1] For reasons which seem to us to reflect the central meaning of those constitutional commands, we conclude that these statutes cannot stand consistently with the Fourteenth Amendment.

In June 1958, two residents of Virginia, Mildred Jeter, a Negro woman, and Richard Loving, a white

1. Section 1 of the Fourteenth Amendment provides:

"All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

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Term, 1958, the Circuit Co
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§ 4.5 — marriage — free-
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man, were married in the District of Columbia pursuant to its laws. Shortly after their marriage, the Lovings returned to Virginia and established their marital abode in Caroline County. At the October

*[388 US 3]

Term, 1958, the Circuit Court *of Caroline County, a grand jury issued an indictment charging the Lovings with violating Virginia's ban on interracial marriages. On January 6, 1959, the Lovings pleaded guilty to the charge and were sentenced to one year in jail; however, the trial judge suspended the sentence for a period of 25 years on the condition that the Lovings leave the State and not return to Virginia together for 25 years. He stated in an opinion that:

"Almighty God created the races white, black, yellow, malay and red, and he placed them on separate continents. And but for the interference with his arrangement there would be no cause for such marriages. The fact that he separated the races shows that he did not intend for the races to mix."

After their convictions, the Lovings took up residence in the District of Columbia. On November 6, 1963, they filed a motion in the state trial court to vacate the judgment and set aside the sentence on the ground that the statutes which they had violated were repugnant to the Fourteenth Amendment. The motion not having been decided by October 28, 1964, the Lovings instituted a class action in the United States District Court for the Eastern District of Virginia requesting that a three-judge court be convened to declare the Virginia antimiscegenation statutes unconstitutional and to enjoin state officials from enforcing their convictions. On January 22, 1965, the state trial judge denied the motion to vacate the sentences, and the Lovings perfected an appeal to the Supreme Court of Appeals of Virginia. On February 11, 1965, the three-judge District Court continued the case to allow the Lovings to present their constitutional claims to the highest state court.

The Supreme Court of Appeals upheld the constitutionality of the antimiscegenation statutes and, after

*[388 US 4]

*modifying the sentence, affirmed the convictions.[2] The Lovings appealed this decision, and we noted probable jurisdiction on December 12, 1966, 385 US 986, 17 L ed 2d 448, 87 S Ct 595.

The two statutes under which appellants were convicted and sentenced are part of a comprehensive statutory scheme aimed at prohibiting and punishing interracial marriages. The Lovings were convicted of violating § 20–58 of the Virginia Code:

"Leaving State to evade law.—If any white person and colored person shall go out of this State, for the purpose of being married, and with the intention of returning, and be married out of it, and afterwards return to and reside in it, cohabiting as man and wife, they shall be punished as provided in § 20–59, and the marriage shall be governed by the same law as if it had been solemnized in this State. The fact of their cohabitation here as man and wife shall be evidence of their marriage."

Section 20–59, which defines the penalty for miscegenation, provides:

"Punishment for marriage.—If any white person intermarry with a colored person, or any colored person intermarry with a white person, he shall be guilty of a felony and shall be punished by confinement in the penitentiary for not less than one nor more than five years."

2. 206 Va 924, 147 SE2d 78 (1966).

Other central provisions in the Virginia statutory scheme are § 20–57, which automatically voids all marriages between "a white person and a colored person" without any judicial proceeding,[3] and §§ 20–54

*[388 US 5]

and 1–14 which, *respectively, define "white persons" and "colored persons and Indians" for purposes of the statutory prohibitions.[4] The Lovings have never disputed in the course of this litigation that Mrs. Loving is a "colored person" or that Mr. Loving is a "white person" within the meanings given those terms by the Virginia statutes.

*[388 US 6]

*Virginia is now one of 16 States which prohibit and punish marriages on the basis of racial classifications.[5] Penalties for miscegenation arose as an incident to slavery and have been common in Virginia since the colo-

3. Section 20–57 of the Virginia Code provides:

"*Marriages void without decree.*—All marriages between a white person and a colored person shall be absolutely void without any decree of divorce or other legal process." Va Code Ann § 20–57 (1960 Repl. Vol.).

4. Section 20–54 of the Virginia Code provides:

"*Intermarriage prohibited; meaning of term 'white persons.'*—It shall hereafter be unlawful for any white person in this State to marry any save a white person, or a person with no other admixture of blood than white and American Indian. For the purpose of this chapter, the term 'white person' shall apply only to such person as has no trace whatever of any blood other than Caucasian; but persons who have one-sixteenth or less of the blood of the American Indian and have no other non-Caucasic blood shall be deemed to be white persons. All laws heretofore passed and now in effect regarding the intermarriage of white and colored persons shall apply to marriages prohibited by this chapter." Va. Code Ann. § 20–54 (1960 Repl. Vol.).

The exception for persons with less than one-sixteenth "of the blood of the American Indian" is apparently accounted for, in the words of a tract issued by the Registrar of the State Bureau of Vital Statistics, by "the desire of all to recognize as an integral and honored part of the white race the descendants of John Rolfe and Pocahontas . . . ." Plecker, The New Family and Race Improvement, 17 Va Health Bull, Extra No. 12, at 25–26 (New Family Series No. 5, 1925), cited in Wadlington, The Loving Case: Virginia's Anti-Miscegenation Statute in Historical Perspective, 52 Va L Rev 1189, 1202, n. 93 (1966).

Section 1–14 of the Virginia Code provides:

"*Colored persons and Indians defined.*—Every person in whom there is ascertainable any Negro blood shall be deemed and taken to be a colored person, and every person not a colored person having one fourth or more of American Indian blood shall be deemed an American Indian; except that members of Indian tribes existing in this Commonwealth having one fourth or more of Indian blood and less than one sixteenth of Negro blood shall be deemed tribal Indians." Va Code Ann § 1–14 (1960 Repl. Vol.).

5. After the initiation of this litigation, Maryland repealed its prohibitions against interracial marriage, Md Laws 1967, c 6, leaving Virginia and 15 other States with statutes outlawing interracial marriage: Ala Const, Art 4, § 102, Ala Code, Tit 14, § 360 (1958); Arkansas, Ark Stat Ann § 55–104 (1947); Delaware, Del Code Ann, Tit 13, § 101 (1953); Florida, Fla Const, Art 16, § 24, Fla Stat § 741.11 (1965); Georgia, Ga Code Ann § 53–106 (1961); Kentucky, Ky Rev Stat Ann § 402.020 (Supp 1966); Louisiana, La Rev Stat § 14:79 (1950); Mississippi, Miss Const, Art 14, § 263, Miss Code Ann § 459 (1956); Missouri, Mo Rev Stat § 451.020 (Supp 1966); North Carolina, N C Const, Art XIV, § 8, NC Gen Stat § 14–181 (1953); Oklahoma, Okla Stat, Tit 43, § 12 Supp (1965). South Carolina, SC Const, Art 3, § 33, SC Code Ann § 20–7 (1962); Tennessee, Tenn Const, Art 11, § 14, Tenn Code Ann § 36–402 (1955); Texas, Tex Pen Code, Art 492 (1952); West Virginia, W Va Code Ann § 4697 (1961).

Over the past 15 years, 14 States have repealed laws outlawing interracial marriages: Arizona, California, Colorado, Idaho, Indiana, Maryland, Montana, Nebraska, Nevada, North Dakota, Oregon, South Dakota, Utah, and Wyoming.

The first state court to recognize that miscegenation statutes violate the Equal Protection Clause was the Supreme Court

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nial period.[6] The present statutory scheme dates from the adoption of the Racial Integrity Act of 1924, passed during the period of extreme nativism which followed the end of the First World War. The central features of this Act, and current Virginia law, are the absolute prohibition of a "white person" marrying other than another "white person,"[7] a prohibition against issuing marriage licenses until the issuing

*[388 US 7]

official is satisfied that *the applicants' statements as to their race are correct,[8] certificates of "racial composition" to be kept by both local and state registrars,[9] and the carrying forward of earlier prohibitions against racial intermarriage.[10]

I.

In upholding the constitutionality of these provisions in the decision below, the Supreme Court of Appeals of Virginia referred to its 1955 decision in Naim v Naim, 197 Va 80, 87 SE2d 749, as stating the reasons supporting the validity of these laws. In Naim, the state court concluded that the State's legitimate purposes were "to preserve the racial integrity of its citizens," and to prevent "the corruption of blood," "a mongrel breed of citizens," and "the obliteration of racial pride," obviously an endorsement of the doctrine of White Supremacy. Id, at 90, 87 SE 2d, at 756. The court also reasoned that marriage has traditionally been subject to state regulation without federal intervention, and, consequently, the regulation of marriage should be left to exclusive state control by the Tenth Amendment.

[2] While the state court is no doubt correct is asserting that marriage is a social relation subject to the State's police power, Maynard v Hill, 125 US 190, 31 L ed 654, 8 S Ct 723 (1888), the State does not contend in its argument before this Court that its powers to regulate marriage are unlimited notwithstanding the commands of the Fourteenth Amendment. Nor could it do so in light of Meyer v Nebraska, 262 US 390, 67 L ed 1042, 43 S Ct 625, 29 ALR 1446 (1923), and Skinner v Oklahoma, 316 US 535, 86 L ed 1655, 62 S Ct 1110 (1942). Instead, the State argues that the meaning of the Equal Protection Clause, as illuminated by the statements of the Framers, is only that state penal laws containing an interracial ele-

*[388 US 8]

ment *as part of the definition of the offense must apply equally to whites and Negroes in the sense that members of each race are punished to the same degree. Thus, the State contends that, because its miscegenation statutes punish equally both the white and the Negro participants in an interracial marriage, these statutes, despite their reliance on racial classifications, do not constitute an invidious discrimination based upon race. The second argument advanced by the State assumes the validity of its equal application theory. The argument is that, if the Equal Protection Clause does not outlaw miscegenation statutes because of their reliance on racial classifications, the question of constitutionality would thus become whether there was any rational basis for a State to treat interracial marriages differently from other marriages. On this question, the State argues,

of California. Perez v Sharp, 32 Cal 2d 711, 198 P2d 17 (1948).

