

The Oregon Citizens' Alliance is dead

BY ADRIENNE RATNER published 2002

On March 28, Catherine Stauffer won the right to seize the assets of Lon and Bonnie Mabon and all Oregon Citizens' Alliance legal entities. The victory comes with a ruling by Judge Ronald Cinniger that Lon and Bonnie Mabon fraudulently transferred their assets—personal monies as well as hundreds of thousands of dollars in political contributions and non-profit donations—while for ten years they avoided paying the \$20,000 judgment they owe Stauffer. As a result of the Mabon's dallying, Stauffer is now poised to collect legal fees, \$42,000 in fines, and interest, in addition to the original judgment. Judge Cinniger's recent ruling and the imminent taking of assets could bring the complete fiscal and organizational dissolution of the Oregon Citizens' Alliance (OCA) and its national affiliate, the U.S. Citizens' Alliance, which have attempted to promulgate an ultra-conservative, virulently anti-gay, anti-choice social agenda since 1988.

The case began in 1991 while Stauffer was a reporter covering the emerging anti-gay ballot initiative campaign of the OCA. Stauffer had come to Oregon in 1990 to research what the Christian Right was doing in Oregon, home of a well-known right-wing contingent of Operation Rescue and Advocates for Life. George Bush was president, the Persian Gulf War was underway, and Republicans were assembling an ultra-conservative social agenda with which to win the '92 presidential campaign.

While documenting a pro-war rally in downtown Portland, Stauffer encountered the Oregon Citizens' Alliance discussing a prospective anti-gay initiative campaign. The danger of an anti-gay initiative campaign potentially succeeding in Oregon was apparent: the Christian fundamentalists had a grassroots organizing strategy that networked conservative churches throughout the state, rural communities were still deeply mired in the 1980s recession, and over-logging by timber industries had wrecked the economies of coastal logging communities. The right-wing was gaining a foothold across the state as the "Wise Use" movement threatened to repeal gains made by the environmental movement in the 70s and 80s. To boot, in 1988 the OCA had won a Repeal of Executive Order and overturned non-discrimination protection in public employment, and in 1990 they had raised \$1 million for their unsuccessful ballot measure to ban all abortions.

Stauffer recounts, "I saw that the National GOP was using a conservative social dialog — a language of hate, so to speak — to try to gain votes. I realized that what was happening here in Oregon was going to be a lightning rod for what was going on in the rest of the country."

As Stauffer predicted, the OCA mobilized an extensive right-wing grassroots movement and in 1991, the OCA qualified for the ballot an initiative that would write into the constitution that homosexuality was "abnormal, wrong, unnatural, and perverse and that no government property could be used to 'facilitate' homosexuality." The initiative, Ballot Measure 9, denied protection from discrimination in employment, schools, and government agencies and prohibited homosexuals from using public space — affecting everything from library holdings to public organizations and public events.

The OCA argued that gays and lesbians were trying to get "special rights," and paired their campaign with an attack on affirmative action. In opposition to this attack, people mobilized and stressed that the civil rights movement was not for special rights, but for basic rights. "There was

a huge grassroots campaign organized in opposition to this ballot measure. It seems like every leftist in the state was working on it," recalls Stauffer.

The OCA proceeded to use Ballot Measure 9 as the centerpiece of a state-wide education campaign to inculcate the idea that homosexuality was perverse, immoral, and wrong. In OCA workshops throughout the state, so-called "experts" described gays and lesbians with excessively sexual language. They equated homosexuality with bestiality and pedophilia and presented statistics and research that had been refuted long ago about gays molesting children. At these workshops, a pamphlet was circulated titled "The Death Penalty for Homosexuals."

As soon as these workshops started, a wave of hate crimes began: throughout the

important bridge into a broader conservative movement for Mabon. Following the recall efforts, Mabon drafted a set of principles for the OCA which included a position on the environment that mirrored that of wise use organizations.

As a reporter documenting the OCA's campaign work from its nascency, Stauffer was added to their membership lists and invited to their events. In October 1991, the OCA invited her to their premiere screening of "The Gay Agenda," an anti-gay video they planned to use in their campaign. At that screening in the Portland Foursquare Church, she was confronted by Scott Lively, OCA Communications Director. "He was very angry and grabbed my arm and told me to leave...He pushed me several times, until he had pushed me out of the room where the video was playing. Once we were in the next room, he



Photo by Lee B. Bostwick

"The Mabons have put themselves and me through considerable grief by not taking responsibility for the actions of Scott Lively. They've gone to an enormous amount of effort not to pay a relatively small debt. They spent \$32,000 in legal fees in one month alone when Lon Mabon was in jail. They could have paid me with that money. They're playing games and they seem to think that they're above the law."

