

BUSINESS EMPLOYMENT LINE

by James Posey



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Construction Opportunities Why ODOT? A Follow Up To The King Article

Continuing our last article which focused on the Oregon Department of Transportation Department's Disadvantage Business and On-The-Job training programs, let first say why this is such an important state department and especially as it relates the African-American community.

First of all as I've said before, this state department administers one of if not the biggest budgets in the state. There is virtually nothing that happens in this state that is not in some way significantly impacted by this state department. For example, the Department of Transportation Commission meeting agenda set for March 17, 1992 includes such items as: partnership funding agreement with Tri-Met's light rail corridor project, a spending proposal for the emerging small business program, a discussion on the Japanese exchange programs, a discussion on aeronautics strategic plan and on and on and on. Every item represents economic opportunity. (Note: In near future, the Light Rail project will be the best and biggest opportunity for Blacks to gain economically. The great fear is that African Americans won't have the business or skill capacity to take full advantage of this tremendous opportunity.)

Secondly, this state department has responsibility for administering the one of the most well funded federal programs in the country with a specific mission to help minorities and women enter business and gain employment in the construction industry.

Finally, this department simply by virtue of its size and logistic ability to affects all aspects of commerce in the state, sets a tone and presumes a leadership role in how the state culture works or doesn't work. In other words, other state agencies and departments are following the lead of ODOT.

This is why it not acceptable for ODOT to continue to:

****Have one the worst internal and external hiring records for African Americans of any of the state agencies.
****Administer its civil rights programs involving a lack of accountability, stability, and bottom line results specifically as it effects African Americans.
****Along with Governor Roberts, to ignore the need to include representation of African Americans on the Transportation Commission and on other special policy development committees.
****Foster the "Good Old Boy and Girl" system in contracting by not immediately establishing an aggressive

action plan to ensure diversity of opportunity over and above federal mandates.

****Ignore the leadership responsibility to coordinated resources and build alliances necessary to make civil rights programs work.

While the above items infer some of the major faults of ODOT, there is some good news. It appears at least to this point Bea Brooks, the relatively

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new manager of the civil rights section is serious about making positive changes in that office. While she is only one person and has definitely proven that she is not perfect, she is attempting to plug the holes and get the ship in shape at ODOT. She is doing this in the absence of a truly experienced staff and organization that has had an incredible history of conflict and neglect. She is also creating controversy by attempting to make the programs actually benefit minorities and women as they are intended to. And from my view point she is likewise catching hell from majority culture contractors who are intent on maintaining the status quo. Also it is most probable that she is receiving an indirect assault from internal sources at ODOT all the way up the management hierarchy. And if that was not enough, there are those out in community who are critical of her because they have not seen enough progress soon enough. No matter how you slice it, this woman who is generally experienced in the working of state government, but relatively inexperienced in this particular area of minority contracting, is nevertheless making a difference. In fact, she is a pleasant bright spot in an otherwise dismal picture. She will make a bigger difference once she becomes more technically familiar with the programs and can survive the onslaught from all sides. I wish I could wave a magic wand and cast a spell on the Urban League, NAACP, Operation Push, and all the rest on them not listed, to make them find some way to significantly and outwardly support this woman. I predict she will not last unless she receives some unqualified support from those who are most likely to gain from her "Sherlocks." She needs help from the

community and afraid she not getting it.

It's critical that she survives because there are only few like her who are willing to stand in the gap and take the heat and do the right thing.

More than that, it's critical because no matter how well designed, funded, and intended the program is, nothing substantial will be accomplished without knowledgeable, competent and committed people running the critical elements of the program. For example it is not uncommon to find programs instituted to help or support the issues of minorities and women to be staffed by minorities and women who don't have a clue as what to do. And in some cases even when they discover what they are suppose to do, they don't have guts to do it, especially in face of controversy

even though controversy is basic element of their job. Its not uncommon to hire staff for leadership and management positions who have little or interest in the true nature of the work or who themselves internally and philosophically deeply resent the so called special treatment for minorities and women. Its sort of akin to a pathetic self-hate sickness if you ask me.

