

ANYWHERE BUT HERE

HOUSING DISCRIMINATION IN OREGON

HOME SWEET HOME

Portland Family, 1915. OJM3665

What Is Home?

What does "home" suggest to you? To many of us, it conjures up a feeling of security, comfort and a place to call your own. Home ownership symbolizes a family's social status and reflects economic security.

Not everyone has had the chance to participate in the American dream. Some Oregonians, even those who can afford to buy their own homes, have been prevented from freely choosing where they live.

Housing discrimination, unfortunately, can be directed at any one of us. Landlords, real estate agents, lenders, and insurers may discriminate because they make negative assumptions about other groups of people or because they are simply unfamiliar with them. Any Oregonian could be denied housing if they have children, or because of their ethnic origin, or a disability.



Courtesy Immigrant and Refugee Community Organization



Cedar Sinai Park provides independent and assisted living in Portland. Courtesy Cedar Sinai Park



Courtesy Immigrant and Refugee Community Organization

Fair Housing Is Your Right

The concept of "fair housing" recognizes that people have the right to choose where they live. Good tenants or homeowners are responsible, care about where they live, and are good neighbors. Where they were born, their place of worship, or their sexual orientation has nothing to do with it.

The unfolding of housing discrimination in Oregon parallels events and circumstances in American history. People perceived to be different have always been subject to bias in housing in the state and throughout the country. Discrimination in Oregon has been more than personal prejudice. State and federal laws have historically provided institutional sanction.



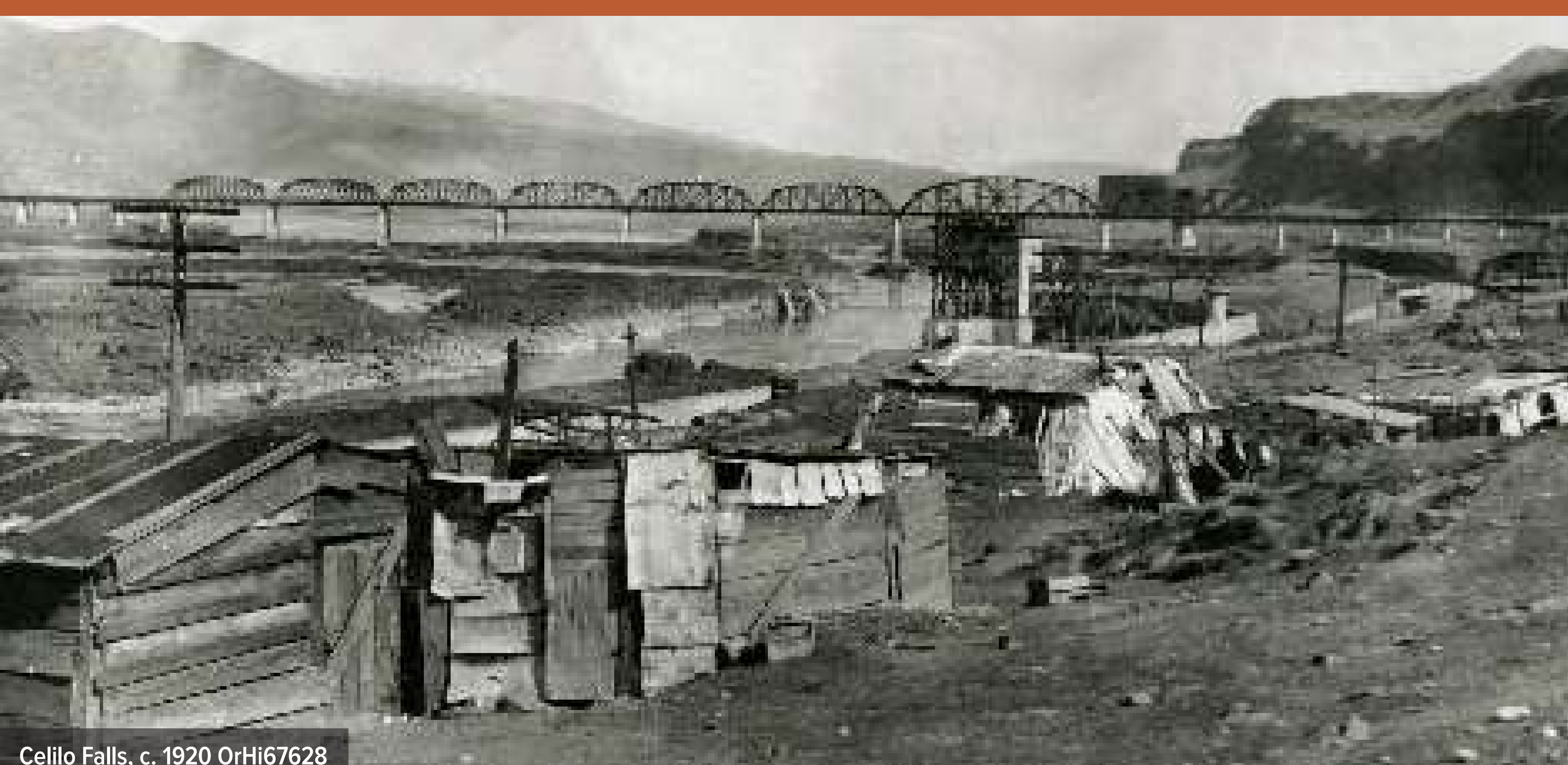
Freight wagons, Shaniko Flats, Oregon OrHI 25617

Oregon's Long Shadow

Imagine how Oregon looked to newly arrived pioneers who undertook the arduous journey over the Oregon Trail. Rugged mountains, fertile green valleys, dense forests, abundant rivers, streams and lakes made it appear like a paradise to them. In their zeal to make a new home for themselves, most of the early white settlers were not prepared to share their lives with the American Indians who had been living here for centuries. For the most part, they did not have to, since they carried unfamiliar diseases that quickly and dramatically reduced the native population.

