



November 1992: Karen Hagedorn and Sheryl Bernheine proudly announce the birth of their daughter Bailey

think it was an option for a same-sex couple to try to put in a birth announcement. "This is not a new problem," Flynn says.

But Molly and Kari Kenzie didn't know about the policy when Molly gave birth to Owen in November of 2005, six months after Hailey Flynn was born. The

they weren't willing to start a child's life with a lie. Simmons says they've felt "a warm embrace by the social services agencies of the state" and that the adoption training was sensitive to the needs of gays and lesbians. "The only hitch with this has been *The Register-Guard*, and they are excluding a large number of people, adoptive and gay and lesbian parents," he says.

The Flynns were incensed as they heard more and more stories like their own. In October 2005, they sent a letter to the city's Human Rights Commission quoting what they had heard from Dave Baker through the first few months of Hailey's life. "He did a survey of 12 other newspapers regarding how those papers handle the birth announcement issue and he plans to use that information to come up with some sort of *R-G* birth announcement policy by next week," Becky wrote. But time dragged on, and instead of meeting with parents and others upset by the policy, the *R-G* stopped returning the Flynns' phone calls.

The Flynns were at their wits' end, Becky says. Because the statute of limitations for discrimination was about to run out, she filed a civil rights complaint with Oregon's Bureau of Labor and Industries (BOLI). And through Eugene's EQuality Network and other LGBT and queer-friendly organizations, including the Religious Response Network, the Flynns began to gather signatures on a petition to the *R-G* and planned a "Mother's

a DNA test to prove paternity." Now, he says, he's hearing more about it as a First Amendment issue. And the Flynns are frustrated with the time it's taking. "They say, 'You're rushing us; we're studying the issue,'" Becky says, "but we know that 12 years ago, another family complained."

Jeff Wright, the *R-G* reporter who wrote about the May protest for his paper, says that he knows some staff members have emailed the publisher to express their desire that the paper change its policy. The BOLI complaint, however, may cast things in a different light. "Is the paper a place of public accommodation or is it not?" Wright says, "If we're not a public accommodation," he says, "then there is no jurisdiction" for BOLI to rule. Becky Flynn wrote to the Human Rights Commission that the *R-G* identifies birth, wedding and death announcements as a public service; this, she believes, means the announcements *are* a public accommodation.

Kevin Miller says that he finds the complaint upsetting because the government cannot tell papers what to print. Freedom of the press, after all, is enshrined in the First Amendment to the U.S. Constitution. Becky Flynn says it's not a First Amendment issue. "They're trying to make it sound like it's a David and Goliath issue between the paper and the government, but the government has a responsibility to make sure public accommodations do not discriminate against protected classes," she says.

Will the complaint help? The civil rights investigator in charge of the process is on a month's extended leave and will issue her report when she returns early in the new year, Flynn says. Simmons says, "We hear that the *R-G* is interested in changing the policy, but

Activists wonder why the paper responded to pressure about the obituaries section but resists public outcry about birth announcements.

Kenzie had been together for several years when they were married in Portland in March 2004. "When you find your person, you talk about those things before you get married, and we knew that kids were in our future for sure," Molly says. She got pregnant on their second try.

"We had quite a wonderful experience," Molly says. "[Our status as a same-sex couple] didn't seem to be an issue, so we were not on guard at all." At McKenzie-Willamette, where Owen was born, a nurse gave them the birth announcement form for the *R-G*, and Molly crossed out father and put Kari's name with "mother" written in. Life with a newborn was too busy for them to track the birth announcements, but soon, they received three copies of the announcement from the *R-G*. They couldn't believe Kari's name wasn't there. "It was like a slap in the face," Molly says.

Kevin Miller, now the editor of OSU's alumni magazine, was a senior editor at the *R-G* when the Flynns began the process of trying to change the policy. He sympathizes with parents who feel anguish over the policy. "For me personally as an editor, this was one of the most painful dilemmas that I ever dealt with," he says. He wanted to find a way to get the names of both same-sex parents in, but he knew the paper's policy. After 25 years of working at the paper, he adds, he "respects the newspaper publisher's right to decide what does and doesn't go into his newspaper."

Todd Simmons moved to Eugene with his partner Gustavo Martinez-Padilla because they knew they could adopt in Oregon. In Florida, where they had lived, they looked into adoption, "but you really can't unless you're willing to lie; it's the only state that by statute forbids gays and lesbians from adopting." And

Day Rally" at the paper. The groups placed an ad in the *EW* to protest the *R-G*'s policy, and more than 200 people signed the petition. During the May 11 rally, 15 people walked in to cancel their subscriptions, according to Jeff Wright's *R-G* article about the protest. The Flynns have kept track of more than 50 households that have canceled their subscriptions about the issue.

At press time, Dave Baker and editor and publisher Alton Baker III hadn't returned *EW* phone calls, but the news department's birth announcement staff confirmed that the policy was to list only biological parents. "The staff members we've talked to at the *R-G* have all been so nice and have been totally on our side," Sharon Flynn said. Becky added that Dave Baker was also very helpful when the Flynns first complained "until he talked to Alton Baker, and then he stopped returning our phone calls." In her October 2005 letter to the Human Rights Commission, Becky wrote that Dave Baker "warns that he has tried to make other changes at the newspaper in the past and has, at times, been unsuccessful."

"Actually, it's kind of a moving target," says Todd Simmons, who has been working on the issue for the EQuality Network. "They said that their policy was being applied equally to all couples, unmarried heterosexual couples too, but they've been unable to show that they've given any couple

that they feel a little under pressure" from the complaint and the public nature of the protest last May.

But Simmons and other activists ask why the *R-G* changed its mind so quickly on another issue in the announcements section: printing photos with obituaries. When the paper announced that for space reasons, photos would no longer be published, Sharon Flynn notes, there was a public outcry with many letters to



December 1993: Alicia Hays and Adelka Shawn proudly announce the birth of their son Jackson