

# COMMUNITY

## Code's revision would alter city's discrimination law

By Kim Stephenson  
For the Oregon Daily Emerald

The Eugene Human Rights Commission conducted its second and final public hearing on a proposed revision to current city law Tuesday evening. The revision, if approved, would prohibit discrimination based on sexual orientation and source of income.

The revision has been drafted primarily to update and clarify the language of the present law, which was written in 1975, said HRC member and hearing chair George Russell.

According to HRC research, Eugene's civil rights laws are more limited than state and federal laws. In addition, the commission conducted a volunteer survey in 1993 which concluded that discrimination based on race, religion, color, sex, national origin, marital status, familial status, age, sexual orientation, source of income and disability does exist in Eugene, said Mary Feldman, a member of the Human Rights Commission.

The current code prohibits discrimination based on race, religion, color, sex, national origin, marital status and mental or physical disability. The proposed revision includes additions of: familial status, expunged juvenile record, association with someone who is covered by non-discrimination laws, sexual orientation and source of income.

The proposed revision states: "The inclusion of fa-

miliar status, sexual orientation and source of income in these code provisions is not intended to and shall not be interpreted to establish or require affirmative action or quotas of any kind." Sexual orientation is defined by the proposed city code as: "actual or perceived heterosexuality, homosexuality or bisexuality."

Approximately 22 of the 50 Eugene residents in attendance provided public testimony to the commission. The majority of public comments were in support of the proposed city code, while four to five residents opposed the revision.

One of the supporters of the new city code was Laurie Swanson-Gribskov, a candidate for City Council and a University of Oregon doctoral student in special education. "I want to live in a city where everyone is treated with respect," Swanson-Gribskov said.

Among the Eugene residents in opposition to the proposed revision was Patti Duncan, director of the Lane County Oregon Citizens Alliance. Duncan argued the revision violates the Constitution of the United States by disallowing property owners the religious freedom to deny housing to gay men and lesbians.

Polly Nelson of the American Civil Liberties Union voiced her support for the passing of the city code. Nelson said her office has received many complaints concerning sexual orientation discrimination. One case involved a heterosexual man who was perceived to be gay

by co-workers and consequently fired because of the image associated with his place of employment, said Nelson.

Another addition proposed by the commission is the development and implementation of a city mediation program. When civil rights complaints cannot be resolved by the Human Rights Commission, it is proposed the parties involved be forwarded to a mediator before filing with the Bureau of Labor and Industry. Currently, complaints unresolved by the Commission are directly filed with the bureau, which is a lengthy, bureaucratic process.

Greg Evans, a representative of the Oregon and Washington conferences of the NAACP, was also a supporter of the revised city code. Evans only concern was the continued reliance on the Bureau of Labor and Industry for enforcement of non-discrimination laws. In his experience as an advocate for the African-American community, he has found the bureau to be unresponsive to minority issues.

The Human Rights Commission will review public testimony on the revised non-discrimination city code on May 17 at City Hall. The Commission hopes to forward its recommendations to the City Council by May 23. The hearing on May 17 will be open to the public, though no public comments will be heard. Anyone wishing to comment on the proposed city code may contact the Human Rights Commission prior to April 29.

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## Honda asks court to overturn \$5.7 million judgment

WASHINGTON (AP) — Fighting a \$5.7 million judgment in an all-terrain vehicle wreck, Honda Motor Co. asked the Supreme Court on Wednesday to strike down an Oregon law that bars judges from reducing juries' punitive-damage awards.

"Even a well-meaning jury... can make a mistake," Andrew Frey, representing Honda, told the justices during oral arguments Wednesday.

"The question is whether you have a right to judicial review of a jury verdict that is viewed excessive?" he said. "It is a right that has existed for centuries."

The case involving Karl Oberg of Salem, Ore., marks the third time in recent years the high court has been asked to rein in multi-million-dollar punitive damage awards in civil suits. The court refused to do so in 1991 and 1993.

Oberg was granted \$5.7 million in damages from Honda after his three-wheel all-terrain vehicle overturned on an embankment in October 1985. The vehicle landed on Oberg's head, causing multiple broken bones and brain damage.