A series of treaties and armed conflicts between 1850-1878 drove American Indians off traditional lands, destroying the remnants of tribal society and culture. The U.S. Bureau of Indian Affairs confined Indians in Oregon to 12 reservations, segregating them from white communities.

The late 1870s forced Indians into the reservation system as a way to isolate them from the new inhabitants. The Dawes Act of 1887 abolished the American Indians' communal ownership of their reservations. The act gave each eligible Indian up to 160 acres of reservation land and American citizenship in an attempt to advance their assimilation into white society. Any land left over was sold to white homesteaders.



Celilo Falls, c. 1920 OrHI67628



Despite prior legal assurances to protect Indian land, white settlers seized 2.8 million acres. Indian encampment near the Dalles, Oregon, c. 1885 OHS81497



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The first African Americans found their way into the Oregon Territory as crewmen on ships, or part of teams of mountain men and explorers. Later they joined teams of muleteers. OHS 85402

SHAPING RACIAL VALUES

Clash of Values

Most immigrants to the Oregon Territory shared a white Protestant heritage and held conflicting values regarding African Americans. Immigrants from Northern free soil states generally opposed slavery. Immigrants from Southern and Border slave states often had strong prejudices. Small farmers from both regions viewed African Americans as a threat to their livelihood, fearing competition from slave-holding farmers.

As a result of opposing perspectives between settlers, a series of exclusion laws passed between 1844 and 1857 declared Oregon a free state, but made it "unlawful for any Negro or mulatto to come in or reside" in Oregon.



The 1850 Oregon Donation Land Act benefitted incoming white settlers, providing 160 acres each to white males and married white females. African Americans were explicitly excluded. Settlers in Tillamook County OrHi 35302



Dr. William Allen and his family came to Oregon in 1849 with their slave, Rose Jackson. She travelled the roughly 2000 miles of the Oregon Trail hidden during the day in a wooden box with holes drilled in the top to avoid discovery.

"If any free negro or mulatto shall fail to quit the country, he or she may be arrested upon a warrant ... and if guilty ... shall receive upon his or her bare back not less than twenty nor more than thirty-nine stripes, to be inflicted by the constable of the proper county."

—1844 Amendment to the Organic Law

A "Free" State

Oregon joined the Union in 1859, the only free state with an exclusion clause in its constitution.

"No free Negro, or mulatto, not residing in this State at the time of the adoption of the constitution shall come, reside or be within this State, or hold any real estate."

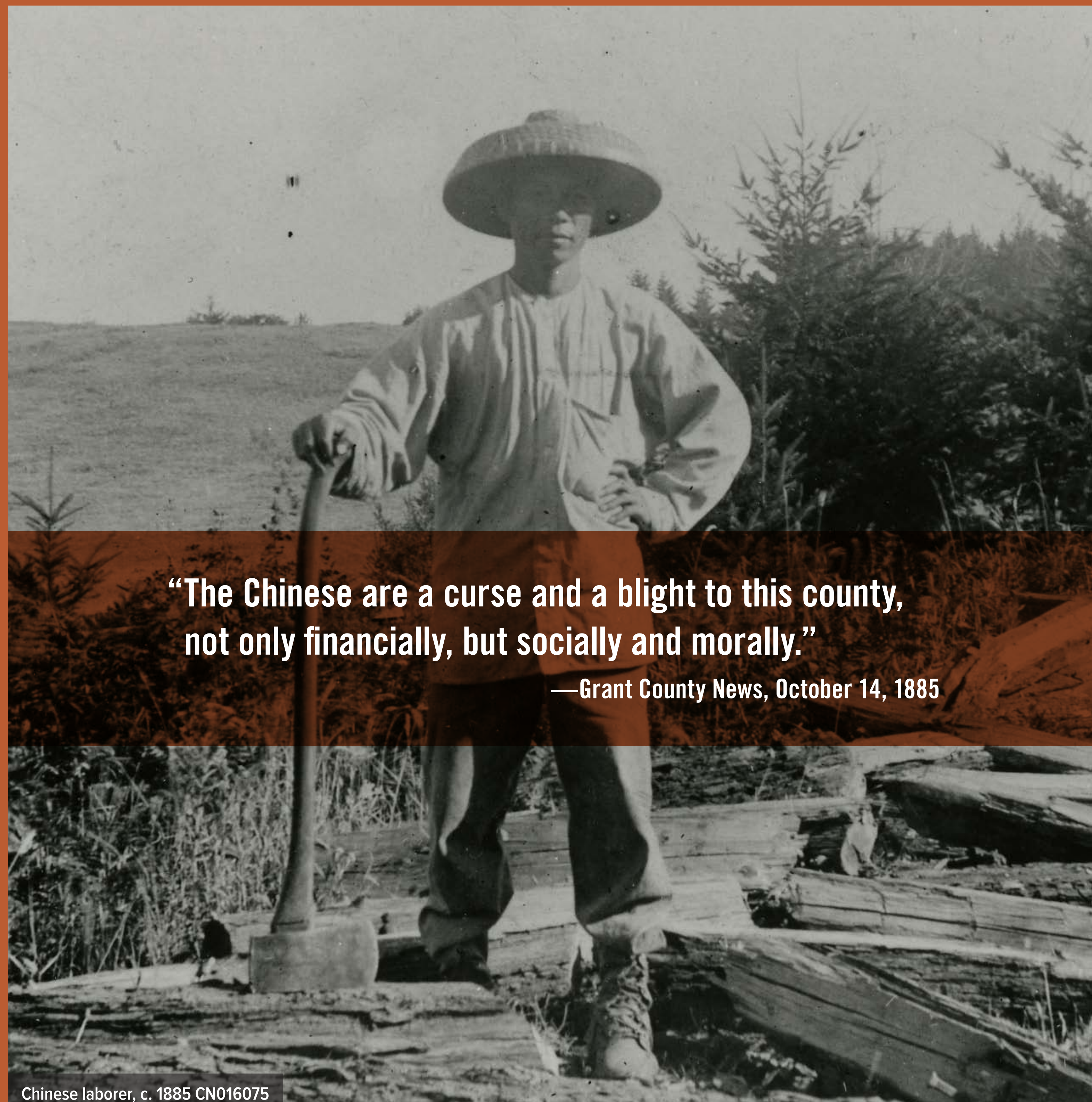
In 1926 Oregon voters repealed the constitutional provisions relating to the exclusion of African Americans. A ballot measure approved in November 2002 finally removed the obsolete references to race.

