

# Portland women plead no contest to hand sex

PORTLAND (AP) — Two elderly Portland women claim their massage parlor had survived nearly half of a century without any problem until an undercover police detective asked for a little something extra.

"Why would we have been in business for 40 years if we were involved in prostitution?" asked Willie C. Underwood. "You can call it prostitution if you want to, but I don't."

Underwood, 73, and her friend, Marjorie L. Thompson, 70, both pleaded no contest Monday to single misdemeanor counts of prostitution after they were accused of providing sex by hand during massages at A-1 Massage.

Jennifer Pakula, a deputy district attorney, said a detective went to A-1 and negotiated a

massage with hand sex shortly before the police raid.

But both women denied they had done anything wrong.

"They put us through torture, disgrace and dishonor, just to get us out of business," Underwood said.

"All they had to do was take our license," Thompson said. "They didn't have to do all this."

Multnomah County District Judge William J. Keys placed both women on probation for two years and ordered them not to work in the massage or adult entertainment business.

They also agreed to pay \$10,000 to settle lawsuits filed by state and Multnomah County officials after a police raid closed the massage business May 13.

# Committee against tax

PORTLAND (AP) — The executive committee of the Oregon Republican Party has voted to oppose the sales tax proposal that will appear on the state ballot next month.

The committee took the action by voice vote Friday night. Members of the state Republican Central Committee will now vote on the resolution by mail ballot.

The measure states that the party recognizes the need to cut government spending before seeking new revenues. It also

accuses Gov. Barbara Roberts, a Democrat, of failing to undertake a program of meaningful cuts in government spending.

State GOP Chairman Randy Miller said the vote reflects a belief by Republicans that the problem with government is that it spends too much.

He predicted that voters will overwhelmingly defeat the sales tax proposal.

"Oregonians know government has avoided making the tough choices," he said.

# Digging in the dirt



KATHERINE STRELOFF for the Emerald

Carl Hopinger and Dave McCoy, Physical Plant groundskeepers, wait for the Emerad dirt to be dumped by the Pioneer. Plants native to Oregon and a stone pathway will be added to the statue so people can have pictures taken with the bronze statue.

# Court rules for apartment owners

SAN FRANCISCO (AP) — An appeals court ruling in favor of apartment owners who refused to rent to an unmarried couple for religious reasons will stand after the state Supreme Court dismissed review of the case.

The state's high court had agreed in February 1992 to hear the case, but after 19 months of inaction, voted 5-2 to dismiss the review. No explanation was given.

State law prohibits housing discrimination based on marital status. But a state appeals court in Los Angeles ruled in November 1991 that the state had no compelling interest in enforcing that law at the expense of a landlord's religious freedom.

However, the ruling can no longer be cited as a legal precedent by other courts.

Chief Justice Malcolm Lucas and Justices Stanley Mosk, Edward Panelli, Armand Arabian and Marvin Baxter voted Friday to drop the case. Justices Joyce Kennard and Ronald George dissented.

"I'm surprised because I think it was an important issue," said attorney Thomas Donahue, who represented his parents, apartment owners John and Agnes Donahue, in the case. Deputy Attorney General Kathleen Mikkelsen said she could not explain the court's action.

The case had attracted attention from civil-rights and religious groups around the country. The state had argued in court papers that the claimed religious exemption would let other landlords exclude homosexuals, women who had had abortions, or those who used birth control. Attorney Donahue said those fears were wildly exaggerated.

Another case raising the same issue is pending in the 3rd District Court of Appeal in Sacramento. It involves a Chico woman, Evelyn Smith, who refused to rent a duplex unit to an unmarried couple in 1987 because of her religious beliefs.

The Donahues, who described themselves as devout Roman Catholics, refused in February 1987 to rent a unit in their five-apartment building to Verna Terry and Robert Wilder. Mrs. Donahue told Terry she would not rent to an unmarried couple.

The state Fair Employment and Housing Commission awarded Terry and Wilder \$8,200 in damages, saying the Donahues had violated the state anti-discrimination law. The commission said it had no authority to rule on the landlords' claim of a religious exemption.

The 2nd District Court of Appeal overturned the damage award in a 2-1 ruling, the first decision on the issue by an appellate court in the state. The court said the ban on discrimination based on marital status "ranks relatively low in the hierarchy of the state's governmental interests."

In trying to defend the law, the state "has failed to explain what exactly is so ... unfairly offensive in not treating unmarried cohabiting couples as if they were married," said the opinion by Justice Roger Boren, joined by Presiding Justice Paul Turner.

Boren noted that the state Supreme Court has refused to let one member of an unmarried couple sue for injuries to the other partner, and that the state allows its colleges to provide separate housing for married students.

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