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QuickPoint! – Senate Bill 1182: The New Racism

By John A. Charles, Jr.

The Oregon legislature is about to pass Senate Bill 1182, which would authorize the Oregon Department of Transportation (ODOT) to give away the half-billion dollar, four-acre, I-5 lid over the Rose Quarter—plus all property and development rights and contracts—to a single black-owned nonprofit, the Albina Vision Trust or AVT.

ODOT's Design Summary for the cover states that a “Black-led, community development corporation” would control the property and development. AVT’s leader states that “the Black community should be able to have both the land on the freeway caps and the jobs that come with building them.”

This would qualify as denying opportunities to those who aren't Black, based solely upon their race. The Supreme Court outlawed this practice two years ago in *Fair Admissions v. Harvard* when the majority wrote, “ameliorating societal discrimination does not constitute a compelling interest that justifies race-based state action.”

In other words, SB1182 would support construction and ownership opportunities that violate state and federal laws prohibiting race-based discrimination. Handing over public assets to a private organization who plans to hire only Black contractors will simply invite litigation, and legislators should be ashamed of themselves for approving it.

The Governor should veto SB1182.

John A. Charles, Jr. is President and CEO of Cascade Policy Institute, Oregon’s free market public policy research organization.

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