— Catherine Stauffer

state, offices and churches involved in the campaign to defeat Ballot Measure 9 were broken into and vandalized; in Salem a gay man and a lesbian were killed in a fire-bombing. In 1992, the number of hate crimes against lesbians and gays in Oregon exceeded the number in Chicago, San Francisco, and Detroit, and was triple the number reported in any recent year. Then Chief of Police Tom Potter went on television to report that an imminent sense of immediate danger prevailed in Portland, and he added, "I have never seen anything other than Civil Rights issues and the Vietnam War that has been so divisive in our state and caused family member to be pitted against family member like this."

In retrospect, 1992 may have been the cresting of the OCA wave. In addition to the havoc they were creating with Measure 9, the organization was reaching out to wise use groups — grassroots groups financed by resource extraction industries to lobby for the relaxation or elimination of environmental laws. In that year, Mabon agreed to help circulate a petition calling for the recall of Governor Barbara Roberts. The recall was being led by an anti-environmental "activists" and retired logger from Myrtle Creek. Several large timber companies bankrolled the effort. The first recall failed to qualify by several thousand signatures and a second effort did so poorly the signatures were never turned in. But the collaboration was an

grabbed me from the back, picked me up off the ground and slammed me into the side of a partition. He then threw me to the floor and wrenched my right arm over my head. He then dragged me in that position...out the door and into the street. He then left me and returned inside. He and Bill Casey quickly shut and locked the door. I left with a ripped skirt and an injured shoulder. I called the police."

Stauffer filed a police report and then a civil lawsuit against the OCA. In the year that she waited to go to trial, the Measure 9 campaign grew extremely heated and violence was committed against organizers of the No on 9 Campaign. Stauffer recounts, "I went to trial during a huge wave of hate crimes, six weeks before election day in 1992. The state was absolutely polarized by Ballot Measure 9 and the presidential election. I was terrified. People from the No on 9 campaign were being targeted and attacked. The whole experience of being in court with the OCA at that time was extremely painful and difficult. I felt like I was on display for all of Oregon. The OCA's attorney went out of his way to try to humiliate me. At one point he made me stand up in the courtroom and turn around so that everyone could assess whether or not I looked gay. But I won."

Stauffer sued for physical injury and won punitive damages. She was awarded \$31,500 from Scott Lively and the OCA.

Scott Lively paid his share of \$9,900 in 2000 in order to clear his name with the California State Bar as a new attorney. The OCA still has not paid.

In the mid-nineties Stauffer attempted a few times to collect the money owed to her at judgment hearings in the mid-nineties, but as the Mabons avoided payment, it soon became clear that she would have to sue them for the money. In 2000, as soon as the OCA announced a new anti-gay ballot measure campaign, Stauffer started to aggressively pursue the money they owed her. In the middle of the OCA's campaign, which targeted schools and was again listed as "Measure 9," Stauffer and her attorneys got restraining orders on the OCA's bank accounts. This severely impeded the OCA's campaign. To their own detriment, the Mabons violated the restraining order and began to return campaign donations they had recently collected. As a result, they were found guilty of contempt of court, and fined.

Continuing to evade paying their debt to Stauffer, the following year the Mabons fired their attorneys and started representing themselves with cavalier courtroom tactics, filing legal briefs, subpoenaing and serving judges with papers obtusely related to the case. When that proved unproductive, the Mabons refused to show up to depositions, discovery, and a judgment debtor hearing. As a result, on Wednesday, Feb. 20, 2002, Judge Cinniger found Lon and Bonnie Mabon and the OCA as an organization in contempt of court and sent Lon Mabon to jail. Lon Mabon was jailed for 42 days, and fined an additional \$42,000 on top of the original judgment. Even *The Oregonian* declared, "Mabon, once a significant figure in Oregon conservative politics, crossed over into the official crackpot zone Wednesday."

By the deadline in the summer of that year, their three ballot initiatives—the anti-gay Student Protection Act II, the Divine Life Sovereignty Amendment to ban abortion, and the Constitutional Oath and Responsibility Act — failed to qualify for lack of signatures. Upon his release from jail, Lon Mabon admitted to *The Oregonian*, "the case has thrown a major monkey wrench into our collecting signatures. We're way, way behind." That was a startling admission coming from an organization that in the past has raised \$2.1 million largely from contributions of \$50 or less.

The OCA may have been laid low, but as Stauffer observes, that doesn't mean the threat of their supporters has evaporated:

"When you look at whom they're aligning themselves with, who they're hanging out with, it's really scary. They hang out with the Constitution Party and a group of anti-abortion activists that are calling for the murder of abortion doctors; they're white supremacists and right-wing extremists. When the Mabons bring their friends into the courtroom they don't look like a group of well-meaning Christians, they look like a lynch party."

Those supporters will, in time, find a new leader and a new organization to follow unless progressives not only smash the legal structures of homophobia in Oregon, but also engage Oregonians in a way that erodes that base. Some groups, such as the Rural Organizing Project, have been doing this for a long time. But there's more than enough work to go around; and now, while their ranks are in disarray, is the time to strike.

Still, Stauffer and progressives have good reason to celebrate the legal victory. It's not over yet — but the OCA is dead. That is something to celebrate.

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