6. For a historical discussion of Virginia's miscegenation statutes, see Wadlington, supra, n. 4.

7. Va Code Ann § 20-54 (1960 Rep Vol).
8. Va Code Ann § 20-53 (1960 Rep Vol).
9. Va Code Ann § 20-50 (1960 Rep Vol).
10. Va Code Ann § 20-54 (1960 Rep Vol).

the scientific evidence is substantially in doubt and, consequently, this Court should defer to the wisdom of the state legislature in adopting its policy of discouraging interracial marriages.

[3] Because we reject the notion that the mere "equal application" of a statute containing racial classifications is enough to remove the classifications from the Fourteenth Amendment's proscription of all invidious racial discriminations, we do not accept the State's contention that these statutes should be upheld if there is any possible basis for concluding that they serve a rational purpose. The mere fact of equal application does not mean that our analysis of these statutes should follow the approach we have taken in cases involving no racial discrimination where the Equal Protection Clause has been arrayed against a statute discriminating between the kinds of advertising which may be displayed on trucks in New York City, Railway Express Agency, Inc. v New York, 336 US 106, 93 L ed 533, 69 S Ct 463 (1949), or an exemption in Ohio's ad valorem tax for merchandise owned by a nonresident in a storage warehouse, Allied Stores of

*[388 US 9]

Ohio, *Inc. v Bowers, 358 US 522, 3 L ed 2d 480, 79 S Ct 437 (1959). In these cases, involving distinctions not drawn according to race, the Court has merely asked whether there is any rational foundation for the discriminations, and has deferred to the wisdom of the state legislatures. In the case at bar, however, we deal with statutes containing racial classifications, and the fact of equal application does not immunize the statute from the very heavy burden of justification which the Fourteenth Amendment has traditionally required of state statutes drawn according to race.

[4] The State argues that statements in the Thirty-ninth Congress about the time of the passage of the Fourteenth Amendment indicate that the Framers did not intend the Amendment to make unconstitutional state miscegenation laws. Many of the statements alluded to by the State concern the debates over the Freedman's Bureau Bill, which President Johnson vetoed, and the Civil Rights Act of 1866, 14 Stat 27, enacted over his veto. While these statements have some relevance to the intention of Congress in submitting the Fourteenth Amendment, it must be understood that they pertained to the passage of specific statutes and not to the broader, organic purpose of a constitutional amendment. As for the various statements directly concerning the Fourteenth Amendment, we have said in connection with a related problem, that although these historical sources "cast some light" they are not sufficient to resolve the problem; "[a]t best, they are inconclusive. The most avid proponents of the post-War Amendments undoubtedly intended them to remove all legal distinctions among 'all persons born or naturalized in the United States.' Their opponents, just as certainly, were antagonistic to both the letter and the spirit of the Amendments and wished them to have the most limited effect." Brown v Board of Education, 347 US 483, 489, 98 L ed 873, 878, 74 S Ct 686, 38 ALR2d 1180 (1954). See also

*[388 US 10]

Strauder *v West Virginia, 100 US 303, 310, 25 L ed 664, 666 (1880). We have rejected the proposition that the debates in the Thirty-ninth Congress or in the state legislatures which ratified the Fourteenth Amendment supported the theory advanced by the State, that the requirement of equal protection of the laws is satisfied by penal laws defining offenses based on racial classifi-

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v Kraemer, 334 US 1,
68 S Ct 836, 3 ALR2d
Burton v Wilmington

cations so long as white and Negro participants in the offense were similarly punished. McLaughlin v Florida, 379 US 184, 13 L ed 2d 222, 85 S Ct 283 (1964).

[5, 6] The State finds support for its "equal application" theory in the decision of the Court in Pace v Alabama, 106 US 583, 27 L ed 207, 1 S Ct 637 (1883). In that case, the Court upheld a conviction under an Alabama statute forbidding adultery or fornication between a white person and a Negro which imposed a greater penalty than that of a statute proscribing similar conduct by members of the same race. The Court reasoned that the statute could not be said to discriminate against Negroes because the punishment for each participant in the offense was the same. However, as recently as the 1964 Term, in rejecting the reasoning of that case, we stated "Pace represents a limited view of the Equal Protection Clause which has not withstood analysis in the subsequent decisions of this Court." McLaughlin v Florida, supra, 379 US at 188, 13 L ed 2d at 226. As we there demonstrated, the Equal Protection Clause requires the consideration of whether the classifications drawn by any statute constitute an arbitrary and invidious discrimination. The clear and central purpose of the Fourteenth Amendment was to eliminate all official state sources of invidious racial discrimination in the States. Slaughter-House Cases, 16 Wall 36, 71, 21 L ed 394, 407 (1873); Strauder v West Virginia, 100 US 303, 307–308, 25 L ed 664, 665 (1880); Ex parte Virginia, 100 US 339, 344–345, 25 L ed 676, 678, 679 (1880); Shelley v Kraemer, 334 US 1, 92 L ed 1161, 68 S Ct 836, 3 ALR2d 441 (1948); Burton v Wilmington Parking Authority, 365 US 715, 6 L ed 2d 45, 81 S Ct 856 (1961).

*[388 US 11]

[7, 8] *There can be no question but that Virginia's miscegenation statutes rest solely upon distinctions drawn according to race. The statutes proscribe generally accepted conduct if engaged in by members of different races. Over the years, this Court has consistently repudiated "[d]istinctions between citizens solely because of their ancestry" as being "odious to a free people whose institutions are founded upon the doctrine of equality." Hirabayashi v United States, 320 US 81, 100, 87 L ed 1774, 1785, 63 S Ct 1375 (1943). At the very least, the Equal Protection Clause demands that racial classifications, especially suspect in criminal statutes, be subjected to the "most rigid scrutiny," Korematsu v United States, 323 US 214, 216, 89 L ed 194, 198, 65 S Ct 193 (1944), and, if they are ever to be upheld, they must be shown to be necessary to the accomplishment of some permissible state objective, independent of the racial discrimination which it was the object of the Fourteenth Amendment to eliminate. Indeed, two members of this Court have already stated that they "cannot conceive of a valid legislative purpose . . . which makes the color of a person's skin the test of whether his conduct is a criminal offense." McLaughlin v Florida, supra, 379 US at 198, 13 L ed 2d at 232 (Stewart, J., joined by Douglas, J., concurring).

[9] There is patently no legitimate overriding purpose independent of invidious racial discrimination which justifies this classification. The fact that Virginia prohibits only interracial marriages involving white persons demonstrates that the racial classifications must stand on their own justification, as measures de-

signed to maintain White Supremacy.[11] We have consistently denied

*[388 US 12]

*the constitutionality of measures which restrict the rights of citizens on account of race. There can be no doubt that restricting the freedom to marry solely because of racial classifications violates the central meaning of the Equal Protection Clause.

II.

[10] These statutes also deprive the Lovings of liberty without due process of law in violation of the Due Process Clause of the Fourteenth Amendment. The freedom to marry has long been recognized as one of the vital personal rights essential to the orderly pursuit of happiness by free men.

[1, 11, 12] Marriage is one of the "basic civil rights of man," fundamental to our very existence and survival. Skinner v Oklahoma, 316 US 535, 541, 86 L ed 1655, 1660, 62 S Ct 1110 (1942). See also Maynard v Hill, 125 US 190, 31 L ed 654, 8 S Ct 723 (1888). To deny this fundamental freedom on so unsupportable a basis as the racial classifications embodied in these statutes, classifications so directly subversive of the principle of equality at the heart of the Fourteenth Amendment, is surely to deprive all the State's citizens of liberty without due process of law. The Fourteenth Amendment requires that the freedom of choice to marry not be restricted by invidious racial discriminations. Under our Constitution, the freedom to marry, or not marry, a person of another race resides with the individual and cannot be infringed by the State.

These convictions must be reversed.

It is so ordered.

SEPARATE OPINION

*[388 US 13]

*Mr. Justice Stewart, concurring.

I have previously expressed the belief that "it is simply not possible for a state law to be valid under our Constitution which makes the criminality of an act depend upon the race of the actor." McLaughlin v Florida, 379 US 184, 198, 13 L ed 2d 222, 232, 85 S Ct 283 (concurring opinion). Because I adhere to that belief, I concur in the judgment of the Court.

11. Appellants point out that the State's concern in these statutes, as expressed in the words of the 1924 Act's title, "An Act to Preserve Racial Integrity," extends only to the integrity of the white race. While Virginia prohibits whites from marrying any nonwhite (subject to the exception for the descendants of Pocahontas), Negroes, Orientals, and any other racial class may intermarry without statutory interference. Appellants contend that this distinction renders Virginia's miscegenation statutes arbitrary and unreasonable even assuming the constitutional validity of an official purpose to preserve "racial integrity." We need not reach this contention because we find the racial classifications in these statutes repugnant to the Fourteenth Amendment, even assuming an even-handed state purpose to protect the "integrity" of all races.

A History of Marriage: the ways the social function of marriage has changed and how public policy and church policies have influenced these changes

FREEDOM TO MARRY SUMMIT
JULY 27, 1996

PRESENTED BY REVEREND JOYCE MCMANUS

HISTORY OF MARRIAGE--HOW MARRIAGE HAS CHANGED!

