

REPORT ON THE “STATE OF HUMAN RIGHTS IN THE CITY OF SALEM, OREGON”

from the

SALEM HUMAN RIGHTS & RELATIONS ADVISORY COMMISSION

ISSUE

The Salem Human Rights and Relations Advisory Commission (HRRAC), as part of its workplan, has endeavored to assess perceptions regarding the City’s climate for tolerance by using a community-wide survey and analysis of other pertinent human rights indicators. Herein is the report of the findings and summary statements.

BACKGROUND

1. The HRRAC current work plan, as presented to Council in fall 2002, included the intent of the Commission to assess the perception of the community regarding human rights within the Salem community and to present Council with a report on its findings. This is in keeping with the HRRAC’s authority to “examine sources of tension, practices of discrimination, and acts of prejudice in the City of Salem,” as granted in Salem Revised Code Chapter 8.010.
2. From December 2002 through mid-February 2003 the community was given the opportunity to respond to questions on a **written Human Rights Survey** as well as an on-line version on the HRRAC website, both made available in English and Spanish. Questions in the survey gauged the degree of perceived discrimination within Salem and solicited ideas on how to foster a more cohesive community for the future. The written survey was distributed through newsletters; handed out at various forums, such as *Salem Speaks Up!*; and otherwise put it into the hands of diverse members of the community—all for the express purpose of ensuring that a large cross-section of Salem had the opportunity to express their viewpoints. Several articles on the project appeared in the *Statesman-Journal* to alert the community. In addition, from February through March 2003, Willamette University interns conducted **oral interviews** with a pre-selected group of community leaders to gain further insights.
3. The survey process was not set up as a scientific sampling. It was strictly voluntary, and the results of individual surveys (both written and oral) held confidential. Community members selected for the oral interviews were chosen to reflect perceptions of conditions throughout Salem and included representatives from government, business, education, religious, and non-governmental organization sectors.
4. There are various sets of statistics that can also be used in analyzing the climate of tolerance that exists within the Salem community. The numbers of HRRAC discrimination complaints, Salem Police Department bias crimes, HUD and Fair Housing discrimination filings, cases filed with the Bureau of Labor & Industries, and information from the U.S. Department of Justice were used as sources in this report.
5. On June 9, 2003, the HRRAC presented the findings of this report to the Mayor and City Council.

FACTS AND FINDINGS

1. There were a total of **1,508** respondents to the **written surveys**. These responses were received both in writing and on the website. Written and website surveys were available in both English and Spanish. A copy of the survey instrument is attached to this report (Attachment A). Each of the surveys were read and the results tallied. The responses present a varied and interesting picture of the community and individual respondents’ experiences. Below are the questions included on the written survey, with the summary of responses and some anecdotal information from community residents:
 - A. **Have you personally experienced discrimination in HOUSING within the Salem community?** A total of **1,410 (93.5%)** responded that they had not experienced any discrimination in housing. There were **98 (6.5%)** who disclosed that they had experienced housing discrimination—with *race, familial status (with/without children), gender identity, mental or physical disability, source of income, sexual orientation, and marital status* (in that order) as the basis most given for their discrimination. Many of the anecdotal comments from these 98 respondents indicated that it was a landlord or neighbors who had discriminated against them:

When we moved into the neighborhood, the neighbors were rather distant and cold. We attributed this to being new neighbors until a couple of years later one of the neighbors told me that everyone in the neighborhood felt that “there goes the neighborhood” because we were Mexicans. They even went as far as castigating the person who sold us the home.

There was a fairly even split among residents regarding when the discrimination occurred, with approximately **a third each** indicating that the alleged discrimination either took place within the *past year*, within the *past two to five years*, or *over five years ago*.

- B. Have you personally experienced discrimination in employment within the Salem community?** Of the total number respondents, **1,269 (84.2%)** indicated that they had not experienced any discrimination in the area of employment. Some of the positive comments from these respondents included:

On the contrary—I did not feel discrimination. As a woman, I was even hired into a male-dominated division.

I found that, with new management, there were always changes—like it or not. However, I found that things can be corrected if done in a positive way instead of a negative manner.

Conversely, **239 (15.8%)** responded that they had experienced what they perceived as discrimination in employment, with *age, race, color, sex, mental or physical disability, size (weight), familial status, and national origin* (in that order) most frequently given as reasons for the discrimination. Examples of some of the wide range of anecdotal comments included:

I am a European-American male. They were looking for a Hispanic or African American, and, I believe, preferably female.

I lost jobs originally because I am Hispanic and more recently as someone who is older.