"Aliens Ineligible to Citizenship"

Chinese men first ventured to Oregon after the collapse of the Manchu dynasty in 1853. They worked as miners, on the railroads and, later, in Astoria's fish canneries. Acceptance did not come easily. The Oregon Constitution prohibited Chinese from owning land or holding a mining claim, unless they were already residents at the time the Constitution was adopted. In 1882 the federal Chinese Exclusion Act banned Chinese immigration to the United States. A dire downturn in the economy in the late 1880s further provoked anti-Chinese resentment, which frequently turned to violence. Whites were particularly aggrieved that Chinese laborers were taking jobs away from them.



Until the 1920s most Chinese lived in in "Chinatowns," distinctive neighborhoods where common language and culture made them feel at home. Portland's Chinatown, OrHI3880



"The Chinese are a curse and a blight to this county, not only financially, but socially and morally."

—Grant County News, October 14, 1885

Chinese laborer, c. 1885 CN016075

America's First Civil Rights Act

Federal, state and local efforts to counter housing discrimination began after the Civil War. The 1866 Civil Rights Act marked the birth of the legal battle to end discrimination. Oregon's exclusion laws became unconstitutional. Citizenship and civil liberties were extended to all persons, with the exception of American Indians.

"All persons born in the United States . . . are declared to be citizens . . . and such citizens without regard to race . . . shall have the right, in every state and territory . . . to make and enforce contracts . . . to purchase, lease, sell, hold and convey real and personal property." 1866 Civil Rights Act

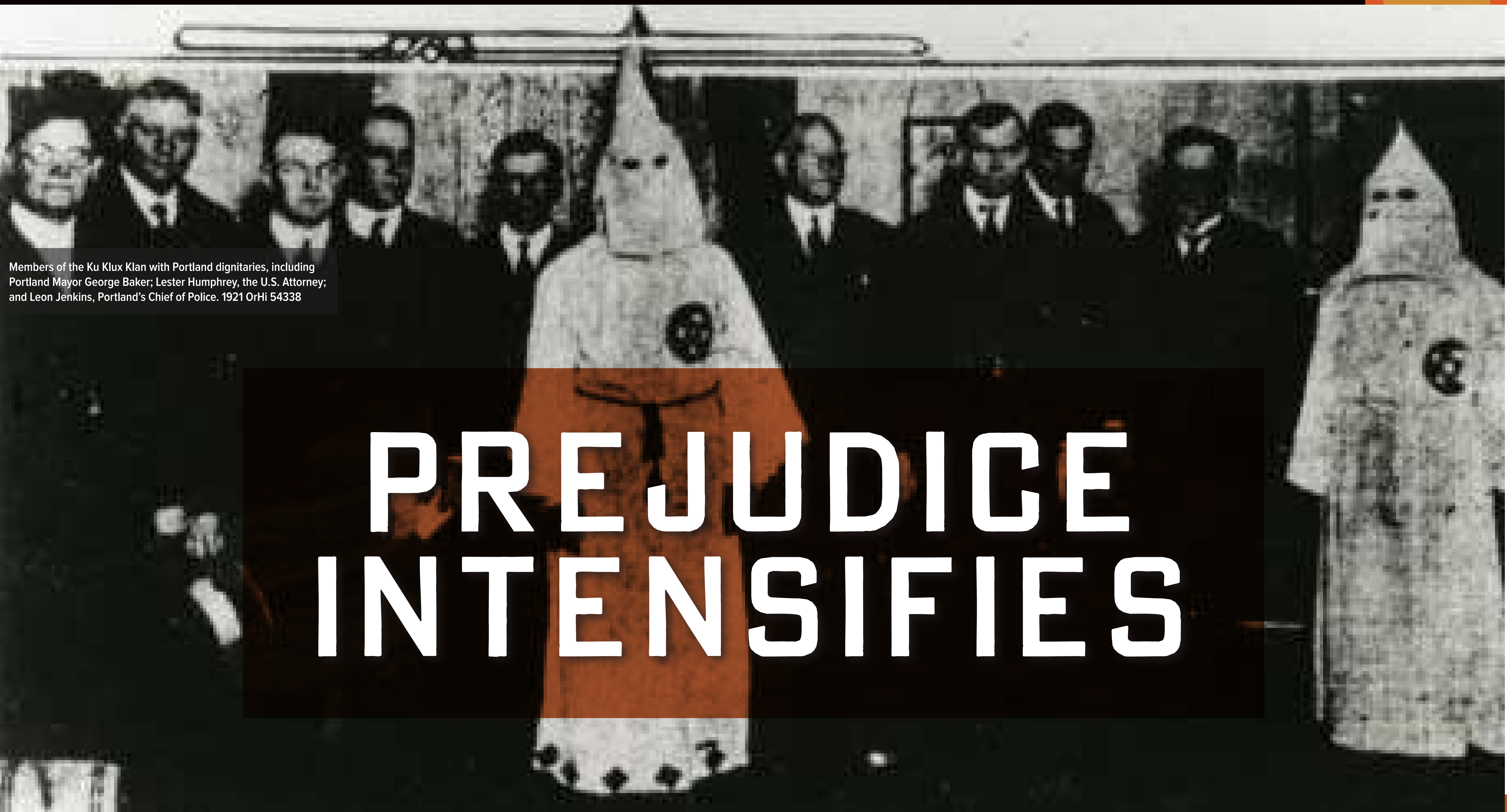
Separate, But Not Equal

In 1868 the 14th Amendment granted citizenship to all persons born or naturalized in the United States. Nearly 30 years later, the U. S. Supreme Court ruling in Plessy vs. Ferguson upheld the constitutionality of state laws requiring racial segregation in public places under the doctrine of "separate but equal." This landmark ruling led to an era of legally sanctioned racial segregation.