I. Kinds of Families (structures and economic influences)
- A. Tribal society
- B. Feudal society
- C. Pre-Industrial society
- D. Industrial society

II. Role of Romance in Relationships
- A. Pre-industrial
- B. Industrial

III. Life-Expectancy and Marriage

IV. Church and Religious Life
- A. Relationship to marriage
- B. Relationship to homosexual relationships

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Resources: what's available for planning an educational event

Legal Marriage Alliance of Washington

1202 East Pike Street #1190

Seattle, Washington 98112

Voice Mail: (206) 689-6280

A member of the National Freedom to Marry Coalition

"Frequently Asked Questions (FAQ)"

Updated June 11, 1996

I. The Legal Marriage Alliance

What is the Legal Marriage Alliance of Washington (LMA)?

LMA was formed to prepare for the expected Hawaii Supreme Court decision on same sex marriage. LMA's main purpose is to educate and advocate for legal marriage for same sex couples.

What is "legal marriage?"

It is a contract for two persons licensed by state government. Married people have a special legal standing with rights and responsibilities which unmarrieds do not have.

Why does LMA support same sex marriage?

Civil/legal marriage recognizes and values committed relationships as benefiting the married couple and society. Marriage is a relationship with responsibilities, rights, and privileges. Those who are of the same sex, who give love, effort, commitment, and sacrifice to build family relationships, deserve the right to legal marriage.

What is LMA's Mission?

LMA is working in the State of Washington to achieve the right to marry legally for same sex couples. We are a resource for information on same sex marriages. We work with other organizations by providing information and coordinating strategies.

How can I help?

Volunteer and work with LMA, as a speaker, fund-raiser, or committee member. LMA welcomes donations to support our work. Learn about legal marriage issues and talk about the issues with others. Encourage supportive groups to endorse "The Marriage Resolution." Work to change public opinion to favor same sex marriage.

What is "The Marriage Resolution?"

The Lambda Legal Defense and Education Fund is building a broad national coalition through obtaining endorsements of the Resolution: *"Because marriage is a basic human right and an*

individual personal choice, RESOLVED-the State should not interfere with same gender couples who choose to marry and share fully and equally in the rights, responsibilities, and commitment of civil marriage."

II. Why marriage is an issue now

Why is legal marriage an issue today?

Hawaii soon may become the first state to legalize same sex marriages. Under the U.S. Constitution, each state must honor the laws of the other states. This has made legal marriage for same sex couples an issue everywhere in America. This is an opportunity to end bias against same sex couples in all the states. It is also a focus of concerted opposition.

What has happened in Hawaii?

In 1991, three couples sued the State for denying them applications for marriage licenses (*Baehr v. Lewin*, now called *Baehr v. Miike*). In May 1993, the Hawaii Supreme Court ruled that the State violated the State's guarantee of equal protection. The Court found the "different sex" requirement for a marriage license was contrary to the Hawaii Constitution on sex discrimination. The case was sent back to the trial court and the State had to try to demonstrate a "compelling interest" for denying licenses to the couples. On December 8, 1995, a state commission in Hawaii declared that the law *should* be changed to allow same sex marriages. The lower court is to have a re-trial this year. If the State appeals, the Hawaii Supreme Court should issue a final ruling late in 1996 or early in 1997. Legal observers think the Court will order the State to grant same sex couples marriage licenses.

What is the U.S. Constitutional issue?

The regulation of marriage is left to individual states. The *U.S. Constitution, Article IV, Section 1*, requires each state to give "full faith and credit" to the "public acts, records and judicial proceedings of every other state." The outcome of a legal matter in one state is to be honored by the others. Marriages performed legally in Hawaii should, constitutionally, be recognized by other states.

What backlash has come from the Hawaii situation?

Some states have passed laws to reject same sex marriages. (Washington's House Bill 2262 was a local example of anti-marriage legislation.) Similar bills have been considered in over 30 states. On May 8, 1996, members of the House and Senate introduced a bill in Congress to define marriage for all federal purposes as a "legal union between one man and one woman" and to exempt all states from having to recognize same sex marriages held to be legal in another state.

III. Reasons for same sex marriage

Why shouldn't legal marriage be restricted to opposite sex couples?

Extending legal marriage to same sex couples is simple fair play. Denying the freedom to choose based on sex alone is discriminatory.

How is discrimination in matters of marriage wrong?

Americans understand how *arbitrary* restrictions are wrong because they are based in things over which a person has no control, such as race, sex, ethnic origin, sexual orientation, physical

characteristics, and other "givens." Discrimination is also wrong when it is based on things over which one should have exclusive personal control, such as religion or creed or the choice of whom to love.

What are the benefits to a couple that is married?

There are scores of benefits for married couples. They relate to taxes, access to court services, respect for property rights, and other presumptions of law. They govern legal custody of children, protection from domestic violence, access to insurance, and more. Important issues like inheritance, hospital visitation, health decisions, crime victim benefits, contractual rights, workplace benefits, Social Security and Medicare, and more are related to marital status. The typical married couple in America gets more than 160 special rights and responsibilities through legal marriage.

Will legal same sex marriage force employers to incur additional expenses for benefits to the same sex partners of employees?

No, because employer benefits and retirement plans are exempt from state regulation by federal law. Even in states that have anti-discrimination laws which include sexual orientation, there is no power to force an employer to extend benefits to the same sex partners of their employees. There has nevertheless been a steady increase in the number of employers, large and small, who have implemented "domestic partnership" coverage for their employees. This demonstrates that partner benefits, like spousal benefits, help employers attract and retain quality employees.

Would same sex marriage be good or damaging for society in general?

Legal marriage promotes stability by supporting care-giving family units. A married couple, regardless of sex, is usually a strong social unit that pays taxes and contributes to the well being of the community. Allegations made that same sex marriage would be harmful are usually based in distortions of the issues or anti-gay sentiments.

Would we also seek divorce? How is that a *benefit* of legal marriage?

Yes, divorce is a benefit. Divorces require judicial review of the arrangements. Courts spend public resources to protect the interests of the divorcing parties, particularly attending to the interests of the affected children. Same sex couples who break up usually cannot get help from the courts. They may be able to obtain limited help to enforce contracts or agreements they may have written.

IV. Answering the opposition to same sex marriage

Why do some people oppose our having the freedom to choose legal marriage?

The radical right opposes same sex marriage on the basis of their personal religious beliefs. They have a right to their beliefs, but they do not have the right to impose them on others.

Why allow "gay marriage," anyway?

We don't advocate *gay* marriage, we seek *marriage*. Some critics say "Gays *have* the right to marry," because we are free to marry persons of the opposite sex. This distorts the basic issues. We want to have the right to marry legally the person we love, just as in opposite sex marriages.

Is the gay community using this issue to push a broader agenda of "special rights?"

The gay and lesbian community have always advocated to end discrimination and have sought *equality* for gay and lesbian people under law. These are not "special rights." They are the rights and responsibilities all other Americans have.

Is the marriage issue a means to force acceptance of homosexuals on society?

Legal marriage is not needed to get personal or social acceptability for lesbian and gay people. Gains in social and personal acceptance come slowly from the combination of education and personal contact. Acceptance happens when knowledge replaces prejudice.

Isn't this just an attempt by gays and lesbians to usurp the benefits of marriage?

State marriage laws confer both benefits and *responsibilities* on married couples. This is done to support and strengthen their commitment. The commitment between same sex couples is just as vital. The needs of any couple are similar. Same sex couples should have access to the benefits *and* responsibilities of legal marriage.

Isn't marriage basically a religious concept?

There are important differences between religious and legal aspects of marriage. Historically, marriage has served to define duties and confer property. Today, many same sex couples have religious marriage ceremonies, but their unions are not recognized by law. People get legally married with or without religious ceremonies. Nothing in extending legal marriage to same sex couples would in any way force any religion to change its beliefs or practices.

Hasn't marriage always been only between a man and a woman?

In the recent past, "traditional" views defined marriage as only for persons of the same religion or race. Many believed the woman must be subordinated to the rule of the man. Until 1967, several states in the United States made mixed-race marriages illegal. Today, the choice of marriage partner belongs to individuals, not to government and not to "traditions."

Isn't marriage a way in which society promotes its basic norms?

Some claim that marriage is a "normative" force in society, a way in which we articulate to individuals the basic norms of society. This view ignores the fact that society is made up of many different families with differing beliefs and values. Legal marriage is not a test of adherence to norms; it is achieved by filling out application forms correctly and documenting certain facts about the applicants. The argument that marriage enforces social norms is derived from the belief that homosexuality is unacceptable. Those who do not believe in same sex marriages should not enter into them.

Isn't the real purpose of marriage having children?

This distorts the reality of the nature of marriage itself. Opponents of same sex marriage allege that marriage is designed to produce children. They conveniently forget that many opposite sex married couples choose not to have or are unable to have children. They do not call for outlawing such marriages. Many gay men and lesbians do have children but are denied the right to raise them in a legal marriage. *Marriage laws do not require that there be children or even sexual relations!*

Aren't same sex couples incapable of leaving a legacy through a family unit?

This is a prejudice that holds that marriage should be denied same sex couples because they are thought incapable of creating families to make long term contributions to society. It should be clear to the thoughtful person that there are all sorts of legacies and contributions which married couples can make. Focusing on child-rearing alone distorts reality and demeans other ways of contributing to society. Lesbian/gay/bi/transgendered people have made important lasting contributions to their communities in every area of endeavor. Many have also produced and reared children.

If same sex marriages are allowed, where will it end?

Some assert that same sex marriage will lead to all sorts of "marriages" (*e.g.*, a cowboy and his horse). This is the "slippery slope" fallacy. The concept of a marriage between same sex persons-adults willingly choosing to be married to each other-is not different from that of an opposite sex marriage. (Marriages used to be arranged; individuals had no say in whom they married.)

V. Why gay/lesbian/bi/transgender people support marriage

Is "Domestic Partnership" a reasonable alternative to marriage?

