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Opinion

An Open Letter to Portland's Black Community

I grew up in a house of strong Black women. My grandmother, Phyllis, was the center of our family. She taught me how to cook, the importance of compassion, what it means to be a part of a family, and perhaps most significantly the importance of showing up to the table. In our home, that meant not just showing up to the dinner table on time, but truly being present, celebrating our successes, but also humbly acknowledging and owning our failures.

I'm writing this open letter to our community on behalf of Cascade AIDS Project (CAP) to acknowledge that our work with the Black community in Portland has been lacking. Our time for showing up at the table is far overdue, and I am deeply sorry that CAP has not been historically more responsive to the Black community.

To that end, I am reaching out to you today with humility and respect to take responsibility for our missteps of the past, to validate the experiences you may have had with our organization over time, and to humbly ask for your help in rebuilding a relationship of mutual trust and respect so that those in the Black community who are living with or impacted

Tyler
TerMeerExec. Dir.
Cascade
AIDS
Project

by HIV can more easily learn about and access the services they need in the culturally responsive manner that they deserve.

“I am deeply sorry that CAP has not been historically more responsive to the Black community

After extensive conversations with community stakeholders, CAP hired an external consultant, Sirius Bonner, to bring expertise and a critical eye from outside of the organization to help us implement and improve racially affirming organizational practices, particularly as they apply to employing and serving the black community. This decision was made as part of understanding feedback from those we serve and

from the experiences of past and current employees that taught us that we cannot rely solely on our Black staff to bear the workload of making CAP more welcoming place for Black people.

As a part of this process and our organizations ongoing and deeply held commitment to racial equity and to improving our ability to affect health equity across communities, we closed our doors and engaged in critical but difficult conversations about privilege and power in healthcare and the racism, discrimination and historical trauma faced by the black and brown communities of Oregon throughout time. We provided training on microaggressions, implicit bias, and established a new Diversity, Equity, and Inclusion (DEI) committee which has recently begun to conduct our annual equity audit and the drafting of an equity plan to guide our organizations work through a racial justice framework.

For some, this will be a lot of new information, history, experiences, and context that undoubtedly challenges some core beliefs about the fundamental fairness of our nation. For others, it will be an opportunity to build on a foundation of knowledge and lived experience in a new en-

vironment with a different set of people. For all of us, there have and will continue to be varying moments of discomfort... and that's okay. In fact, I personally believe that growth and strength come only through continuous effort and learning to sit and work through that discomfort in our own time and way. This is emotional, difficult, but critically important work—especially for an agency that prides itself on social justice.

This is a moment in history where we cannot afford to be silent or complacent. We have an opportunity to begin to articulate a collective vision for addressing HIV in our communities that is grounded in racial and social justice; and builds on the inherent strengths in our communities. It is an opportunity to uplift a new generation of leaders and highlight innovative programming that is community-born and driven. It serves to remind decision-makers at all levels that a community lens is paramount. As the founders of the AIDS movement knew there should be nothing about us, without us. CAP has a responsibility and a newly held commitment to leading with race.

Read the rest of this commentary at
TheSkanner.com

Supreme Court Order No 'Big Victory' For Trump's Border Wall

Late Friday evening, the Supreme Court gave the Trump administration a temporary green light to begin construction of the border wall using military funds Congress denied. The order, while temporary and limited to specific wall projects where fencing already exists, threatens to permanently damage border communities, the environment, and our Constitution's separation of powers.

But it's not the "big victory" President Trump quickly declared. The fight continues.

Most importantly, the Supreme Court has not yet decided the case. The case — which we filed on behalf of the Sierra Club and Southern Border Communities Coalition (SBCC) — now goes back to the Ninth Circuit Court of Appeals. There, we'll be asking the court to further expedite ongoing appeal proceedings.

It's important to be clear on what the 5-4 majority of the Supreme Court actually said on Friday. The Supreme Court didn't give Trump's abuse of emergency powers the stamp of approval, or say anything about whether the wall construction was lawful. Nor did the Supreme Court say that our clients lack standing — even the government concedes that Sierra Club and SBCC members face



Dror Ladin

Staff Atty,
ACLU
National
Security
Project

harm from the construction of a 30-foot wall on the lands they use and treasure.

Instead, in temporarily granting the administration's request to begin wall construction, the majority's

“The words ‘at this stage’ are key

brief, one-paragraph order stated that “the Government has made sufficient showing at this stage that the plaintiffs have no cause of action to obtain review.” The words “at this stage” are key. To receive a temporary stay, which the government was asking for here, the bar is lower than for normal review. The government has to show only a “fair possibility” in prevailing on the cause of action issue.

At the next stage, when our case is given full consideration, the government would have to actually establish that our clients, who are indisputably harmed by Trump's

abuse of powers, still can't call on the courts to stop the president's illegal power grab. That's a much higher bar, and one the government has failed to meet in lower courts. Moreover, there are centuries-old precedents empowering courts to halt lawless executive action, and the Supreme Court has long recognized those precedents. There is a strong reason to believe it will do so again in a case where the illegality is as blatant as the president taking funds Congress deliberately and expressly denied.

That said, the government has been pushing the courts to adopt the extreme view that no injured party — not our clients, or impacted states, or even the House of Representatives — can go to court to block the president's blatant abuse of power. It's arguing the president's actions are unreviewable by the courts.

That is a dangerous proposition, and it would be a huge setback for our democratic system if the Supreme Court adopts it. But Trump hasn't succeeded in convincing five justices to give him that power yet — and for good reason.

A basic rule of our democracy is that when the government acts without legal authority, the courts are open to injured parties who seek

to block that unlawful action. If the courts start washing their hands of that responsibility by not allowing people in court — as the government is encouraging they do — blatant abuses of power will go unchecked, and the rule of law will be forever damaged.

This should concern everyone, regardless of one's political affiliation. No matter which party is in power, the courts have a critical role to play in making sure that the executive branch doesn't have unreviewable authority to ignore the law. Otherwise, everyone from bureaucrats to FBI agents to cabinet secretaries to the president would be empowered to disregard the basic principles of our democracy.

We can't let that happen.

As our lawsuit proceeds, we will continue to make the case that our clients, who will be harmed because of Trump's xenophobic wall, deserve their day in court to prevent and undo that harm. The government told the Supreme Court that if our clients ultimately win, courts can order that the unlawful wall be taken down. We plan to hold the government to its word, and will seek the removal of every mile of unlawful wall built while this temporary stay is in place.