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Members of the Ku Klux Klan with Portland dignitaries, including Portland Mayor George Baker, Lester Humphrey, the U.S. Attorney, and Leon Jenkins, Portland's Chief of Police. 1921 OrHI 54338

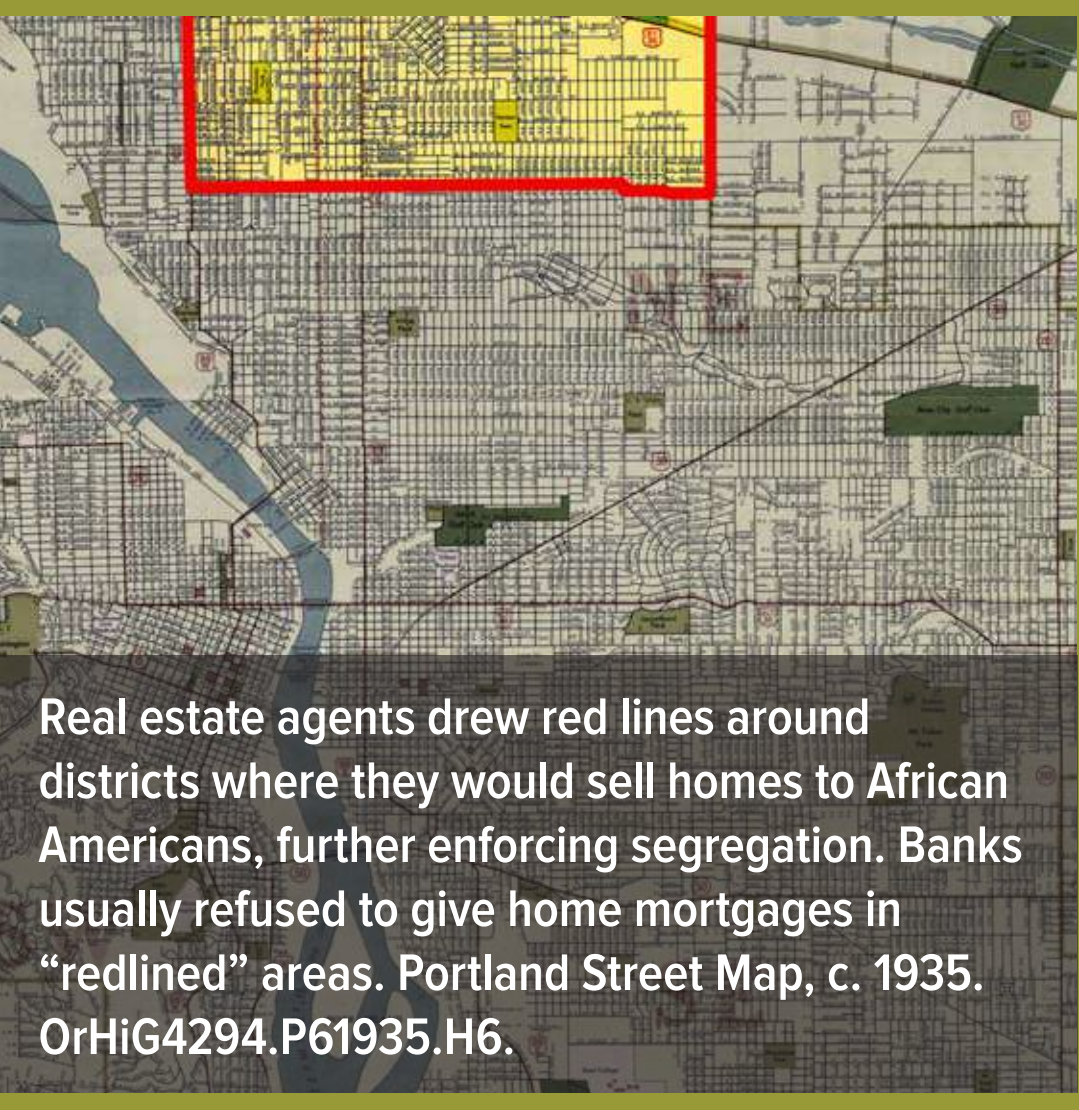
PREJUDICE INTENSIFIES

“We all know what residential segregation means ... poor housing, bad streets, poorly kept and deficient lighting ... if we could convince ourselves that there will be no such thing as world peace, then we would not lift our voice against the segregation of the races.”

—*The Advocate*, 1932. Oregon's newspaper for the African American community ran from 1903 to 1936.

Oregon's Segregated Housing Patterns

By the 1920s Oregon had clearly segregated housing patterns. African Americans and Asian Americans seeking homes or apartments in white neighborhoods were repeatedly turned away. Real estate appraisers evaluated homes based on the neighborhood's racial or ethnic composition. One real estate appraisal manual confidently ranked racial and ethnic groups from top to bottom according to their effect on property values: 1) English, Germans, Scotch, Irish, Scandinavians; 2) North Italians; 3) Bohemians or Czechs; 4) Poles; 5) Lithuanians; 6) Greeks; 7) Russians, Jews (lower class); 8) South Italians; 9) Negroes; and 10) Mexicans. Neither Asian American nor American Indians made the list.



Real estate agents drew red lines around districts where they would sell homes to African Americans, further enforcing segregation. Banks usually refused to give home mortgages in "redlined" areas. Portland Street Map, c. 1935. OrHIG4294, P61935, H6.

Oregon's racial climate became so uninviting by the 1930s that many African Americans left the state. Eugene's few dozen black families had lived in small neighborhoods near the Ferry Street Bridge and in west Eugene. By 1936 Salem had almost no African American population. In 1945 the Social Work Journal declared Portland the most discriminatory city north of the Mason-Dixon line.

