Home Sweet Home

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 symbolizes the stability of a family's social status and reflects economic security.

Not everyone has the choice 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.

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.

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

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.

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Oregon’s Long Shadow

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Presented by the Fair Housing Council of Oregon
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.

“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.

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.

Separate, But Not Equal

In 1868 the 14th Amendment granted citizenship to all persons born in 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 set an era of legally sanctioned racial segregation.
Oregon’s Segregated Housing Patterns

By the 1920s Oregon had clearly segregated housing patterns. African Americans and Asian denominating working forms, or opportunities in white neighborhoods were repeatedly turned away. Real estate appraiser excluded African homes in 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, German, South Irish; 2) Scandinavians; 3) North Indians; 4) Bohemians or Czechs; 5) Poles; 6) Lithuanians, 7) Greeks, 8) Poles; 9) French, Irish; 10) South Indians; 11) Mexicans, and 12) Mexican, Mexican American, or American Indians made the list.

Oregon’s racial climate became so strident by the 1930s that many white and American-born Chinese who were legal residents of Oregon's five black towns fanned in small neighborhoods near the Perry Street railroad tracks in and west Eugene. By 1940 Eugene had about no African American population. In 1950 the Social Work Journal declared Portland the most discriminatory city north of the Mason-Dixon line.

Oregon’s fears of non-whites and foreigners gave rise to the growth of the Ku Klux Klan, a racist organization that claimed legitimacy of patriotic heritage. In 1922 Oregon’s Klan was the largest of its kind west of the Rocky Mountains, with an estimated 39,000 members in approximately 60 local chapters. The political influence extended to Oregon state and local governments. African Americans and Jews experienced the Klan’s prejudice, but Catholic Oregonians were the primary target.

Japanese Americans

After the Chinese Exclusion Act in 1882, employers brought Japanese workers to work in Willamette Valley farms. Many Chinese American and Japanese immigrants were able to purchase their own farms, which triggered the Ku Klux Klan’s prejudice. After the Chinese Exclusion Act in 1943, they continued to face prejudice and could not own property. They were forced to live in Chinatown to the suburbs by the late 1970s. Later, after the Chinese Exclusion Act, Japanese Americans were able to purchase their own farms, which triggered the Ku Klux Klan’s prejudice. After the Chinese Exclusion Act in 1943, they continued to face prejudice and could not own property. They were forced to live in Chinatown to the suburbs by the late 1970s. Later, after the Chinese Exclusion Act, Japanese Americans were able to purchase their own farms, which triggered the Ku Klux Klan’s prejudice. After the Chinese Exclusion Act in 1943, they continued to face prejudice and could not own property. They were forced to live in Chinatown to the suburbs by the late 1970s.

Chinese Americans

Prosperous second and third generation Portland Chinese began to lose their Chinese identity 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 connected with Japanese American, Chinese, Chinese Americans dismissed the real estate agents of Portland Chinese immigrants to purchase the entire neighborhood to obtain permission to have a house.

Housing Patterns

“Property Definitely Restricted to the White Race”

Real estate agents, looking to protect their investments, wrote restrictive covenants into property deeds. The covenants prevented white, racial and ethnic minorities from living in certain neighborhoods. They had no legal effect to deprive minorities their right to housing. A 1970 U.S. Supreme Court ruled covenants legally unenforceable. Many years later civil rights laws threw out the restrictive clauses in these covenants. In many districts 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 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. We, mayor, we don’t want you here — you had better roll up your bed and ride.”

— Sackett Oregonian, August 1944

PREJUDICE INTENSIFIES

“For we all know what residential segregation means ... poor housing, bad streets, poorly kept and dilapidated 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.”

— Alain Locke, 1932 Oregonian, “For the African American community, they need not have ended.

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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 and 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.

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.

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.

Bracero Program
Beginning in 1943 more than 15,000 men came to Oregon 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.
Federal Progress

Between 1916 and 1920 the passage of anti-sodomy and discrimination laws, death of African American leader Booker T. Washington and the rise of the Ku Klux Klan, the world of the African American experience took a turn for the worse. In 1915 Houston, Texas and East St. Louis, Illinois, both major urban centers, experienced riots and lynchings. The 1919 Negro北方 Garment Workers' strike in Chicago, the 1921 Chicago Race Riot and the 1921 Tulsa Race Massacre were just some of the events that underscored the terror that African Americans faced.

In 1926 Shively v. Kramer declared restrictive covenants unenforceable. This landmark case opened the door for other cases to bring a degree of segregation in American society to an end. In 1945 Jones v. Mayer, a 1945 Supreme Court decision, held the refusal to sell, lease or rent to a person engaged in the business of selling real property as a violation of the Civil Rights Act. This was the first time, it added civil penalties and low damage awards removed incentives for prosecution.

The Fair Housing Act

On April 1, 1968, the assassination of the civil rights leader, the Rev. Martin Luther King Jr., stunned the world. One week later, Congress, fearful of 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 and low damage awards removed incentives for prosecution.

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, color, religion or national origin. Although the 1953 bill did not include women or married couples, it was the first step in the fight against discrimination.

In 1962 the National Association for the Advancement of Colored People (NAACP) to sponsor the law, which marked the beginning of Oregon's civil rights legislation.

South Portland

In 1956 city planners and business leaders launched a major redevelopment project in South Portland to redevelop the downtown core. Fifty-four blocks of housing were destroyed and many African American residents were displaced.

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 1954, homeowners and businesses were forced to move. Despite the efforts of the Albina neighborhood to organize and prevent many minority families from buying.

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Urban Renewal

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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 fines and costs for those who discriminate by blocking doors and pushing disabled bottoms and allowing for recovery of attorney fees. In Oregon, fair housing laws began to be rigorously 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 for their rights to innovate in medicine and technology, enabling 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 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 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 40 percent of rental units in Oregon were not legally barred to families, and landlords preferred to rent to single adults rather than to families because they feared potential liability 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

Maryann Bishop-Brown and Transgender Oregonians historically contributed to the history of fair housing and to present harassment from landlords. Since the passage of the 1988 Fair Housing Act, Oregonians have been protected against discrimination on the basis of sexual orientation and gender identity. The State of Oregon protects LGBT Oregonians from sexual orientation and gender identity discrimination.

Fitful Progress

Progress has been made in eliminating discrimination and promoting equal opportunity in housing in Oregon. 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.

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 against discrimination based on sexual orientation and gender identity. State law also protects people with disabilities, the elderly, and survivors of domestic violence, sexual assault, and stalking. The Oregon Consumer and Business Protection Act prohibits landlords from discriminating on the basis of Oregonians’ sexual orientation and gender identity.

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 housing opportunity are open. Housing discrimination could still affect any one of us, whether we are a person with a disability, an elderly person, or a single parent, sexual orientation, or gender identity. Our challenge now is to continue the fight against discrimination and to ensure all Oregonians are truly able to find a place to call home.