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# Easier way to scrub racist deeds sought

**Andrew Selsky**  
 ASSOCIATED PRESS

**SALEM** - When Oregon lawmaker Julie Fahey and her husband bought a house, the deed said that only whites could live there unless the person was a domestic servant.

Across America, many home owners and buyers of older properties like Fahey are shocked to see racist exclusions remaining on deeds, decades after they were outlawed. Fahey researched how to remove the offensive language, and discovered that doing so would be complicated and expensive. Notice would have to be served to every person and institution with financial interest in the property and a request filed in court.

Fahey, a Democrat in the Oregon House of Representatives who is white, decided to sponsor a bill to make it easier for people to scrub the offensive language from their deeds. The measure unanimously sailed through Oregon's House of Representatives on Wednesday, but not before it opened a window on how the racist provisions are hurtful, and how they underscore housing inequalities that persist today.

Sen. Lew Frederick, an African-American representing Portland, told a hearing on the bill last week that the deed to his own home still has language that says he cannot live there.

"This is not enforced, but it's quite a surprise to discover that I am illegal living in my own house," Frederick said.

Rep. Mark Meek, who is a realtor and represents the Portland suburb of Oregon City, described "uncomfortable discussions" with clients that arise when



**Julie Fahey**

racist exclusions are listed.

"I say it's not enforceable, but the history of it and really the true ugliness of it (persists) even though we're in a different era," said Meek, a Latino. "I think it comes to a

time where we don't erase that history but ... we make a path for those citizens and those owners of those properties who say that's no longer allowed here."

The U.S. Supreme Court in 1948 made restrictions based on race unenforceable. They were outlawed by the federal Fair Housing Act of 1968. Before, the Federal Housing Administration denied mortgages based upon race and ethnicity, a practice known as redlining that kept people who weren't white from buying into more desirable areas where property values were rising.

California lawmakers passed a bill in 2009 to have racist covenants purged whenever property changes hands, but former Gov. Arnold Schwarzenegger vetoed it, noting the covenants are already void and raising concerns about counties raising fees to cover costs. California lets residents request to have the covenants redacted, and several other states have also taken measures to purge racist language from housing documents.

Still, these whites-only covenants remain on property deeds across the country, from South Carolina, to Missouri, to Washington state. A study by the University of Washington found racial restrictions in scores of neighborhoods in Seattle and its suburbs.



FROM THE DESK OF JEFF BARKER



*Jeff Barker*  
**PORTLAND WINTERHAWKS**



**Tualatin Valley**  
OUR OREGON



## **Vote YES on HB 4093A**

### **Portland Winterhawks Need Amateur Athlete Clarification**

- Portland Winterhawks players are currently amateur athletes and not employees. Whether or not the 2018 Legislature passes HB 4093A will **NOT** change their current status as amateur athletes. The bill provides a statutory definition of an "amateur athlete" and puts in statute the current practice that various employment laws do not apply to these amateur athletes.
- Litigation in Canada is calling for the courts to declare that Western Hockey League (WHL) players are employees, not amateur athletes. The Winterhawks are members of the WHL.
- As a result of this litigation being filed, the states of Washington and Michigan as well as the provinces of British Columbia, Saskatchewan, New Brunswick, Manitoba, Prince Edward Island, and Nova Scotia have clarified that employment laws/standards do not apply to these amateur athletes. HB 4093A would do the same in Oregon.
- If the Canadian courts rule against the WHL and if this ruling were found to apply in Oregon, without clarification from the legislature regarding amateur athletes like the players for the Winterhawks, the Winterhawks would be forced to either cease operations or move to a jurisdiction (Washington, British Columbia, etc.) where it is now clear that these amateur players are not employees.
- Although amateurs, WHL/Winterhawks players receive numerous benefits including: scholarship for college/vocational education for each year played, health insurance, team travel costs and player out-of-pocket expenses, billeting, top quality equipment, and mental health and safety workshops.
- New skating center proposal with Tualatin Hills Parks and Recreation District requires the continued stability of the Portland Winterhawks. HB 4093A will provide this needed stability.