“No property shall be sold, leased or subleased to Japanese, Chinese, Negroes or Orientals whether born in the United States or elsewhere, provided that this shall not prevent their occupancy as domestic servants while employed by an owner or tenant.”

—Restricted covenant, US Grant Place, Portland 1931

“Property Definitely Restricted to the White Race”

Real estate agents, looking to protect their investments, wrote restrictive covenants into property deeds. The covenants prevented ethnic, racial and religious minorities from living in certain residential areas. They proved an effective tool to deprive minorities free choice in housing. A 1926 US Supreme Court ruled covenants legally enforceable. Many years later civil rights laws threw out the restrictive clauses in these covenants. In many deeds the exclusionary language remains as a reminder of the era in which the houses were built.

“Grants Pass has always been a white man's town and there is no reason under the shining sun why it shouldn't continue ... the attitudes of the people of this peaceful law abiding community toward the encroachment of the black, brown or red faces of the land is: Nigger, we don't want you here – you had better roll up your bed and ride.”

— Southern Oregon Spectator, May 1924



Dr. DeNorval Unthank, one of Portland's first African American doctors, moved into an all-white neighborhood in Southeast Portland in the 1930's. There he was presented with a petition signed by 75 neighbors who objected to his residency. After his house was repeatedly vandalized, he moved from the neighborhood. OrHI103651

The Invisible Empire

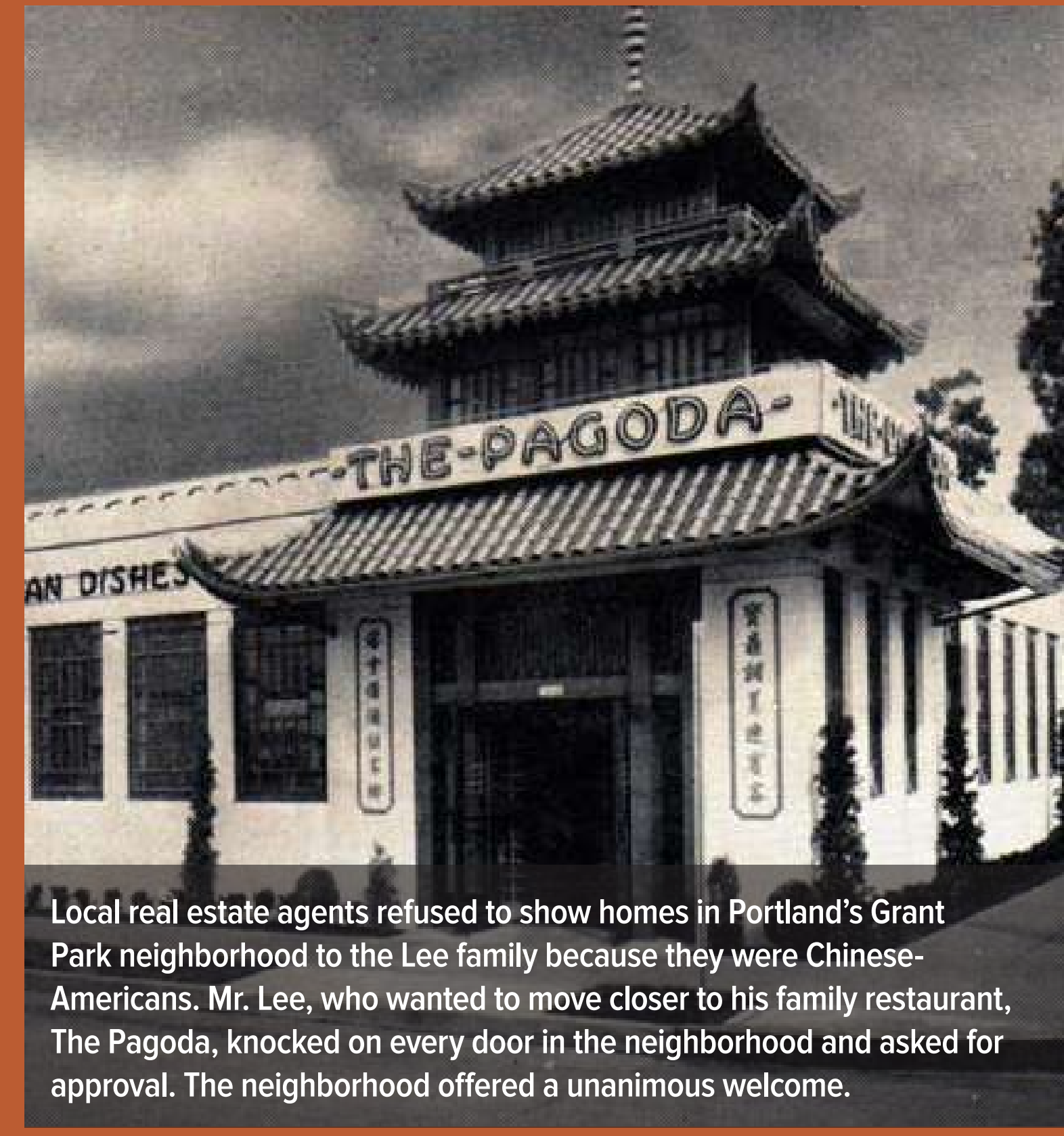
Oregonians' fears of non-whites and foreigners gave rise to the growth of the Ku Klux Klan, a racist organization that cloaked bigotry in patriotic rhetoric. By 1923 Oregon's Klan was the largest of its kind west of the Rocky Mountains with an estimated 35,000 members in approximately 60 local chapters. Its political influence extended to Oregon's state and local governments. African Americans and Jews experienced the Klan's prejudice, but Catholic Oregonians were the primary target.