Being a woman is hard enough, but being women of color is harder. There was discrimination when I applied for a higher-level position 5 times and was turned down. Eventually I got in, but by then the position had been downgraded. My sister still works here and is suffering these kinds of issues. My daughter works [in the same field]. She applied for a job in which she was best qualified, but it was given to a man with much less experience. Some things never change.

Of these 239 respondents, who indicated that they had experienced discrimination, **79%** indicated that incidents had either taken place in the *past year* or in the *past two to five years*, with little percentage distinction between the two.

- C. Have you personally experienced discrimination in PUBLIC ACCOMMODATIONS (which includes public and private services, including businesses, restaurants, lodging transportation, etc.) within the Salem community?** A total of **1,398 (92.7%)** responded that they had not experienced discrimination in public accommodations. There were **110 (7.3%)** who responded that they had experienced discrimination in public accommodations—the majority of them alleging discrimination most frequently based on their *race, color, age, national origin, mental and physical disability, gender identity, source of income, and sex* (in that order). Of these respondents, **37%** indicated that the discrimination had taken place in the *past year*, **46%** in the *past two to five years*, and **17%** *over 5 years ago*.

Although the number of community members who have not experienced overt discrimination far exceeded those who have for all questions asked on the survey, the Commission feels that the comments made by respondents about their experiences were extremely important to this report and to the community:

I have been treated with disrespect at area restaurants and stores. I have often had to wait to get help, even if I am the first customer at the counter. Most of the time when I enter a store at the same time as a White customer, the other customer is greeted warmly with a smile and asked whether there is assistance needed, while I have had to chase after the sales person. Recently, the employee at a store in Salem didn't even bother to hide his dislike of me. My 6-year-old son and I have been referred to as "you people" by the salesperson.

Many restaurants and shops in the community are less willing to serve younger patrons. The mentality seems to be that younger shoppers won't spend as much money as the older ones. Or perhaps, businesses feel that younger shoppers will stand for this kind of treatment, whereas an older person might leave. I am a young college student. I am tired of not receiving help in the stores or being glanced over at restaurants, or not taken as seriously as other citizens because I look my age, a meager nineteen.

D. **Have you been discriminated against in situations not specifically dealing with housing, employment or public accommodations within the Salem community?** A total of **1,306 (86.6%)** responded that they had not experienced any discrimination in any other discrimination areas. Conversely, **202 (13.4%)**—disclosed that they had experienced other kinds of discrimination. Respondents in this group reported alleged discrimination due to the following circumstances, including: **medical treatment** (particularly if English is not proficient), as a result of **police action** (alleging racial profiling), or **due to holding different values** (particularly, from those who perceive community backlash against them for "being too Christian" or "too politically conservative"). Of these 202 respondents, **57%** indicated that their problems occurred during the *past year*, **25%** in the *past two to five years*, and **18%** *over five years ago*.

E. The community was also asked how they **perceived tolerance within the Salem community as compared to five years ago?** In response, **240 (15.9%)** indicated that the Salem climate regarding tolerance has gotten MUCH BETTER:

Discrimination has become more public, with open news coverage to slow or stop problems. Both in the community and especially at work, everything has improved. Everything is better than it was. It is a joy to see wonderful family groups, people of color in our city.

Although news reports may be skewed and my reading of news is sporadic, I think I have read less about intolerance lately, and forums like "Salem Speaks Up!" help to allow people to speak their minds.

There were **1,048 (69.5%)** who responded that tolerance is the SAME or SOMEWHAT BETTER in the community.

People are becoming more aware of issues that are sensitive to other groups. There is diminished pressure by skinheads, more richness of languages spoken and continued attention on issues.

I see discrimination at my work place, but it doesn't involve me. It mostly has to do with race or color.

Some progress has been made, but the increased diversity has not only brought richness of different cultures and backgrounds, it has also brought out some peoples' fears and concerns about having such diversity in their community.

There were **220 (14.6%)** who rated conditions regarding tolerance in Salem as having gotten WORSE over the past five years. The comments ran the gamut from faulting the economy to admonishing the community for either being too conservative and too White, or too liberal and too diverse.

When times are tough, people tend to blame the outsiders. Crime seems to be on the rise, and people tend to blame the immigrants rather than drug addicts.

The diversity mantra being pushed by the press, the schools, EEOC and government is destroying the concept of a united community of people afforded equal opportunity in a color blind society. It creates a community of victims divided by their race, sex, sexual behavior, etc. These victims do not take responsibility for their actions, do not seek to work with people of different backgrounds, and blackmail people with the constant threat of legal recourse.