The other most commonly observed phenomenon is the recruitment of key minority board members or minority program managers and subordinate staff who once hired or installed either spend lot of time placating or anemically side stepping advocacy roles and responsibilities and/or who in some cases actively and openly work in opposition to the best interest of minority and women concerns. In filling these "gate keeping" roles, selectees hold back tide of frustration and hopelessness and grease the skids as many in the community slide deeper into deprivation. The hiring and selecting authorities of many of these programs have an uncanny ability to find and hire minorities and women who for whatever reason have little or no cultural, class identity or allegiance to their respective ethnic or gender groups. And as harsh as this accusation might seem, there is certainly clear similarities to the house nigger vs field nigger divisive strategy that slave masters employed during that era to keep the slaves in check. Today in Portland it's still an effective control mechanism.

In our next article we will conclude the review of ODOT and review aspects of another major program. We will also discuss leadership or the lack thereof and political factors common to most of the previously listed programs.

perspectives

by Professor McKinley Burt

How About One More Tax; For Survival

Last week's column, "All That Glitters Is Not Gold," was well received. Well and good, but there are several priorities other than the Community College upscale that need immediate attention; particularly, the state's economic problems. We concede that the two issues can hardly be separated.

I am going to proceed here most immediately with a suggestion that may shock many of those who know me. I am a gungho advocate for the immediate enactment of a Sales Tax! Yes, I know what Ballot Measure 5 was intended to accomplish. And I am equally aware that beyond some areas of property tax relief for big business, the results of that measure were not at all the economic panacea expected for the mass of small homeowners.

And I understand very well that Governor Roberts has directed state agencies to eliminate 4,000 positions by June 1993 because of the anticipated \$1 billion budget deficit in the 1993-95 budget. And that the same Measure 5 requires the State General Fund to offset property tax revenue that local school districts lost when their tax rates were capped in 1991. There will be even more attrition in the educational establishment as Oregon's O&C counties find themselves not getting the full \$83 million Congress guaranteed them from timber sales this year.

Now, this financial blow is not the result of ballot Measure 5, but a direct consequence of the spotted owl controversy. The Bureau of Land Manage-

ment says that logging on the Western Oregon lands they manage has dropped considerably, severely reducing the payments they customarily are able to make each year to Oregon counties from the sale of timber on these lands. These funds have always been critical to the economy of many of the more rural areas, many of them possessing hardly any of the usual tax bases of conventional industries. Consequently, we find 18 Oregon counties where this logging money makes up as much as TWO-THIRDS OF THE ANNUAL BUDGET!

We are presented with a devastating blow to the process of education in many semi-rural areas where, already, there were considerable financial problems--from school plants and fixtures, libraries, and in obtaining the new technology for interactive teaching odes and for modern laboratory equipment. While an industry-blessed area like Washington County receives only 1 percent of its budget from timber sales, we have a disaster situation where we have the following dependencies: Curry County - 66 percent; Douglas County - 64 percent; Josephine County - 55 percent, and Jackson County - 46 percent.

Now, to put all of this in context, let us consider that we were already facing a tragic situation underwritten by a severe national recession--and an equally disastrous regional series of layoffs, cutbacks and pessimistic economic forecasts that inhibited new or expanded investments. And the efforts

of relevant state agencies to persuade new companies to move here have been stymied by nationally distributed reports that Oregon is cutting back on EDUCATIONAL ACCESS AND OPPORTUNITY. There has been additional news of cutbacks in the projection of repairs and expansions of the physical infrastructure.

If that scenario looks like a classic case of the "NO WAY OUT SYNDROME," then that is just about the situation we have here in this state--unless there is some inspired, structured, and disciplined action, most immediately. I am with Oregon's Senate President John Kitzhaber when he says that "a Republican proposal to cut state agency budgets and BASIC SCHOOL SUPPORT by 3 percent is insensitive." Kitzhaber went on to say at a news conference that the state's budget problems were far greater and complicated than could be solved by a flat budget cut.

I would concur with his perception of Governor Roberts as an executive who wants to make government more efficient and for trying to persuade voters that TAX REFORM IS NECESSARY. Let me add my voice: the questionable addition of innumerable lottery games and the projection of Las Vegas-type casinos is not going to do it. Only an orderly, well-designed and income-dedicated revenue producing program is going to work. My proposal is that a SALES TAX is the most feasible method to achieve this.