The award included \$5 million in punitive damages intended to punish Honda and two of its U.S. subsidiaries for selling an unsafe product.

Honda appealed, but a state appeals court

said it had no authority to reduce the award and the Oregon Supreme Court agreed.

Honda argues Oregon has been violating the U.S. Constitution for 84 years by refusing to allow state judges to reduce big jury verdicts — including the award to Oberg already upheld by Oregon courts.

The auto- and motorcycle maker says barring judges from reviewing the size of punitive-damage awards violates its federal due-process rights.

"We get no judge to examine whether the verdict conforms with substantive law," Frey said Wednesday.

But Laurence Tribe, a Harvard law professor representing Oberg, told the Supreme Court, "No argument whatever has been offered to show they have a right to review by a judge after a verdict to ensure compliance with state law."

Tribe said damage awards are reviewed if a judge determines there was no evidence to support the award or if the instructions to the jury were faulty.

The Oregon law only stipulates that a judge "won't re-examine a fact found by a jury," he said.

In addition, Tribe said that a judge has the option of instructing a jury beforehand to limit damages at a certain level.

But Justice Antonin Scalia said it was

much more difficult to tell a judge to "pick a number" before the verdict than it was to review a verdict and "say afterwards this is too much."

"You're asking them to define obscenity rather than recognize it when they see it," Scalia said.

Tribe said the Oregon judges acted correctly in leaving the damage award in the hands of the jury.

"They don't want to substitute their judgment as long as the jury was acting lawfully," Tribe said.

"How much is too much?" he said. "Gross excess is relative... Excess compared to what? Nothing is excess in itself."

No payment has been made to Oberg, but the money is gathering 9 percent interest in escrow, which will make the jury award substantially larger if Oberg prevails.

At the trial, Honda tried to suppress Consumer Product Safety Commission documents saying that three-wheeled all-terrain vehicles were to blame for 1,000 deaths and 300,000 injuries in five years.

ATVs are now available in the United States only in four-wheeled models. The issue now, however, is not the safety of the machines but the right of a state to decide how much trust should be placed in a jury, Tribe said.

## 'Let's Do Lunch' offers dating service for Seattle's lonely and hungry

SEATTLE (AP) — What to do for lunch? You have to eat, but you don't really want to be alone in a crowded restaurant or wander downtown streets in the rain.

"Lunch is a lonely time," says Evan Shopper, founder of a new dating service that may offer a solution to single business people crying into a soggy tuna sandwich when it's that time of day.

The six-month-old company, Let's Do Lunch (The Non-Date Lunch Date), is on the cutting edge of the '90s dating scene, said Shopper. His service sets up lunch dates for downtown business people looking for

someone nice, and something long term, but aren't up for the pressure of a "meat market."

After all, lunch is casual, by daylight rather than candlelight, noncommittal and only an hour long. "You don't have to think of graceful exits when you have to get back to work," the 26-year-old St. Louis, Mo. transplant said.

And Let's Do Lunch is run by someone who isn't far out of the dating trenches himself, who can offer advice on the '90s dating scene to men and women who often haven't been on a date in 10, 20 or 30 years.

"These people are in their 30s

and 40s or older and they're just as confused about these things as everyone else," Shopper said.

"They think of me as some kind of dating expert," he said.

Shopper makes no promises about finding true love and fireworks for his clients.

"My philosophy is that no one can predict the chemistry that exists between two people," he said. "I just try to determine if they're even going to be friends to start with."

Shopper avoids getting involved in the romantic fumbblings of his clients, although he will steer the bewildered in the right direction, he said. Clients

invariably call Shopper after a "good lunch," wondering: if they should call the other person ... how long they should wait before calling ... how many times should they call before getting the hint?

The credentials of this match-maker who has never used a dating service himself? Merely the brains behind a good idea. The college English major was having lunch downtown with a friend a year ago when inspiration struck. He figured lots of people are lonely, lots of people eat lunch alone, and decided to combine the two.

After all, everyone has to eat lunch.

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