"Domestic partnership," available in a few places, gives limited recognition to unmarried partners. Though this recognition by government and business is important, the responsibilities and rights conferred are limited. Employers who have "domestic partner" benefits often hold back some benefits available to legal spouses. Official domestic partnership laws would set up "separate but equal" status for same sex couples, a form of discrimination. Domestic partnership laws leave same sex couples *less* equal than others and are not valid for other employers or locations.

Isn't the marriage issue about freedom to choose and non-discrimination?

Yes. We should all be able to choose to marry the person we love, not to be denied this right just because of sex. Discriminatory treatment of same sex relationships makes us less free.

Do all same sex couples want marriage?

No, not all gay and lesbian couples will choose to marry, including some who have been in long term relationships. Still, all of us should have the *right to choose* whether to marry, without interference by government.

Is this the time to fight for marriage considering all the other issues gays and lesbians face?

The time line of the Hawaii lawsuit has brought the marriage issue to the forefront. This may not be the battle we would have chosen as our most urgent, nor one we wanted to fight next. Still, the core issues are the same issues, equality and justice under law, which lie at the root of all our battles. The *Baehr v. Miike* case is moving toward a decision expected later this year.

Can't same sex couples arrange the benefits they need without marriage?

Much can be done to arrange property ownership, inheritance, survivor benefits, guardianship, medical decision/vistation rights, and more, if people are motivated enough. It takes time and money to make these arrangements. At best they mimic the mutual rights and responsibilities automatically granted with legal marriage. Non-marital arrangements are subject to challenges by biological family members, former spouses, or even the government.

Why support the institution of marriage considering what it has stood for?

Some see marriage as a flawed institution based in feudal values, oppression of women, inequality, patriarchy, and more. Some think marriage divides people on moral grounds, separating the married (legitimate) from the non-married (illegitimate). Still others think marriage is used to impose particular religious beliefs and practices on society. Nevertheless, the *right* to marry should not be denied to same sex couples because of these views.

Not everyone can afford to go to Hawaii to marry. Why support this for those who can?

Years ago, people flocked to Nevada because of more liberal divorce laws. Eventually divorce laws throughout America were relaxed, making legal divorce more accessible to everyone. LMA advocates affirmative legislation to make marriage equally available to all. Hawaii is a first step, not an end result.

What does same sex marriage mean for immigration of non-U.S. citizens into this country?

United States immigration law is intended to promote family unification by allowing foreign spouses of U.S. citizens and lawful permanent residents to immigrate to this country. These laws do not allow people to petition on behalf of same sex partners. When same sex marriage becomes legal, immigration of foreign partners should be a benefit for those with partners from other countries. Exemption from the U.S. HIV exclusion has been available only to spouses in opposite sex marriages.

VI. The backlash and its implications

What was Washington House Bill 2262?

H.B. 2262 was a 1996 Legislative bill which sought to bar same sex marriages and to invalidate any marriage from another state if it would be contrary to Washington State's marriage laws. It would have made the issue a referendum, an opportunity for an anti-gay/lesbian campaign state-wide for several months.

Hasn't there been a nation-wide backlash against the Hawaii court decisions?

Yes. This year over 30 states had anti-marriage measures introduced in their legislatures. Several states have enacted laws to bar recognition of same sex marriages licensed in other states. Most states rejected or failed to pass anti-marriage bills. In Washington, the House passed HB 2262 but the Senate let it die without a vote. It is likely this legislation will be back in the next Legislature.

What is the "Defense of Marriage Act?"

"DOMA" is a federal anti-marriage bill. It would define marriage for all federal purposes as "a legal union between one man and one woman as husband and wife," define "spouse" as a person of the opposite sex, and let states refuse to recognize marriages from other states as legal if they are same sex unions. In fact, DOMA does not protect marriage; it only restricts it.

Isn't President Clinton going to sign DOMA?

The President has said he will sign the measure into law if it is passed by Congress. He has also said

he does not believe legislation should drive a wedge between people in America. So long as DOMA is not yet law, it is important to communicate with members of Congress and President Clinton, to urge them not to support DOMA, since it is designed to divide people needlessly.

What would the anti-marriage measures really do?

One state's refusal to recognize the marriage laws of other states would mean that people could not move between states without wondering whether their marriage will be valid in the state to which they are moving. A couple in a state where marriage laws differ from those of an anti-marriage state would not be able to move there with the same immunities and protections they would have in their originating state. This impacts equal protection under law and interstate travel.

What other points of engagement with anti-gay/lesbian forces will there be?

We know that the organized forces of homophobia are using the marriage issue to stir up anti-gay/lesbian feelings. Allegations that gays and lesbians are unfit parents, that our relationships are transient and meaningless, and that same sex marriage will weaken the traditional family are made despite evidence to the contrary. We expect continued assaults using same sex marriage as the issue around which to focus the ongoing campaign of homophobia. We believe the issues will not be settled except by changing public opinion so it is favorable toward same sex marriage.

What can I do now?

Learn whatever you need to know about the issues. Speak with friends, relatives, and associates about them. Write to members of Congress, the President, Legislators, and other political leaders, letting them know how you feel. Support LMA with donations, volunteering to help, moral support, or even by sharing a criticism, question, or concern. Act in your world to try to change people's minds and thereby have an impact on public opinion. The more attention is given to legal marriage, the more understanding its benefits will outweigh objections and fears.

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Evan Wolfson ▾ December 14, 1995

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GLAAD's FREEDOM TO MARRY GUIDE

written by Sabrina Godfrey, Winter Intern

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Fighting for the Freedom to Marry
Background

The court case *Baehr v. Lewin*, which is currently underway in Hawaii, ultimately is expected to provide gay men and lesbians with the fundamental human right and freedom to marry. That basic freedom would allow same gender couples to share fully in all of the responsibilities and benefits of marriage—responsibilities and benefits which are accepted and enjoyed by non-gay couples across America.

The Plaintiffs
In 1991, three couples—two lesbians, one gay—brought a lawsuit challenging the Hawaii state government's denial of their application for marriage licenses.

The Preliminary Ruling
In May 1993, the Hawaii Supreme Court ruled that Hawaii's refusal to issue marriage licenses to same gender couples is discriminatory and presumptively violated their state constitution which guarantees equality and prohibits gender discrimination (*Baehr v. Lewin*, 852 P.2d#44, Hawaii 1993).

The Implications
According to the Court, Hawaii's "different-gender" restriction on marriage amounts to unconstitutional sex discrimination, much as "same-race" restrictions on marriage were ruled unconstitutional as racially discriminatory by the U.S. Supreme Court in 1967.

Additional Considerations
Sending the case back to trial court, the Hawaii Supreme Court challenged the state government to demonstrate a "compelling" interest for discrimination. If the state can show no compelling interest, Hawaii will be required to permit same gender couples to marry.

The Backlash
In June 1994, in reaction to the court's decision, the Hawaii state legislature passed a law reaffirming its desire to bar same-gender marriage. It stated that marriage is only between a man and a woman, and cited procreation as a compelling interest for making such a discrimination.

It is likely the state's new law will not satisfy the "compelling interest" requirement, and the Court's ruling that discrimination on the basis of gender is unconstitutional, will hold. The *Baehr v. Lewin* attorneys contend that commitment, not procreation, should be the criteria by which marriage rights are granted. After all, heterosexual marriages of couples who do not choose to have children, who are past child bearing age or who are infertile, are permitted and are legally recognized.

The first wave of what is expected to be a major political battle around equal marriage rights has already emerged. Bills in South Dakota and Utah were recently introduced to bar marriages between same-gender couples. In February, 1995, a bill banning "same-gender" marriage was passed by the Utah state legislature. A similar bill was narrowly defeated in the state legislature of South Dakota. Only seven lines long, it read:

> **"Be it by the legislature of the State of South Dakota:... Any marriage between persons of the same gender is null and void from the beginning." House Bill 1184.**

A Virginia law, similar in language, prohibited marriages between people of different races:

> **"All marriages between a white person and a colored person shall be absolutely void without any decree of divorce or other legal process." Va. Code Ann. 20-57**

Historically, marriages have been "traditionally" defined as only unions between people of the same race or religion, and as unions in which wives were the property of their husbands. Those "traditional" elements of marriage have changed to reflect American constitutional values and everyone's basic right to equality.

A win on this issue would allow same gender couples married in Hawaii to have their legal unions recognized in their home states. Common sense, constitutional doctrines, and legal precedent suggest that marriages performed in Hawaii should be recognized by other states. The U.S. Constitution requires every state to give "Full Faith and Credit" to the "public acts, records and judicial proceedings of every other state"—which means that when a legal matter is resolved in one state, the outcome is honored by other states.

But even without constitutional analysis, states traditionally honor the rights and privileges such as marriage created by other states. Even so, it is expected the Radical Right will work to carve out a "gay and lesbian exception" to the freedom to marry, using "state's rights" to deny recognition and benefits to same gender couples who return from Hawaii married.

Many same gender couples share the same responsibilities as married couples. However, nowhere in the United States do they receive the same recognition, benefits, or responsibilities that married couples do. In fact, they face discrimination. For example, lesbians and gay men who have been their partner's primary caretaker are often turned away at the hospital when there has been an accident or illness; are refused "family" health coverage, and inheritance benefits; and are even denied protection in case the relationship ends. Sometimes they see their children taken away, or their role as parent denied. Regardless of the fact that they have taken responsibility for their partner's well-being, both economically and emotionally, their legal status is, at best, that of a roommate.

Ultimately, this landmark Hawaii case may put an end to this particular discrimination and give all Americans the basic freedom to marry—the freedom to choose legal recognition for responsible and loving partnerships, which, in many cases, already have been in existence for years.