Ku Klux Klan parade in Albany, c. 1923 OrHI 52782

Chinese Americans

Prosperous second and third generation Portland Chinese began to move out of Chinatown to the suburbs by the late 1920s. Even though they achieved the right to become American citizens with the repeal of the Chinese Exclusion Act in 1943, they continued to face discrimination in Oregon, in part because they were confused with Japanese Americans. Chinese Americans discovered that real estate agents did not want to sell to "Orientals." Real estate agents refused sales outright or required Chinese Americans to petition the entire neighborhood to obtain permission to move in.



Local real estate agents refused to show homes in Portland's Grant Park neighborhood to the Lee family because they were Chinese-Americans. Mr. Lee, who wanted to move closer to his family restaurant, The Pagoda, knocked on every door in the neighborhood and asked for approval. The neighborhood offered a unanimous welcome.

Japanese Americans

After the Chinese Exclusion Act in 1882, employers brought Japanese workers to work in fields and factories. The more successful Japanese immigrants were able to purchase their own farms, which triggered resentment from white farmers. In 1919 a white citizens group in Hood River pledged not to sell or lease land to the Japanese Americans. Four years later the Oregon Alien Land Law targeted first generation Japanese immigrants by barring anyone who was not an American citizen from owning real property. The law – actively supported by the Ku Klux Klan – viewed foreign-born immigrants as a threat to American culture. Some Japanese immigrants who already owned land deeded their property to their American-born children or bought their homes through a third, white party.



Japanese workers labeling cans at Bumblebee Seafood, Astoria OrHI 23144



Anti-Japanese prejudice occasionally erupted into violence. On July 12, 1924, a mob of about 300 in the coastal town of Toledo expelled 35 Japanese resident workers who had arrived to work in the Pacific Spruce Corporation mill. Lincoln County Historical Society 2881



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Proud citizens! OHS48760

THE IMPACT OF WAR

Vanport

About 2500 African Americans lived in Oregon prior to the Second World War. The majority resided in Portland, working for the railroads as porters and red caps as well as restaurant workers and shop laborers. The outbreak of the war brought more than 20,000 additional black workers who had relocated to take jobs in the Columbia River shipbuilding yards.

Historically African American residents in Portland found themselves banned from swimming in public pools, eating in most restaurants or visiting bowling alleys, music venues or roller rinks except at designated times. They were also unwelcome in most parts of the city. The influx of new residents who moved to Portland for the war effort created a housing shortage.



"We Cater to White Trade Only" signs greeted African American laborers and servicemen during the Second World War and in the years following. Servicemen stationed in Umatilla and Jackson counties found it difficult to buy a drink or a meal. OrHI 0334A072

In 1942 the new Portland Housing Authority developed more than 18,000 housing units for wartime workers. Most of these units were restricted to white residency. Vanport, built on a flood plain along the Columbia River, was both the largest public housing development in the country and the second largest city in Oregon. It welcomed African Americans and residents socialized freely with each other in public areas. Housing, however, remained segregated.

The close of the shipyards at the end of the war resulted in devastating unemployment for African Americans who found most jobs closed to them. The City of Portland urged them to leave town and the Red Cross even provided one-way bus tickets. Despite efforts by the Urban League and other organizations to open more avenues of employment, approximately fifty percent of Portland's African American community sought jobs elsewhere.



When a massive flood in 1948 turned Vanport into a lake, Portland city officials faced a huge housing crisis. Most neighborhoods were still off limits to African Americans with restrictive covenants and real estate agents refusing to show them homes outside of North and Northeast Portland. The increasing post-war concentration of African Americans into the Albina area resulted in a population density six times higher than the rest of the city. OrHI6215



Vanport flood refugees at the Jewish Community Center, Portland, May 1948. OJM1136



Children of migrant workers gather at a water pump at the Ferry Street Bridge settlement outside Eugene. OrHI CN014540

Bracero Program

Beginning in 1943 more than 15,000 men came to Oregon from Mexico to harvest crops under the federal Bracero Program. They were steered into overcrowded and squalid camps rather than local neighborhoods. Unscrupulous labor contractors and farmers sometimes cheated workers of their pay and made false promises about living and working conditions. After the Bracero program ended in 1947, state and federal agencies brought Mexican migrant families to Oregon. Seasonal laborers became commonplace in the Willamette and Treasure valleys.

Japanese Internment

President Franklin D. Roosevelt signed Executive Order 9066 in 1942 to authorize the U.S. Army to remove Japanese Americans from their homes without legal review. For three years Oregon's Japanese American men, women and children lived in internment camps in Idaho, California and Wyoming.

Resettlement in Oregon after the war brought mixed results for Japanese Americans. While many returned to their communities with little incident, others were less fortunate. Some found their businesses had been looted and encountered hostile neighbors and difficulty in obtaining mortgage loans. A conciliatory gesture towards restoring civil liberties to the Japanese came in 1949, when the Oregon Supreme Court struck down the Alien Land Law. Three years later the federal Walter McCarren Act granted citizenship rights to the Issei, first generation Japanese Americans, ending a long history of legal discrimination. Forty years later the United States paid reparations to those who had been confined to internment camps.

The U.S. Army detained 3700 Japanese Americans at the Portland Assembly Center (currently the Portland Expo Center) before sending them to internment camps. OrHI28157



Jack Askawa farming near Gresham, April 1956. OrHI CN01821



Gresham grocery store owner posts anti-Japanese sign. 1945 OrHI CN011187



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Federal Progress

Between 1948 and 1970 the struggle to end discrimination gained momentum, aided by three U.S. Supreme Court decisions and a national fair housing law.

In 1948 *Shelby vs. Kramer* declared restrictive covenants unenforceable.

The 1954 Supreme Court decision in *Brown vs. Board of Education* in Topeka, Kansas, overturned the "separate but equal" doctrine and mandated school integration. This landmark case opened the door for other courts to begin to dismantle segregation in American life.

Jones vs. Mayer, a 1968 Supreme Court decision, held that the refusal of a private residential contractor to sell a home to an interracial couple violated the 1866 Civil Rights Act.