F. **What, in your opinion, would be the best way(s) to increase tolerance and non-discrimination in this community?** There were many thoughtful responses to this open-ended question. Responses were grouped by categories, with the majority indicating that the best way would be (1) to educate youth and adults through programs in the schools and public awareness campaigns (in the form of forums, posters, news media, etc.). The second largest grouping of responses suggested (2) having more celebrations to honor the diversity in the community and sharing the cultural heritage of these groups (much like the World Beat). The third largest category of responses urged (3) further ordinances and non-discrimination laws as a deterrent to the community and applauded Salem on its progressive stance as one of the most tolerant communities in the country. Other suggestions were (4) to put on more community dialogue events; (5) have more minorities as educators in public schools and in City government; and (6) help parents embrace tolerance and emphasize non-discrimination to children (especially moral development). Others advised (7) to de-emphasize labels that define ethnicity (such as “European-American” and “African-American”), (8) stop affirmative action, (9) cut off assistance to illegal immigrants, and (10) make English the official language.

G. When asked whether respondents knew **that the City of Salem had a Human Rights and Relations Advisory Commission, 820 (54.4%)** indicated that they were aware that the City had such a Commission, and **688 (45.6%)** said that they had not been aware before the survey.

2. The 14 **oral interviews** presented a mix of viewpoints regarding discrimination within the community. However, overall the general impression was that it exists—with discrimination in housing, public accommodations, employment, and racial profiling by police most frequently identified. Multiple interviewees reported unequal treatment of minorities in department stores. Respondents said that minorities are more closely watched than White customers and may have trouble finding assistance from employees.

The majority of interviewees praised the City for the recent revisions in the City’s human rights ordinance and the creation of a Community Police Review Board, which both provided further recourses for community members who feel as though they face discrimination. There were also cautionary comments from minority interviewees. They said it does not serve any minorities well if minorities as a whole do not hold each other accountable for their own behavior and that they should stop blaming the institutions that try to protect the public at large. One interviewee also acknowledged that the minority community needs to work more in unison if the perception by the White community is to become more tolerant and not see minorities as unwilling to take responsibility for actions. Interviews with White participants were forthcoming in acknowledging that intolerance exists.

Interviewees were in general agreement that, because members of the Salem community are not used to and do not understand people who are different than they are, it makes it very hard for the community to unite. The perception by many respondents was that Oregon is basically a White state and, as long as it continues to be that way, there will continue to be discrimination problems. Yet another mentioned that “simply being around people a lot who are different from you teaches you to see them as human and not as *others*.” One respondent talked about a local elementary school that is very racially mixed, saying that “because the kids are struggling together and succeeding together, there is not as much focus on race.”

Along with being exposed to people of different backgrounds and cultures, the need to build relationships was also a central theme in all of the interviews. One interviewee offered that the dominant culture needed

to be the initiator of the contact and said that the minority culture needs to be receptive to this outreach for things to change. They mentioned that if the minority culture is protesting all of the time, they will wear out the dominant culture and nothing will be achieved. The interviewee called this “protest fatigue” and quoted a friend of his who once told him that “Cultural sensitivity is a good place to start, but we need cultural competency. Cultural sensitivity means you know how not to offend me; cultural competency means you know me.” Another respondent mentioned being constantly invited to functions for the public and committees, yet is almost never invited into someone’s home for dinner.

When asked whether human rights conditions have improved or weakened in the community during the past five years, the results varied enormously. One subject called Salem one of the “most progressive cities at the moment with regard to human rights,” while another described the community as “uncaring, unaware, and in flux.” Some of those interviewed think that human rights violations have simply become more obscure and discreet. As one interviewee put it: “It is hard to prove a negative or the absence of something.” Most of the people interviewed, however, were of the opinion that human rights are improving, but acknowledged that there is much more to be done.

3. There are a variety of indicators besides the written and oral survey results that add to the overall picture of the state of human rights in Salem. These include the number of human rights complaints that have come to the **HRRAC**; **Salem Police Department** statistics on bias crimes; housing complaints filed with both the **U.S. Department of Housing and Urban Development (HUD)** and the **Fair Housing Council of Oregon (FHCO)**; and the cases filed with the **Bureau of Labor & Industries (BOLI)**.