Currently, the *Baehr v. Lewin* case is before the lower court. Outside of the courts, The Hawaii Commission on Sexual Orientation and the Law was created by the Hawaii state government in June of 1994 and charged with studying the freedom to marry that is denied same-gender couples. Rich Tafel of Log Cabin Republicans reported that, "After months of intense research and witness testimony, a government body has finally concluded that there is no legitimate reason for the state to continue refusing civil marriage licenses to same-gender couples who want to make the commitment of marriage."

With the knowledge of the current case in Hawaii, it is also important to understand additional background of the fight for the freedom to marry. This is by no means the first time such a struggle has occurred within the United States.

> On June 12, 1970, Neva Heckman and Judith Belew were married by the Reverend Troy Perry in Los Angeles. The *Advocate* described this as "the first marriage in the nation designed to legally bind two persons of the same sex." The marriage was later ruled to be not legally binding.
>
> In Wisconsin, Donna Burkett and Manonia Evans filed a class-action law suit in 1971 against the Milwaukee county clerk for refusing to issue them a marriage license. A similar lawsuit was filed against Washington, D.C. in 1990 by Craig Dean and Patrick Gill on the basis of the District's Human Rights Act.

The Arizona House of Representatives banned same-sex marriages in 1975 after a superior court judge, citing the bible, voided the marriage of two men who had legally obtained a marriage license in Phoenix.

In 1975, a district attorney rules that there are no county laws preventing two people of the same sex from getting married. Clela Rorex, a county clerk in Boulder, Colorado issues six licenses to same sex couples before she is ordered to stop by the Colorado Attorney General who rules that gay and lesbian marriages are illegal.

What is clear is that if/when we win the case currently being tried in Hawaii, it will not be simply because no such case was legally tried before. In addition to the legal battles, "What needs to happen is a dialogue, engaging fair-minded Americans on a question they haven't ever before been asked to think about. True social change comes about by that engagement," explained Evan Wolfson, senior staff attorney at Lambda Legal Defense and Education Fund, who is co-counsel to the Hawaiian couples (*The New York Times*, "Ithaca Denies Gay Men a Marriage License," by David W. Dunlap, 12/5/95).

INTERNATIONAL COUPLE'S STORY

In 1984, J.C. came to the United States from Canada to participate in rural work at a Quaker foundation. This foundation also operated a summer camp, where Mel worked each summer. When J.C. decided to stay as a camp counselor, the two of them met. They got involved that summer and stayed in close contact when J.C. returned to Canada at the end of August.

J.C. and Mel worked together at the camp for eight summers, J.C. on a J-1 foreign exchange visa. They saw one another once or twice a year between camp seasons, and their friendship grew stronger and evolved during those years. In 1987, J.C. came to visit in the United States and eventually got a student visa. This allowed J.C. to finish her undergraduate education in the United States, though they were not living in the same part of the country. They were not primarily lovers during this time, but definitely best friends.

In 1989, they began exploring the possibility of committing to a primary relationship with one another. They were not in a hurry, waiting to be sure they were making the right decision. In the meantime, Mel's mother was diagnosed with terminal cancer, and Mel moved to the Southwest to assist her parents through this medical hardship. Over the next few years, Mel and J.C. decided that they were very compatible as companions and lovers, and that they could make a very good life together. They lived with Mel's parents who grew to love J.C. as well.

In 1992 they held a Quaker celebration of marriage. It was the very first wedding between partners of the same gender at their Quaker meeting, and it was a very exciting and joyous event. Eighty of their friends and Mel's family were all in attendance. It was wonderful to have a church wedding and to be welcomed as a lifelong partnership by so many. After the wedding, many of their friends assumed their immigration problems would be over. They often stared in disbelief when they explained that the marriage, recognized by the Quaker church, would not be recognized by Immigration.

At the time of the wedding, Mel and J.C. lived in the Southwest. Living in a region where there is a strong concern about illegal immigrants was challenging for them. Sometimes, even if they were just out for the day, they would be stopped by border patrol stations that were set up randomly along the highway. J.C. was supposed to have her passport and paperwork even if they were just going on a picnic. These valuable papers had been stolen once before, making it ridiculous to risk carrying them everywhere. Their interactions with the Border Patrol were never simple or pleasant. Even though J.C. was in the country legally, it was terrifying to face the risk of deportation at random checkpoints because she didn't have her papers with her.

While in the Southwest, J.C. was involved in her practical training after having completed her Masters Degree. During this time, it was uncertain where they would be able to live. The company valued her contributions and wanted her to stay beyond her six month training. They explored the requirements of an H-1 visa, but could not commit to the extensive paperwork and financial obligations. As a Canadian, the TC visa was an option, but she did not exactly fit the categories of the TC visa. At the same time, J.C. applied for numerous other jobs within her field. She was highly employable, but as a result of restrictive immigration policies, J.C. could not legally accept any of the many employment offers she received. Because she couldn't work where Mel's parents live, they had to stop providing the daily care and assistance to Mel's mom in her illness. In order to remain in the United States and remain living together, J.C. began exploring doctoral programs which would improve her chances of obtaining a work visa. The best schooling option involved moving across the country from Mel's parents, even though her mom was still battling cancer.

Now, two years later, J.C. has one more year of her doctoral program. Even though they are married, she is ineligible to become a permanent resident. This disqualifies her from many scholarships and fellowship opportunities in spite of her meticulous school record, so she continues to take loans to finish her education. If J.C. is unable to find a professorship immediately upon graduating, she will have to leave the country within 30 days.

J.C.'s career aspirations have been impacted by immigration laws. She has sought a career path that maximizes her ability to obtain a United States visa rather than be totally true to her occupational calling. J.C. has forgotten what it means to choose a career freely because so many career/education decisions have been restricted by her immigration status. Other than her teaching assistantship, she has been very limited in her ability to seek employment to pay for her education and she has incurred great debt as a result. Though J.C. has made every effort to have the correct paperwork and to accurately file for changes of visa status as appropriate, she has often received contradictory information from the INS and the internal student office. Consequently, almost every time J.C. has crossed the border after visiting her family, she has been hassled, and threatened that her paperwork is not in order. With every border crossing they live in fear that some unknown restriction will prevent them from being together.

From 10 Percent: November/December, 1994 p54.

For the thousands of American lesbians and gay men whose partner is a citizen of another country, anguish over immigration is part and parcel of falling in love. While a heterosexual citizen can petition the United States Immigration and Naturalization Service (INS) to obtain a green card for his or her noncitizen spouse, the INS refuses to recognize the relationship of lesbian and gay Americans for purposes of immigration. Therefore, unless the gay or lesbian foreign partner can immigrate independently, same-gender binational couples are left with three choices: terminate the relationship, remain together in the U.S. under the constant threat of deportation, or abandon America and seek a safe harbor in another country.

Facing separation from their foreign partners, some lesbian and gay Americans have chosen self-imposed exile. Reggie Williams, founder and former executive director of the National Task Force on AIDS Prevention, abandoned everything--home, career, family, and friends--to be with the man he loves. His partner, Wolfgang Schreiber, is a German citizen who has been a resident of the Netherlands for more than a decade. The two men have been living together in Amsterdam since last April. But as Williams explained two days prior to emigrating from San Francisco, his decision to leave the U.S. was made with mixed emotions.

"It's very, very sad and very discouraging," he said, "I love America. But I love Wolfgang almost more than life itself. When I fly away Thursday morning, I will be happy because I will be joining him. But I will also be leaving behind a city that we both love dearly and a country that is mine."

If you are in a similar situation or know someone who is, contact the Lesbian and Gay Immigration Rights Task Force:

National Headquarters
Lavi Soloway, National Coordinator
LGIRTF, Inc.
P.O. Box 7741
New York, NY 10116-7741
(212) 802-7264
e-mail: lgirtf@dorsai.org

See resource list for chapter locations and phone numbers.

Q & A ON MARRIAGE

Q. Isn't marriage the same as 'domestic partnership'?
A. No. In a handful of cities, municipalities and companies, there is limited recognition of relationships between unmarried partners, including gay, lesbian and bisexual couples. Although important, the responsibilities and rights of such domestic partnerships vary considerably. They range from registries to some benefits. While of limited help to some unmarried couples, they are not a substitute for the freedom to marry. For further discussion of this issue see Findlen, Barbara, "Is Marriage The Answer?" *Ms*, May/June 1995: 86-91; Ettelbrick, Paula "Since When Is Marriage a Path to Liberation?" and Stoddard, Thomas B., "Why Gay People Should Seek the Right To Marry" both published in 1989 in *Outlook* magazine.

Q. Isn't marriage traditionally defined as a union between men and women?
A. Yes, but at different times marriages were also "traditionally" defined as unions between people of the same race, the same religion, and as unions in which wives were the property of their husbands. As recently as the 1960s, state governments denied interracial couples the right to marry. Today, we realize that the choice of a marriage partner belongs to each man or woman, not the state.

Q. Isn't marriage really about procreation?
A. No. Not everyone who marries chooses to or has the ability to have children. The choice belongs to the couple, not to the government or religious institutions. Additionally, some gay, lesbian and bisexual couples do, in fact, bear and raise children. Marriage is better understood as being about commitment.

Q. Is marriage a civil institution or a religious institution or both?
A. In the United States, marriage is both a civil and religious institution. Though some religious denominations do recognize and perform same-gender ceremonies, organizing for marriage is absolutely not a fight to force any religious institution to perform or extend religious recognition to any marriage union. This is about the freedom to have a civil marriage license issued by the state. Just as the state should not interfere in any way with religious ceremonies, religious groups should not govern who gets a civil marriage license. Legally, marriage is best understood as a relationship of emotional and financial interdependence between two people who make a public commitment.

Q. Do all gays, lesbians and bisexuals want to get married?
A. No. Just as all heterosexual people don't marry, not all gay and lesbian people want to get married. Gay, lesbian and bisexual people are as diverse as non-gay people; many would not choose to marry even if they could. However, virtually all of us want the right to decide for ourselves whether and whom to marry, just as non-gay people do.