The Fair Housing Act

On April 4, 1968, the assassination of the civil rights leader, the Rev. Martin Luther King Jr., stunned the world. One week later, Congress, fearing the spread of urban violence, enacted Title VIII of the Civil Rights Act, also known as the "Federal Fair Housing Act." The law prohibited

discrimination in the sale, rental or financing of housing based on race, color, religion, or national origin. For the first time, it added civil penalties for violators of the law.

With the passage of the 1968 Fair Housing Act, real estate agents and landlords could no longer discriminate openly. Discriminatory practices persisted. A housing provider might employ evasive statements or actions, or an uncooperative or indifferent attitude. Redlining of certain areas continued, reinforcing segregation and preventing many minority families from buying.

Although the 1968 act committed the government to the goals of fair housing, enforcement was difficult. Often it was the word of the homebuyer or renter against the real estate agent or landlord. Lenient penalties and low damage awards removed incentives for prosecution.

"No person engaged in the business of selling real property shall, solely because of race, color, religion or national origin of any person, refuse to sell, lease or rent any real property to a purchaser."

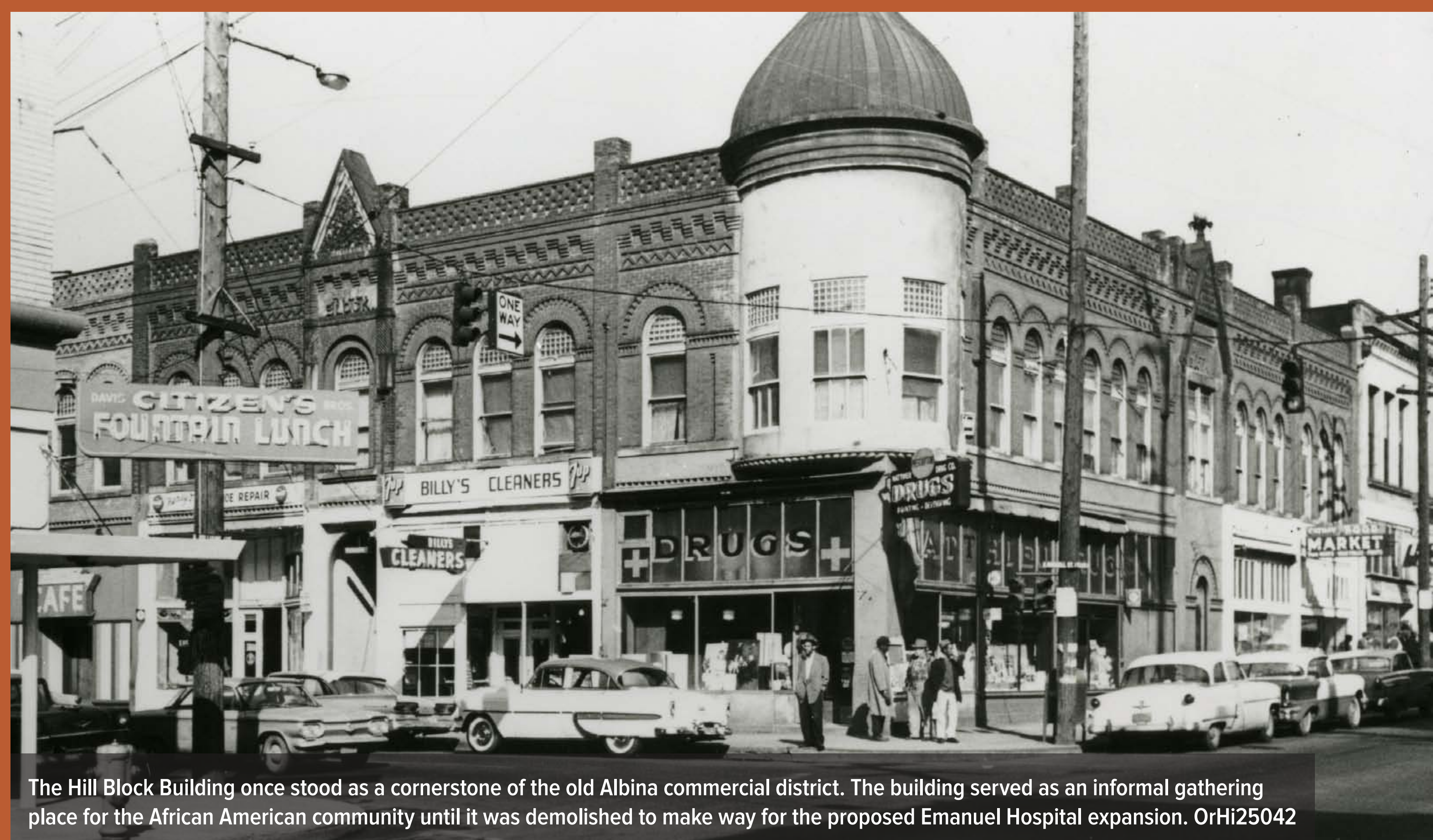
— President Lyndon B. Johnson signing the 1968 Fair Housing Act



On April 11, 1968, President Lyndon Johnson signed the now historic Fair Housing Act.

Urban Renewal

In the mid-1950s two Portland neighborhoods endured the permanent effects of urban redevelopment.



The Hill Block Building once stood as a cornerstone of the old Albina commercial district. The building served as an informal gathering place for the African American community until it was demolished to make way for the proposed Emanuel Hospital expansion. OrHI25042

Albina

By 1950 more than fifty percent of Oregon's African American population lived in Portland's Albina neighborhood. With the building of the Memorial Coliseum in 1956, homeowners and businesses were forced to move. Interstate 5 freeway construction in the 1960s cut a path through the neighborhood, further dislocating occupants. The community suffered again with a proposed expansion by Emanuel Hospital in the 1970s. Congress voted down federal funds for the expansion, but not before the demolition of homes, businesses, community organizations, churches, and nightclubs. Vacant lots remained in the neighborhood for decades.