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FOR EDUCATING YOUNG MINDS! Earvin "Magic" Johnson, center, former Los Angeles Lakers basketball star, and Michael A. Miles, Chairman and CEO, Philip Morris Companies Inc., second from right, admire the sculptured Frederick D. Patterson Award presented to Johnson by the United Negro College Fund during the organization's 48th Anniversary Dinner in New York City. With them are, from left: Joseph D. Williams, Chairman, UNCF Board of Directors and former Chairman and CEO, Warner-Lambert Company; William H. Gray, III, President and CEO, UNCF; and Jonathan Bush, Chairman-elect, UNCF Board of Directors and Chairman, J. Bush & Company. Johnson's work on behalf of the UNCF during recent years brought \$7-million to the UNCF.

Cruel and Unusual: The Thomas Standard

Civil Rights Journal #535

BY BENJAMIN F. CHAVIS, JR.

Given the astounding high rate of incarceration of African-Americans in prisons across the nation, one would at least assume that Supreme Court Justice Clarence Thomas would have an ounce of sensitivity to the issue of cruel and unusual punishment toward prisoners in state and federal penal institutions. But, unfortunately, Justice Thomas has acted and ruled against the interest of those who are most often victimized in this society, that is those who are imprisoned.

In fact, it was another "embarrassment" for all communities who respect human dignity for Thomas to write such a ruthless opinion, which could be used to justify prison brutality. Fortunately, though, the majority of the Supreme Court ruled 7 to 2 that excessive force against prisoners is unconstitutional.

The case before the Court was Hudson vs. McMillian which arose out of an incident in Louisiana's infamous Angola State Prison. Keith Hudson was an inmate in Angola Prison and was beaten badly by correctional officer Jack McMillian. Hudson was beaten while handcuffed and shackled in leg irons and suffered bruises in his mouth, eyes, chest and stomach in addition to having his dental plate cracked as a result of a blow from McMillian. This incident happened back in 1983. It has taken all this time for the case to work through the federal courts once Hudson

sued McMillian and other prison officials for "cruel and unusual punishment" in violation of the Eighth Amendment to the U.S. Constitution.

The majority opinion was written by Justice Sandra Day O'Connor. Even though Justice O'Connor is a judicial conservative, she voted to declare the kind of treatment that Hudson received in the Louisiana prison to be wrong and unconstitutional. O'Connor stated, "When prison officials maliciously and sadistically use force to cause harm, contemporary standards of decency always are violated. This is true whether or not significant injury is evident."

We know that one of the reasons why so many prisoners become repeat offenders is directly related to the manner in which they are treated in the prison system. Brutalizing a defenseless prisoner will do nothing toward rehabilitation. Of course, most prison officials know this and that is exactly why prison brutality is so pervasive and permissive in our society. Prison inmates sometimes are viewed as being less than human and thus are the victims of inhuman treatment.

It is said that a prison is a mirror image of the society that maintains the prison. It is important, therefore, that the courts require a standard of human rights in regard to prisoner's rights issues. A society that allows the brutalization of its prisoners is a society in need of change.

Thomas appears to believe that a prison inmate is not entitled to the standard of constitutional protection from brutality. In his dissenting opinion, Thomas wrote, "Today's expansion of the cruel and unusual punishment clause beyond all bounds of history and precedent is, I suspect, yet another manifestation of the pervasive view that the Federal Constitution must address all ills in our society." This goes counter to the sentiments that Thomas testified to under oath during his confirmation hearing before the U.S. Senate. There Thomas had said that he wanted to be on the Supreme Court to "bring something different to the Court" in terms of an interest in helping the court to deal with the underprivileged, in particular the incarcerated.

Thomas had even said to the Senate, "I say to myself almost everyday, But for the Grace of God, there go I,"...referring to groups of prisoners that he used to see. Well, it is our hope that Brother Thomas does not have the misfortune to be imprisoned given his proclivity to support the right of prison officials to beat up inmates.

Justice O'Connor put it best in her response to Thomas' dissent. She stated, "To deny, as the dissent does, the difference between punching a prisoner in the face and serving him unappetizing food is to ignore the concepts of dignity, civilized standards, humanity and decency."

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