Q. Is same-gender marriage legal anywhere?
A. Yes! In 1989, Denmark became the first country to legalize same-gender marriage which they call registered partnerships. Since then two other countries, Norway in 1993 and Sweden on June 7, 1994, have also legalized same-gender unions. In all three, public opinion has been generally more accepting of these unions since their legalization. [Note: at least one of the couple must be a Danish citizen in order to have a civil marriage in Denmark.] ("Danes Don't Debate Same-Sex Marriages, They Celebrate Them," The Wall Street Journal, Wed., June 8. 1994)

Q. Is this a good time to fight for marriage in the United States?
A. Fighting for freedom is always difficult. In this particular battle, the timeline focuses on the lawsuit. Maybe this isn't the battle that all of us would have chosen next, but the case in Hawaii forces us to take action. The outcome has tremendous significance for gay, lesbian and bisexual equality and justice. Perhaps we are addressing some of the most profound issues at the heart of our struggle: the right to love whom we want; the right to not be treated like second-class citizens; the right to protect and nurture our loving relationships and families.

The Marriage Resolution

Join the broad-based coalition of groups and individuals that support equal marriage rights by signing on to the Marriage Resolution. The resolution simply states (in its entirety):

Because marriage is a basic human right and an individual personal choice,

RESOLVED, the State should not interfere with same-gender couples who choose to marry and share fully and equally in the rights, responsibilities, and commitments of civil marriage.

_____

_____

signature(s)

Organization _____

Contact Person _____
Or
Individual(s) _____
_____

Address _____
_____
_____

Phone _____

fax _____

e-mail _____

Please feel free to make and distribute copies of this resolution.
Return it to GLAAD, 707 SW Washington Street, Suite 350, Portland, OR 97205.

SO DO SOMETHING!!!

Suggested list of things you can do to promote
same-gender couples
Freedom to Marry

* **Sign the Freedom to Marry Resolution and send it back to us.**

* Find out if your local paper prints same-gender union/marriage announcements (See enclosed list of some that do). Get an announcement and fill it out. You can also announce certain anniversaries--check with the paper for guidelines.

* Write a letter to the editor about the wonderful same-gender marriage you just attended, are planning, or wish you could attend. Point out that this union does not ensure any legal rights or obligations the way a heterosexual wedding does. You could also write a letter about a heterosexual marriage you attended and how you felt left out being gay or having a gay family member/friend.

* Create a media event! Host a sit in at the marriage license bureau to protest for the rights of same-gender couples to be able to legally marry. Let the media know you will be there, and make sure you're ready for them.

* Which of your local TV or radio stations host talk shows? Request that they host a debate on the freedom to marry. Suggest names of speakers or volunteer yourself if you can speak articulately on the issue. Make sure to check up on them before the show airs to see that they have asked appropriate people.

* Write letters to your legislator stressing the importance of same-gender couples having the freedom to marry. This is not yet a debate in the national congress, but they still need to know your opinion. Some state legislatures are currently dealing with this issue, have in the past, or will be soon. Keep an eye on them and make sure your opinion gets heard. Contact the Freedom to Marry Coalition or LAMBDA (see organization list) for more information on current politics.

* Apply for a marriage license, register at the local up-scale department store, search for wedding rings, or do any number of things a heterosexual couple preparing for marriage would do. Keep in mind that you are attempting to raise your own awareness as well as the awareness of the shopkeepers and clerks you will be dealing with.

* Host an anniversary for a long-term gay or lesbian couple--they definitely deserve it. This celebration can be as public or private as you would like (make sure you get the couple's approval before you invite mainstream media).

* Read a book, watch a movie, or surf the net! Yes, even leisure time can be political. See the lists included in this package for suggestions.

* Get time on the local public access stations. Be creative about airing your views.

* Sponsor a house party and invite your friends who are in long-term lesbian or gay relationships or who are interested in learning more and want to work on this issue. Share anecdotes about your relationships and the discrimination--real or perceived--you may have experienced. Screen home movies of commitment ceremonies. Suggest ways your guests can communicate their stories to the media and politicians. Get them to write letters to the press and elected officials.

* Help local groups sponsor information booths at state fairs, Gay Pride and other events.

* Sponsor a church or synagogue program or discussion. Allow the voices of progressive and supportive people of faith to be heard on this issue by gathering people together for discussion and action.

* Hold a "wedding reception" at a local restaurant or gathering place to educate and involve people from your community.

* Organize a town hall or community meeting. Secure a space, print up a flyer, invite speakers and hand out literature. The best town meetings are those that present a diversity of opinions and speakers. Consider inviting people whose approach to marriage or loving unions is different from your own, as well as a couple who have experienced their own ceremony, a legal expert, a supportive clergy person, and people of diverse races, ethnicities, gender identities and sexual orientations. Have a sign-up available to get names, addresses and phone numbers of attendees, and pass the hat for donations.

REAL DISCRIMINATION, REAL RIGHTS and REAL RESPONSIBILITIES

Nowhere in the US do gay, lesbian or bisexual couples receive the same recognition or benefits that married couples do. In fact, they face tremendous discrimination. Lesbians and gay men who have been their partner's primary caretakers are often turned away at the hospital when there has been an accident or illness; refused "family" health coverage, taxation and inheritance rights; and even denied protection in case the relationship ends. Sometimes they see their role as parents denied and their children taken away and placed in "traditional" heterosexual families, such as the recent Sharon Bottoms case in Virginia.

If legally married, gay, lesbian and bisexual couples would have a greater ability to care for and protect their families, including the option to:

× file joint tax returns.
× have access to joint insurance policies for home, auto and health.
× inherit automatically in the absence of a will, including jointly-owned real and personal property through the right of survivorship.
× secure workplace and other benefits such as annuities, pension plans, Social Security, Medicare.
× obtain immigration rights for lovers that are from different countries.
× obtain veterans' discounts on medical care, education, and home loans.
× enter jointly into leases and other contracts, such as apartment and car rental agreements, and maintain renewal rights.
× raise children together including: joint adoption, joint foster care, custody, and visitation including non-biological parents.
× secure wrongful death benefits for a surviving partner and children.
× take bereavement leave when a partner or child dies.
× handle post-mortum decisions involving deceased partners, burial.
× receive crime victims' recovery benefits.
× secure domestic violence protection orders in states where this is currently prohibited.
× obtain divorce protections such as community property and child support.
× establish status of next-of-kin for hospital visits and medical decisions where one partner is too ill to be competent.

INTERNET AND ON-LINE RESOURCES

× **Channel Q Public Service Rebroadcast** is just one of many services that collects news releases, activist alerts and articles provided by several organizations on-line and automatically emails them to you. Expect more information as the marriage issue takes off. To subscribe to this free service send email to qnews@channelq.com. with the subject SUBSCRIBE. If you prefer to receive a daily digest then indicate SUBSCRIBE DIGEST.

Channel Q's snail-mail address is 1685 Branham Lane, Suite 245, San Jose, CA 95118-5226, fax: (408)269-5328.

× **Gay and Lesbian Alliance Against Defamation (GLAAD)** is a national organization which promotes fair, accurate, and inclusive representation of individuals and events in all media as a means of combating homophobia and all forms of discrimination based on sexual orientation or identity.

GLAAD's web page is http://www.glaad.org
e-mail is glaad@glaad.org

× **Lesbian and Gay Community Services Center** lists all lesbian and gay community centers in the United States. Their web page is located at: http:/www.panix.com/dhuppert/gay/center.

Their snail mail address is: 208 West 13th Street, New York, NY 10011

× **The MARRIAGE List**, say its directors, is "an attempt to harness the power of the Internet as an organizing tool to promote the goal of same-gender marriage in the US and beyond." The mailing list is designed to facilitate activism and an exchange of ideas and materials on how lesbian, gay and bisexual people can win and keep the right to marry. To join the MARRIAGE mailing list send a message to majordomo@abacus.oxy.edu with a one line message, 'subscribe marriage.' There is also a DIGEST version of the list, which can be subscribed to by sending the message 'subscribe marriage-digest' to majordomo@abacus.oxy.edu.

To post to the MARRIAGE list send EMAIL TO marriage@abacus.oxy.edu. The administrative address for information is MARRIAGE-owner@abacus.oxy.edu, or contact Ron Buckmire, ron@abacus.oxy.edu.

× **National Gay and Lesbian Task Force Web Page (NGLTF)** distributes numerous publications on-line and through snail mail.

NGLTF is currently constructing its Web page, which will include information of marriage organizing.

EMAIL: ngltf@ngltf.org. WEB PAGE: http://www.ngltf.org.

× **National Freedom to Marry Coalition** is composed of organizations working together for the freedom to marry. It includes numerous groups: "across the spectrum from Log Cabin Republicans to NGLTF; including GLAAD, HRC, the Black Lesbian Leadership Forum, and LLEGO; parenting groups such as Gay and Lesbian Parents Coalition International; non-gay leaders such as the ACLU and NOW; statewide groups such as California's LIFE Lobby or New York's Pride Agenda; regional leaders such as the LA Center, New England's GLAD, and the NY Center; religious groups and clergy; and our emerging local partners: Dallas Gay and Lesbian Alliance, Equality Colorado, Maryland's Same-Sex Marriage Advocates Coalition, and Washington State's Legal Marriage Alliance, to name a few" (Evan Wolfson, Director of The Marriage Project; Lambda Legal Defense and Education Fund from a internet posting)

WEB PAGES: http://abacus.oxy.edu/marriage and http://www.glcsc.org/ftm_home.html
To subscribe to a news group on the subject, send a message 'subscribe marriage' to MAJORDOMO@abacus.oxy.edu. To unsubscribe, send a message 'unsubscribe marriage' to MAJORDOMO@abacus.oxy.edu.