According to the statistics gathered for the Salem Area **between 1998-present**, there have been:

- **168** cases filed with the HRRAC, alleging discrimination in housing, employment, and/or public accommodations across a range of protected classes afforded by City ordinance. Complaints that are filed with the HRRAC are mostly resolved through mediation and/or by referral to an appropriate agency already set up to deal with the issue.
- **170** bias crimes reported to the Salem Police Department, including six cases reported immediately following September 11, 2001. Additionally, the Salem Police Department during this same time period, received **37** complaints of bias or discrimination against the performance of their officers in performing their official duties. A Community Police Review Board (CPRB) was created in fall 2002 (and first met in January 2003) as a recourse for the community to use in filing complaints against police action once it has gone through the Internal Affairs process. There have been **zero** cases filed with the CPRB by the date of this report.
- **21** housing discrimination cases filed with HUD on the basis of discrimination based primarily on *race, family status, disability, and national origin*.
- **45** cases filed with the FHCO by Salem residents regarding housing discrimination. These cases most often alleged discrimination based on *familial status, disability, sex, marital status, and religion*.

Additionally, from January 2001-March 2003, for all of Marion County, there were **408** cases filed with BOLI. A breakdown of cases filed for Salem only were not available. Of the 408 countywide cases, 403 were based on alleged employment discrimination, one on housing discrimination, and four on public accommodation discrimination incidents.

It should be noted for all these various indicators that, while not all of the cases resulted in determinations of proven discrimination, these statistics do contribute to the whole picture of perceived discrimination in the community. There may be many more instances where people do not report discriminatory behavior when there is justification for such a claim. The HRRAC is aware that there are people in the community who have a cultural fear of police or immigration officials. We also encounter people who are simply unaware of their civil rights.

SUMMARY

The task of trying to survey a community about human rights is an onerous one. Regardless of the findings, there will be people who are entrenched in their viewpoints and may remain convinced that the survey questions are biased to one extreme or the other or slanted to place blame. Somewhere between extreme opinions lies the reality of what the community is feeling about life here.

There were some respondents to the written survey who voiced concerns that the survey would only bring out the negative comments. On the contrary, the tally of responses indicated little perception of discrimination by the general public, and over 85% indicated that the human rights “climate” in Salem is “somewhat better” or “much better” than five years ago. Assuming that there are some people who are totally entrenched in their opinions and will never be shaken from a particular position, it is still the responsibility of groups such as the HRRAC and our partners to allow the diverse viewpoints to be expressed. It is felt that the survey accomplished that objective for those who took the time to respond. Some feel that there are too many recourses available to those in the community who “plead discrimination without taking personal responsibility;” and others perceive that as a community we “don’t go far enough in securing equality for everyone.” It is also important that these statements be aired to allow people to know what the community is thinking. A myopic understanding of diversity issues could interfere with progress toward building cohesion within the community.

Oregon, particularly of late, has experienced an economic downturn—impacted by world conflict, federal mandates, and reduced tax revenue. We must be particularly vigilant in economically difficult times to ensure that certain groups are not singled out as scapegoats to blame for the woes of the overall community.

There were a number of people who took the survey who expressed appreciation for being given a vehicle to vent. Others were reminded by their lack of personal experiences as a target of discrimination about how privileged they have been throughout their lives. Frustrations were clearly expressed by the minority community who have experienced discrimination, as well as by the Caucasian community in describing their concerns around issues of race. (*“I do not have a racist bone in my body. It’s disappointing to come across a minority that hates me because of my race. Someone like that apparently thinks of themselves as a victim and assumes all Whites are out to get him.”*)

The point of the survey was not to question responses received, but rather to allow people to express their perceptions. That is why there are no names referring to people, businesses, organizations, or agencies accused in the surveys. There was never any intention of verifying the information or any accusations of discrimination. Opinions expressed about how to curb intolerance in the community ranged from those who wanted to legislate more protections than Salem already affords to a more hands-off approach, which assumes that the public will choose between right and wrong. (*“Individuals and businesses should be allowed to deal with whomever they choose, and if they choose to discriminate, they will pay the free market consequences of their decisions.”*)

While not denying the presence of bias on the part of individuals, some respondents chided members of the minority community to own up to their own intolerances, stop projecting blame, and begin to take responsibility for their own behavior—all while demanding accountability on the part of Whites who may be abusing the system. This viewpoint seemed to be the mid-point of responses from all participants. While it is true, as some stated on their surveys, that Salem may change for the better as the community becomes more and more diverse over time, there are some clear messages from community members who fear a backlash.

In conclusion, it is important for the community to find new ways of getting people with these very divergent viewpoints to communicate. Experience has shown that this cannot be accomplished by any one sector of the community, one governmental body, or by well-meaning people alone. It can only be accomplished by the commitment of the whole community who will willingly share in and take responsibility for both the process and the end result.

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