The gentrification of inner North and Northeast Portland that began in the 1980s continues to displace much of the African American community. Urban renewal policies and a broader trend in favor of urban living have brought an influx of mostly white residents into Portland's historically black neighborhoods. Trendy businesses and upscale development followed. Home values increased dramatically and many African American residents, especially renters, have been forced to find cheaper housing in outlying areas such as East Portland.

Oregon's First Civil Rights Legislation

In 1953 the state legislature passed a Public Accommodations Bill that prohibited discrimination in hotels, motels, restaurants and amusement parks on the basis of race, religion or national origin. Mark Hatfield, then a young state representative, worked with the Urban League and

the National Association for the Advancement of Colored People (NAACP) to sponsor the law, which marked the beginning of Oregon's civil rights legislation.

Oregon's civil rights leaders gained victory with the passage of the state's fair housing law in 1959 that made it illegal for anyone in the business of selling property to refuse to sell, lease or rent to a purchaser solely because of race, color, religion or national origin. Despite the new law, the real estate industry continued to employ strategies to preserve segregation.



Mark Hatfield signing the Public Accommodations Law. While a Willamette University student in the early 1940s, Hatfield hosted performers Paul Robeson and Marian Anderson on campus. He recalled driving the two of them to Portland for the night, appalled by Salem's hotels "no coloreds" policy. OrHI 44402



Fifty-four blocks of housing were destroyed in South Portland, including Italian kosher delicatessen Colistro & Halperin on SW Caruthers and Sheridan streets. OJM2271

South Portland

In 1956 city planners and business leaders launched a major redevelopment project in South Portland in an effort to revitalize the downtown core. Fifty-four blocks of housing were destroyed and more than 1500 residents relocated to build the Keller Auditorium, high rise buildings and parking garages. Since the early 20th century the area had been home to Russian Jewish and Italian immigrants. Elderly and single males who lived on fixed or lower incomes were replaced with businesses who brought in larger tax revenues.



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MOVING FORWARD

The 1988 Fair Housing Amendments Act

The Fair Housing Amendments Act extended legal protections to families with children and people with disabilities (both physical and mental). The act increased risks and costs for would-be discriminators by boosting fines and punitive damages and allowing for recovery of attorney fees. In Oregon fair housing laws began to be vigorously enforced by the U.S. Department of Housing and Urban Development (HUD), the Oregon Civil Rights Division, and private attorneys.

People with Disabilities

The Independent Living Movement of the 1970s and 1980s empowered people with disabilities to fight openly for their rights. Innovations in medicine and technology enabled people with disabilities to move from institutions or family settings to independent living, but barriers still remained. Most housing was inaccessible to wheelchairs. Many landlords



Courtesy National Fair Housing Alliance

were reluctant to rent to tenants with disabilities because they feared misuse of the rental or lack of acceptance by other tenants.

The 1988 Fair Housing Amendments Act required all new multifamily housing to meet federal accessibility requirements. Tenants with disabilities gained the right to structurally modify their

dwellings to make them accessible. Tenants could also request special accommodations when needed for their disabilities, such as a parking space close to their unit or a service animal in a "no pets" property.

Families with Children

Before the 1988 Fair Housing Amendments Act, more than 60 percent of rental units in Oregon were off limits to families with children. Landlords preferred to rent to single adults rather than to families because they feared potential liability issues and increased wear and tear on their units. Developers built apartments without considering the recreational and safety needs of children. "For Rent" signs often specified "no children, no pets".

LGBT Oregonians



Portland homeowners. Courtesy FHCO

Gay, Lesbian, Bisexual and Transgender Oregonians historically concealed who they were to access housing and to prevent harassment from their landlords and neighbors. Housing discrimination based on sexual orientation or gender identity has been illegal in Oregon since 2007. In 2012 HUD added program regulations to prevent discrimination by housing providers that receive HUD funding or have loans insured by the Federal Housing Administration (FHA). Lenders insured by the FHA are also prohibited from discriminating.

Fitful Progress

Progress has been made in eliminating discrimination and promoting integrated neighborhoods since the passage of the 1988 Fair Housing Act. Yet the goal of equal opportunity in housing remains unfulfilled. The Fair Housing Council of Oregon still receives thousands of complaints every year on its discrimination hotline. State and national studies indicate that only one in every ten acts of illegal discrimination is ever reported.

Discrimination today is often more subtle than in the past. The blunt language of "we don't want your kind here" may have largely disappeared, but it has been replaced by a polite lie that an apartment or home has been taken off the market, already rented, or has a different set of qualifications for "undesirable" applicants. Some rules have a harsher impact on a protected class group and that is also illegal.

Some examples:

- No one who works in farm labor can live here.
- No tricycles anywhere in the complex.
- No one in this apartment building is permitted to cook with curry.



The housing providers may not realize the effect of their policies – or they could be trying to skirt the fair housing laws.

Some people who have acquired housing report harassment, intimidation and even acts of violence, causing them to feel unsafe in their homes.

Many homebuyers and renters do not know their fair housing rights. Those who have experienced discrimination may be reluctant to come forward, assuming incorrectly that nothing can be done.

Creating a More Welcoming Society

Today the federal government protects us from discrimination based on race, color, religion, national origin, sex, familial status and disability. The State of Oregon provides additional protection from discrimination based upon sexual orientation, gender identity and marital status. State law also protects recipients of public assistance and survivors of domestic violence. Some cities and counties also prohibit discrimination based on occupation and age. As we increase our understanding of the challenges people face, new advocates step forward to continue the fight against discrimination and protections continue to expand.



Courtesy Immigrant and Refugee Community Organization

Getting to Know Our Neighbors

Fair Housing laws guarantee our right to live where we choose, but legal protection has not guaranteed that the doors to equal housing opportunity are kept open. Housing discrimination could still affect any one of us, whether the reasons are ethnic background, religious or political beliefs, single parenthood, sexual orientation or a disability. Our challenge now is to work together to confront discrimination and ensure that all Oregonians are truly able to find a place to call home.



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