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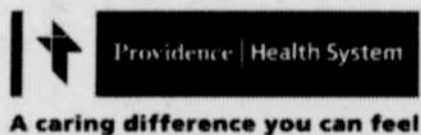
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FOR BETTER OR FOR WORSE

Anti-gay forces mobilize as Oregon becomes the same-sex marriage mecca of the United States by Jim Radosta

In defiance of an order from Oregon Gov. Ted Kulongoski, Multnomah County will continue issuing marriage licenses to same-sex couples.

County Chair Diane Linn made the announcement March 15 after analyzing a legal opinion issued March 12 by Oregon Attorney General Hardy Myers. He concluded that the denial of marriage licenses to same-sex couples is probably unconstitutional but that this determination should be made by the Oregon Supreme Court.

"Withholding from same-sex couples the legal rights, benefits and obligations that—under current law—are automatically granted to married couples of the opposite sex likely violates Article I, Section 20 of the Oregon Constitution," Myers wrote. "But because of the uncertainties...it would be unwise to change current state practices until, and unless, a decision by the Supreme Court makes clear what, if any, changes are required."

In light of this recommendation, Kulongoski directed all state agencies to adhere to current state statutes, which do not recognize same-sex marriages. However, he asked Myers to identify how the issue can most quickly reach the Supreme Court for final resolution.

"We have 36 counties, 14 regional governments, 238 cities and more than 1,000 special service districts in Oregon," Kulongoski said. "We must have a uniform code of laws within the state, or the state will become unlivable."

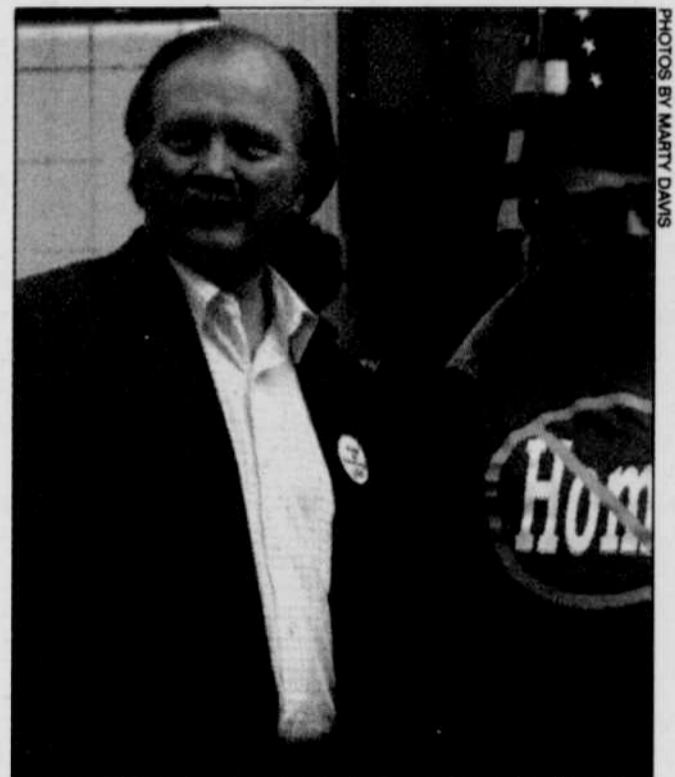
Kulongoski, who had been considered an ally of the sexual minorities community, may be burning bridges with his words. Basic Rights Oregon was "disappointed" that he encouraged counties to continue engaging in marriage discrimination, while Commissioner Lisa Naito criticized his "convoluted, bureaucratic gibberish" and said he "took the politically expedient course and covers behind a state statute" that violates people's constitutional rights.

Linn interpreted Myers' opinion as further support of the conclusions reached by Multnomah County Attorney Agnes Soble, Stoel Rives lawyer and constitutional expert Charles Hinkle and Oregon legislative counsel Greg Chaimov. They agree that the Oregon Bill of Rights forbids discrimination against protected classes and that, based on a 1998 Oregon Court of Appeals decision, this status applies to gay and lesbian couples.

"The attorney general's opinion offers no assurance whatsoever that Multnomah County will not be sued successfully by any same-sex couple who is denied a license while it waits for the issue to get to the Supreme Court," Linn said. "In fact, if anything, the risk is greater than previously with what is now the fourth opinion that states that denial of licenses is likely unconstitutional."

House Democratic Leader Jeff Merkley expressed support March 12 for Kulongoski's decision. He asked both sides to remain calm as the legal process drags on.

"I support the governor's call for a deliberate and thoughtful conversation among Oregonians on this important and complex issue," Merkley said. "Both before and after the eventual decision by the state Supreme Court on this matter, we must maintain a civil and respectful dialogue. This is the Ore-



PHOTOS BY MARTY DAVIS

Oregon Citizens Alliance chairman Lon Mabon showed up at a Christian Coalition prayer rally March 13

gon tradition, and we should preserve it in the way we treat each other."

Committee Considers Charter Change

So far the backlash is making little headway. Multnomah County Judge Dale Koch denied a request for a preliminary injunction sought by a conservative lobby group March 8.

The next day the Multnomah County Charter Review Committee met to consider referring an initiative to the ballot that would change the county charter to ban same-sex marriage. The proposal is being pushed by Lonnie Roberts, who is outraged that he was not invited to participate in the decision to issue licenses to gay and lesbian couples.

Dozens of people crammed into the Brentwood Darlington Community Center to testify for and against the proposal. Queer rights supporters clearly outnumbered those in opposition.

Naito reiterated that the county acted appropriately in upholding the rights of same-sex couples seeking to obtain marriage licenses. She added that the charter amendment wouldn't make any difference in the long run.

"Because this is a matter about rights and privileges as granted by the Oregon Constitution, it is my firm belief that even if the amendment proposed this evening somehow gains approval of this committee, makes it on to the November ballot and is approved by voters, it would be worthless," Naito said. "The state constitution trumps any county charter amendment. If opponents of same-sex marriage want to discriminate and not extend privileges equally to all Oregonians, they will have to change the state constitution."

The meeting already has led to one significant change: Lloyd Culbertson resigned as committee chairman March 12. The group's next gathering will be held from 6 to 8 p.m. March 23 at the Multnomah Building, 501 S.E. Hawthorne Blvd.

Faith-Off

Meanwhile, the faith community weighed in on same-sex marriage at two drastically

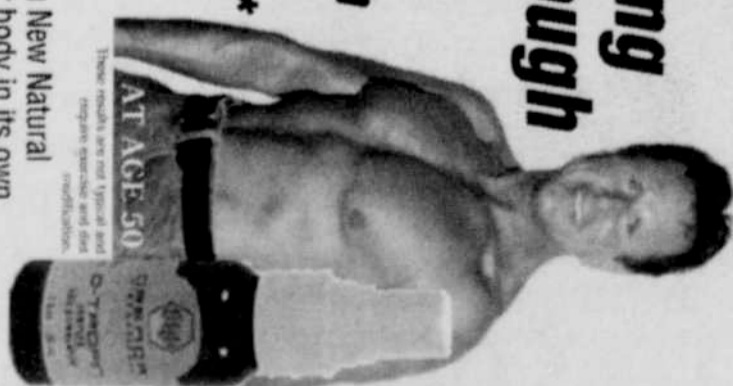
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