× **Partners Task Force for Gay & Lesbian Couples** has a world wide web site, or Home Page, on the Internet that provides a wide and useful variety of free and updated information on marriage and gay, lesbian and bisexual couples. They've recently published a 64-page booklet, "An Indispensable Guide for Gay and Lesbian Couples," with chapters on validation, legal issues, family life, etc. They are also working on a video documentary called "The Right to Marry."

WEB SITE: http://www.eskimo.com/~demian/partners.html.

ADDITIONAL WEB SITES: http://nether.net/~rod/html/sub/ marriage.html by Rod Swift, and http://www.cyberzine.org/html/ glaids/partners/partnerspage.html.

EMAIL TO demian@eskimo.com. P.O. Box 9684, Seattle, WA 98109-0685.

Contact: Demian or Steve Bryant, (202)935-1206.

The Partners Task Force for Gay & Lesbian Couples can also direct activists to other useful web sites on the Internet. One they recommend is the Domestic Partnership and Same-Gender Marriage Web page managed by Scott Safier.

http://www.cs.cmu.deu:8001/afs/cs/user/scotts/domestic-partners/mainpage.html, or EMAIL them at corwin+@cmu.edu.

× **Queer Resources Directory (QRD)** is the "mother of all gay/lesbian/ bisexual/transgender information pages on the Internet," says Karen Wickre of Digital Queers and co-author of "Atlas to the World Wide Web." QUD is a meta-library of information from many sources, including political, social, organizational, sexual, legal issues and calendar of events.

WEB PAGE: http://www.qrd.org//QRD.

ORGANIZATIONAL RESOURCES

NATIONAL ORGANIZATIONS:

Asian Pacific Islander Lambda Chapter of the Japanese American Citizen's League (JACL) is the gay, lesbian and bisexual chapter of the nation's foremost Asian Pacific Islander civil rights organization. For more information on the JACL's support for same-gender marriage contact J. Craig Fong, 1625 N. Schrader Blve., Los Angeles, CA 90028, (213) 993-7429. Also contact the **Living Well Project, Asian & Pacific Islanders AIDS Services** (formerly GCHP) who worked with JACL staff members on the resolution: 1841 Market Street, San Francisco, CA 94103, (415) 575-3932.

BiNet USA Equal Marriage Project, P.O. Box 31755, San Francisco, CA 94131-0755, (415) 621-2535, gerald@sli.net. The project is fostering discussion and education within the bisexual community around marriage for same-gender couples, and will educate the gay/lesbian community on bisexual and same-gender marriage.

Gay and Lesbian Alliance Against Defamation (GLAAD), 150 W. 26th St., Suite 503, New York, NY 10001, (212) 807-1700. GLAAD is working through the media to better educate the public about lesbian, gay and bisexual relationships and equal marriage rights. GLAAD also provides media training for activists.

Human Rights Campaign, 1101 14th St., 2nd Floor, Washington, DC 20005, (202) 628-4160. HRC is engaging in lobbying, education and national polling efforts around marriage.

LLEGO, National Latino/a Lesbian & Gay Organization, Letita Gomez, 703 G Street, S.E., Washington, DC 10003, (202)544-0092.

Lesbian and Gay Immigration Rights Task Force, headquarters in New York, address, (212) 802-7264, regional offices in Chicago, Cincinnati, Columbus, Los Angeles, St. Louis, San Francisco, Seattle, and Washington DC.

National Black Gay & Lesbian Leadership Forum, Keith Boykin, 1219 South La Brea Ave., Los Angeles, CA 90019, (202) 332-5662 or (213) 946-7820.

National Center for Lesbian Rights (NCLR), 870 Market St., Suite 570, San Francisco, CA 94102, (415) 392-6257. NCLR works on child custody, foster parenting, family diversity and many other cases.

National Gay and Lesbian Task Force, 2320 17th St. NW, Washington, DC 20009, ngltf@ngltf.org, (202) 332-6483. For copies of marriage publications, including To Have and to Hold: Organizing for Our Right to Marry,. NGLTF is helping "sound the alarm" to the community about marriage, organize and assist grassroots activists, establish public policy, research family diversity issues, conduct media trainings and publish materials and organizing packages.

Parents, Friends and Families of Lesbians & Gays (PFLAG), 1101 14th St. NW, #1030, Washington, DC 10005, (202) 638-4200, pflagntl@aol.com. Through its national network of advocates, PFLAG is working to educate the public about lesbian, gay and bisexual relationships.

STATEWIDE ORGANIZATIONS:

Equality Under Alaska Law (EQUAL). (907) 474-6090. FFMAT@aurora.alaska.edu.

Gay and Lesbian Utah Democrats (GLUD). (800) 648-9996 or (801) 238-2526. glud@aol.com.

Na Mamo O Hawai'i is a statewide civil rights group of indigenous gay, lesbian, bisexual and transgender people doing work around homophobia, racism and classism and how they connect to the marriage issue. NMOH c/o Ku'umeaaloha Gomes, "A" Lanai St., Honolulu, HI 96817, lgomes@uhunix.uhcc.hawaii.edu. (808) 956-2644.

South Dakota Gay, Lesbian, Bisexual Federation, (aka Free Americans Creating Equal Status of South Dakota, Inc. (FACES)). (605) 343-5577. facessd@aol.com.

COMMUNITY CENTERS:

Horizons Community Services, 961 West Montana Street, Chicago, IL 60614. (312) 472-6469.

Los Angeles Gay and Lesbian Community Services Center, 1625 N. Schrader Blve., Los Angeles, CA 90028-9998. gaylesbla@aol.com. (213) 993-7603. The LA Center's Freedom to Marry Coalition has produced an impressive media strategy document, created by 10 high-level marketing and PR professionals, plus other information.

NYC Lesbian & Gay Community Services Center, 208 West 13th Street, New York, NY 10011. (212) 620-7310.

Call **GLAAD** field office in Portland, Oregon at (503) 224-5285 for the name of your local community center. Or contact **Lesbian and Gay Community Services Center** listed in internet resource directory.

MARRIAGE PROJECTS

Colorado Marriage Rights Project, c/o Equality Colorado, P.O. Box 300476, Denver, CO 80203, (303) 839-5540.

Dallas Gay and Lesbian Alliance Marriage Project, (214) 521-5342, ext. 414 or (214) 528-4233, MarriageTX@aol.com.

Freedom To Marry Coalition, see Los Angeles Gay and Lesbian Community Services Center.

Forum on the Right to Marriage (FORM). Formboston@aol.com. 227 Chelsea St., E., Boston, MA 02128. (617) 569-9733.

Hawaii Equal Rights Marriage Project has played a lead role in the court case and is working to educate people in Hawaii and other states. (808) 956-4666; media calls to (808) 641-2252, or write HERMP, 1820 University Ave., #208, Honolulu, HI 96822. ramsey@math.hawaii.edu.

Same-Sex Marriage Advocates Coalition, 822 Guilford Ave., Baltimore, MD 21202, (410) 685-0350.

Partners Task Force for Gay and Lesbian Couples, Box 9685, Seattle, WA 98109-0685; (206) 935-1206. National clearinghouse for information on committed same-gender partners.

Equal Marriage Rights Fund, c/o Craig Dean and Patrick Gill, Box 18707, 2001 M Street NW, Washington, DC 20036; (202) 822-6546, fax (202) 466-3540. Working for equal legal rights for gay and lesbian partners.

RELIGIOUS ORGANIZATIONS

Affirmation, Box 26302, San Francisco, CA 94126; (415) 641-4554. For lesbian and gay Mormons (Church of Latter Day Saints).

Affirmation, Box 1021, Evanston, Il 60204; (312) 475-0499. For lesbians and gays in the United Methodist Church.

The Buddhist Association, Box 1974, Bloomfield, NJ 07003.

Congregation Beth Simchat Torah, the nation's largest gay, lesbian and bisexual synagogue, provides support, fellowship and assistance to gay and non-gay couples, (212) 929-9498.

Dignity, Inc., 1500 Massachusetts Avenue NW, Suite 11F, Washington, DC 20005; (202) 861-9917. For lesbian and gay Roman Catholics.

Friends for Lesbian and Gay Concerns, Box 222, Sunnytown, PA 18084; (215) 234-8424. For lesbian, gay, bisexual, transgender, and transvestite Quakers (Society of Friends).

Integrity, Inc., Box 19561, Washington, DC 20036. For lesbian and gay Episcopalians.

Metropolitan Community Church (MCC) has hundreds of congregations that welcome all gays, lesbians and bisexuals into its fold throughout North America. The MCC Cathedral of Hope in Dallas, one of the largest, performs "holy unions" every week. MCC International Office, 5300 Santa Monica Boulevard, Suite 304, Los Angeles, CA 90029; (213) 464-5100, ext. 225; Cathedral of Hope, (214) 351-1901.

Presbyterians for Lesbian/Gay Concerns, c/o James D. Anderson, Box 38, New Brunswick, NJ 08903; (210) 846-1510.

Unitarian Universalist Office of Lesbian/Gay Concerns, 25 Beacon Street, Boston MA 02108; (617) 742-2100.

HISTORY AND SOCIOLOGY

International Gay And Lesbian Archives, 626 North Robertson Boulevard, West Hollywood, CA 90038; (310) 854-0271.

Lesbian Herstory Archives, P.O. Box 1258, New York, NY 10116; (718) 768-3953.

BUSINESS AND LEGAL

American Civil Liberties Union (ACLU). 132 West 43rd Street. 5th Floor. New York. NY 10036; (212) 944-9800. For gay civil rights or other liberation questions.

City of West Hollywood. City Hall 8611 Santa Monica Boulevard. West Hollywood. CA 90069-4109; (310) 854-7332. For application for domestic partnership registration.

