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local news

Fanning the flames

*A Portland firefighter has been convicted of the
"intimidation" of a state lawmaker
and her partner of four years*

by Inga Sorensen

There's still no word on the professional fate of a Portland firefighter who reportedly called a state lawmaker and her female companion "fucking bitches" and "cunts," and was later convicted of intimidating the women because he perceived them to be lesbians.

Portland fire officials are investigating the incident, which involves 42-year-old James Patrick Harder, a Gervais resident and 17-year veteran of the Portland Fire Bureau. Portland Fire Chief Robert Wall, who says he did not know about the incident until Harder's Dec. 8 conviction, says the department is conducting its own investigation to determine whether it should discipline Harder.

The incident took place Sept. 6 on highways 18 and 22 in the area known as the Van Duzer Corridor in Polk County. According to the Polk County

District Attorney's office, Harder was driving when he spotted the license plate of a van driven by Danetta Wilke and her passenger, state Rep. Hedy Rijken, a state lawmaker from the coastal community of Waldport, who is an out lesbian. Rijken and Wilke have been a couple for nearly four years, and were commuting together from their coastal home to their workplaces in Portland.

According to Polk County District Attorney Fred Avera, Harder thought the duo's license plate—which reads HB3435—related to a gay and lesbian civil rights bill which had previously been considered by the Oregon Legislature. (The license plate actually pertains to a law enforcement bill.) When Harder saw the van was occupied by two women, he began tailgating them.

"We noticed this guy driving like a maniac behind us," says the 36-year-old Rijken, who has lived in the Newport area nearly her entire life. "There was a lot of traffic on the road because it was the day after Labor Day. We were really concerned he was going to hurt somebody."

A statement from Avera's office says: "Harder began to pass the van. As he passed the van a car came around a curve from the other direction. He nearly hit the oncoming car [and] swerved into the lane nearly hitting Ms. Wilke and Ms. Rijken."

At this point, the statement says, Harder pulled over, got out of his white Honda Civic, and started yelling obscenities at the women. Wilke drove around Harder; he pursued the chase, and again passed the duo. Near Valley Junction, the parties were forced to stop at a construction site. Wilke was behind Harder, who got out of his car and "again began yelling obscenities at Ms. Wilke and Ms. Rijken. He tried to get in their van. When he discovered it was locked, he pounded on the window and continued to yell obscenities [which included] remarks about his personal feelings towards and perceptions of gay and lesbian lifestyles."

During the incident, Wilke and Rijken dialed 9-1-1 on their cellular phone, and Harder was arrested by Yamhill County sheriff's deputies at the construction site.

According to the incident report authored by

the arresting officer, Mike Runyon, Harder said the women were "'lesbians' and that he knew [this] because of their appearance and the special plate on their vehicle, HB3435.... Mr. Harder seemed focused on his perception that the victims lived a homosexual lifestyle."

Runyon charged Harder with disorderly conduct and Harder was released at the scene. In his report, Runyon claims "the victims indicated they were satisfied with the results of the investigation."

"That's absolutely untrue," says Rijken. According to a Sept. 14 memo from Wilke to her attorney, Lisa Maxfield of the Portland-based firm Ransom, Blackman & Weil, that report omitted a "couple of key items which were relayed to the police at the time."

Wilke wrote: "The suspect approached my



Hedy Rijken (left) with Charlotte Comito

window and between beatings on the window pulled his lips back and flicked his tongue menacingly, as if to indicate some kind of oral-sex thing. He also made his fingers into a 'V' shape and licked between them, then immediately punched the door. Both Hedy and I told the deputies this independently. [Also] at this point, as I was shying away from the window, he yelled, 'Get enough slick [sic] this weekend?' meaning oral sex. [He] then proceeded to beat on the window some

more. I did not hear this comment, as I was protecting myself from the potential of him breaking the glass, but Hedy did."

Wilke also says Runyon's claim that she and Rijken were "satisfied" with the deputies' investigation is incorrect. She says they told police they "understood [Wilke's emphasis] what [the officers were] going to charge [Harder] with, but that we wanted this handled as a hate crime. We also told him we wanted [Harder] taken into custody, but he said he couldn't do it for that level of charge."

Avera, whose office later brought additional charges against Harder—including menacing, reckless driving, and reckless endangerment—questions why the officers did not charge Harder with intimidation at the scene.

"I just don't see how you could ignore something like that," he says. "It was clear from talking with the victims that this was a case of intimidation."

According to an Oregon Supreme Court ruling, bias crimes can be primary or secondary in nature. Primary bias crimes are those committed due to perceived race, sexual orientation, color, etc. Secondary bias crimes would include, for example, a situation where two people of different races get into a car wreck and one begins assaulting the other and screaming racial epithets.

"It's one thing to not like me because of the color of my skin, or my religious beliefs. It's another thing to drive me off the road and smash