Lambda Legal Defense and Education Fund. Marriage Project. 666 Broadway. 12th Floor. New York, NY 10012. (212) 995-8585. In 1994. Lambda initiated the Marriage Project to coordinate the legal and political groundwork for winning and keeping the right to marry. Lambda is working on the Hawaii case. promotes the Marriage Resolution. and has published a vast amount of indispensable background and educational material on marriage.

GAY/LESBIAN/BISEXUAL BOOKSTORES

Check out your local gay/lesbian/bisexual bookstore. In addition. here are some more that would be glad to fill phone or mail orders.

A Different Light. 489 Castro Street. San Francisco. CA 94114; (415) 431-0891. Also at 8853 Santa Monica Boulevard. West Hollywood. CA 90069; (310) 854-6601; and at 548 Hudson Street. New York, NY 10014; (212) 989-4850.

Lambda Rising. 1625 Connecticut Avenue NW. Washington. DC 20009; (800) 621-6969. Also at 39 Baltimore Ave.. Rehoboth Beach. DE 19971. (302) 227-6969. and 241 W. Chase St., Baltimore, MD 21201. (410) 234-0069.

TRAVEL

Atlantis. (800) 6-ATLANTIS. Gay and lesbian packages at Club Med resorts.

International Gay Travel Association (IGTA). Box 18247. Denver. CO 80218; (800) 448-8440. Will refer you to gay and gay-friendly travel agents in your area.

Mi Casa Su Casa. (510) 268-8534. International home-exchange network for gay and lesbian travelers.

Olivia Cruises and Resorts. 4400 Market Street. Oakland. CA 94608; (800) 631-6277. Planners of women's cruises and vacations.

Robin Tyler Productions, Inc.. 15842 Chase Street. North Hills. CA 91343; (818) 893-4075. Women's tours and cruises.

Royal Hawaiian Weddings. Box 424. Puunene. Hawaii 96784; (800) 659-1866. Complete union ceremony packages for same-gender couples.

RSVP Travel Productions, Inc.. 2800 University Avenue SE. Minneapolis. MN 55414; (800) 328-7787. Gay cruises and vacation packages.

WEDDING RESOURCES

Association of Bridal Consultants. 200 Chestnutland Road. New Milfort. CT 06776; (203) 355-0454. Referrals of bridal consultants in your area.

Beverly Hills Doll Company. 505 South Beverly Drive. Suite 520. Beverly Hills 90212; (310) 277-3655. Custom-made cake tops.

Earth Angels. 7095 Hollywood Boulevard. Suite 428. Los Angeles. CA 90028; (213) 851-1470. Environmentally friendly wedding gift baskets.

International Formalwear Association. 401 North Michigan Avenue. Chicago. IL 60611; (312) 644-6610. Their "Formalwear Guide" is available for $1 and a stamped. self-addressed envelope.

International Gemological Institute. 580 Fifth Avenue. Suite 620. New York. NY 10036; (212) 398-1700. Information on buying rings.

Loving Couples. by Sabin. Custom-made same-gender cake tops. Write Sabin Publishing, 7985 Santa Monica Boulevard. Suite 109. West Hollywood. CA 90046.

National Limousine Association. (800) NLA-7007. Referrals of limousine companies in your area.

Precision Software. 65 Washington Street. Suite 202. Santa Clara. CA 95050; (408) 241-4727 and (800) 688-9337. Manufacturers of "The Wedding Workshop."

Pride, Love, and Union Services. Matt Jiovanni, P.O. Box 283, Woodstock, VT 05091; (802) 457-3125. Planning service for gay and lesbian weddings, including prescreened referrals on businesses and services in your area.

Rexcraft Wedding Invitations. Rexburg, ID 83441-0100; (800) 635-4653. Mainstream mail-order company that accommodates same-gender invitations.

SUGGESTED READING LIST

GAY HISTORY AND SOCIOLOGY

The Big Gay Book: A Man's Survival Guide for the '90s, by John Preston, New York: Penguin Books, 1991.

(City of Friends: A Portrait of the Gay and Lesbian Community in America, Simon LeVay and Elisabeth Nonas, MIT Press, Cambridge, Massachusetts, 1995.)[1]

Families We Choose: Lesbian and Gay Kinship, Kath Weston, Columbia University Press, New York, NY, 1991.

Gay American History: Lesbians and Gay Men in the U.S.A., by Jonathan Ned Katz, New York: Meridian, 1992.

Gay/Lesbian Almanac, Jonathan Ned Katz, Carroll and Graf Publishers, New York, 1983.

(The Gay and Lesbian Liberation Movement, Margaret Cruikshank, Routledge, New York, 1992.)

(Gay and Lesbian Stats: A Pocket Guide of Facts and Figures, Edited by Bennett L. Singer and David Deschamps, The New Press, New York, 1994.)

Gay Relationships, Tina Tessina, Ph.D., G. P. Puntnam's Sons, New York, 1989.

(Invisible Lives: The Truth About Millions of Women-Loving Women, Martha Barron Barrett, William Morrow and Company, Inc., New York, 1989.)

(The Lesbian Family Life Cycle, Suzanne Slater, The Free Press, New York, 1995.)

Love Knows No Borders, video that helps people to understand the vital issues of lovers that are in different countries. Look for it in screenings around the country. Or contact Lesbian and Gay Immigration Rights Task Force headquarters in New York at (212) 802-7264 for information.

Making History: The Struggle for Gay and Lesbian Equal Rights, 1945-1990, by Eric Marcus, New York: Harper Collins, 1992.

(Odd Girls and Twilight Lovers: A History of Lesbian Life in Twentieth-Century America, Lillian Faderman, Penguin books, New York, 1991.)

(The Question of Equality: Lesbian and Gay Politics in America Since Stonewall, edited by David Deitcher, Scribner, New York, 1992.)

Same-Sex Unions in Premodern Europe, John Boswell, Vintage Books--a division of Random House, Inc., New York, 1994

Straight From the Heart: A Love Story, Rod and Bob Jackson-Paris, Warner Books, New York, NY, 1994.

(Virtual Equality: The Mainstreaming of Gay and Lesbian Liberation, Urvashi Vaid, Anchor Books, Doubleday, New York, 1995.)

GLAAD.

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[1] Publications in parenthesis do not focus primarily on same-sex marriage.

FOR COUPLES

Lesbian Couples. D. Merilee Cluins and G. Dorsey Green. Seal Press. Seattle. Washington. 1988.

The Lesbian Couples' Guide. Judith McDaniel. Harper Perennial. New York. 1995.

The Male Couple's Guide: Finding a Man. Making a Home. Building a Life. Eric Marcus. Harper Perennial. New York. 1995.

The Male Couple's Guide to Living Together. Eric Marcus. Harper and Row Publishers. New York. 1988.

Permanent Partners: Building Gay and Lesbian Relationships That Last. by Betty Berzon. Ph.D.. New York: Dutton. 1988.

CEREMONIES

Ceremonies of the Heart: Celebrating Lesbian Unions edited by Becky Butler. Seattle: Seal Press. 1990.

Chicks in White Satin. award-winning video documentary on a lesbian wedding, directed by Elaine Holliman. To order a videocassette. write: Holliman Productions. 2247 28th Street. Suite A. Santa Monica. CA 90402.

Lesbian and Gay Marriage: Private Commitments. Public Ceremonies. edited by Suzanne Sherman. Philadelphia: Temple University Press. 1992.

The Two of Us: Affirming. Celebrating. and Symbolizing Gay and Lesbian Relationships. Larry J. Uhrig. Alyson Publications. Inc.. Boston. 1984.

PERIODICALS

The Advocate. 6922 Hollywood Boulevard. 10th Floor. Los Angeles CA 90028; (800)905-8590.

Deneuve. (rumored to be changing its name). for subscriptions: PO Box 17138. N Hollywood. CA 91615-9791. (818) 760-8983. For general information: 2336 Market Street #15, San Francisco, California 94114. (415) 863-6538.

Frontiers. 7985 Santa Monica Boulevard, Suite 109. West Hollywood. CA 90046; (800)769-3877.

Genre. 8003 Sunset Boulevard #1. Los Angeles. CA 90046; (213) 896-9778.

Girlfriends. P.O. Box 713. Half Moon Bay, CA 94019-9760; 1 (800) GRL-FRND.

Out. Box 15307. North Hollywood. CA 91615-5307; (800) 876-1199.

10 Percent. 54 Mint Street. Suite 200. San Francisco. CA 94103-1815; (415) 905-8590.

BUSINESS AND LEGAL

The Danish Act on Registered Partnership, translated by the National Danish Organization for Gays and Lesbians. $2. Paz y Liberacion. Box 66450. Houston. TX 77266. English version of Danish gay "marriage" law.

GLAAD

Gavello Pages (national edition), Box 292 Village Station, New York, NY 10014; (212) 674-0120. Comprehensive, symbol-coded listings for the United States and Canada of gay businesses, entertainment, and political organizations.

Getting Organized: The Easy Way to Put Your Life in Order, by Stephanie Winston, New York: Warner Books, 1991.

An Indispensable Guide for Gay and Lesbian Couples: What Every Same-Sex Couple Should Know, by Steve Bryant and Demian. Partner's Task Force, Box 9685, Seattle, WA 98109-0684; (206) 935-1206. $10.95.

A Legal Guide for Lesbian and Gay Couples, by Hayden Curry and Denis Clifford, edited by Robin Leonard, Berkeley, CA: NOLO Press, 1990

The Rights of Lesbian and Gay Men: The Basic ACLU Guide to a Gay Person's Rights, Nan D. Hunter, Sherryl E. Michaelson, and Thomas B. Stoddard, Southern Illinois University Press, Carbondale and Edwardsville, 1992 (third edition)

Spousal Equivalent Handbook: A Legal and Financial Guide to Living Together, by George G. Truitt and Johnette Duff, Houston: Sunny Beach Publications, 1991.

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