

# **PRISONPLANET.com NEWS ALERT**

## **Eugenics records shredded**

The Oregonian 07/30/02: Julie Sullivan

Original Link: [http://www.oregonlive.com/news/oregonian/index.ssf?/xml/story.ssf/html\\_standard.xsl?/base/news/1028030290179750.xml](http://www.oregonlive.com/news/oregonian/index.ssf?/xml/story.ssf/html_standard.xsl?/base/news/1028030290179750.xml)

Records chronicling the forced sterilization of 2,650 Oregonians have disappeared or been shredded, erasing proof of one of the state's most troubling chapters that advocates now want addressed.

Extensive searches for the records of the Board of Eugenics and its successor, the Board of Social Protection, have so far turned up little beyond annual two-page reports issued before 1950.

That's because the records were shredded at the request of a state employee -- whose identity remains a mystery -- and in violation of state law.

"We destroyed them," said John Murphy, president of the nonprofit Portland Habilitation Center, which held the state contract to shred the records. "I remember them very clearly. We had to decide ethically because we had an obligation to destroy them, but we were thinking, 'Someday these could be the evidence of an atrocity.' "

Employees at the 50-year-old firm are combing their files for the order that accompanied the shipment about a decade ago. Murphy thinks the files came from Dammasch State Hospital in Wilsonville, which closed in 1995. But two former Dammasch superintendents said they do not remember seeing the eugenics records or ordering their destruction.

Oregon State Archives and state library employees, shocked at the potential loss, want to find that order, too. Under state law, the state archivist decides what records can be destroyed and when.

Unauthorized destruction of state records is a misdemeanor.

"They didn't have authorization to throw those records away. Nobody here would have ever scheduled those things for destruction," said Mary Beth Herkert, who manages the archives records center.

Without a record, the history of what happened depends on the memory of those who were there. Former members of the Board of Eugenics, chiefly the superintendents of state institutions who met quarterly, have hazy or incomplete recollections.

"This was 40 years ago," said Dr. Dean Brooks, former superintendent of the Oregon State Hospital. He remembers a handful of people being sterilized. But one existing record shows that 26 people from his institution were sterilized in a two-year period.

The records' disappearance comes as survivors and 17 organizations representing people with disabilities, mental illness and gays want Gov. John Kitzhaber to apologize for the state's eugenics law.

As a legislator, Kitzhaber served on the joint committee that helped repeal the law in 1983. But advocates want him to acknowledge the state's sterilization policies that for years were used to prevent "defectives" from having children. They included anyone considered "feeble-minded, insane, epileptic, a habitual criminal or sexual pervert who is likely to become a menace to society," as well as people convicted of rape or sodomy.

After 1967, when the eugenics board was revamped into the Board of Social Protection, the law was chiefly used to sterilize those with mental illness or mental disability.

On Monday, state employees, acting at The Oregonian's request, completed a fruitless search of the Oregon State Hospital basement in Salem as student archivists scrutinized microfilm of board minutes from prior to 1963. Missing are case files, consent forms and any record of the last 20 years' work of the Board of Eugenics and Board of Social Protection.

No trace remains of two cases that reached the Oregon Court of Appeals in the early 1970s, including one that the U.S. Supreme Court later declined to hear.

Murphy and his employees remember shredding the records from the state mental health division because the contents were so disturbing. Inside "nicely bound volumes," Murphy said, were the analysis, discussion and conclusion of board members who referred to people in the medical terms of the time: idiots, mongoloids and cretins.

"All the playground insults you've ever heard in your life seemed to be the categories that they put people in," Murphy said. "Every ugly term you can think of for human beings. . . . This wasn't a book or two. This was a bunch of stuff."

The memory sticks with Murphy for another reason. Portland Habilitation Center is one of the state's largest employers of people with disabilities and mental illness.

"The very people who at one time would have been put in harm's way by the board, instead made a living wage shredding the remnants of its work," said Peter Bragdon, senior counsel for Columbia Sportswear Co. and a former member of the Portland Habilitation Center board.

Murphy said his staff assumed that the documents, like the canceled checks and other records they routinely handle, had been microfilmed. But no such microfilm has been found.

Some documentation does exist, in patient medical records from Fairview Hospital and other institutions. Those records include dates of sterilization procedures and medical notes such as the laboratory analysis of tissue. But the rationale for the sterilizations does not appear. Many victims never knew what happened to them.

James Taves, a state employee who co-wrote the legislation repealing Oregon's eugenics law in 1983, remembers that while researching the law, he saw records of operations on 9- and 11-year-old girls for "hygienic reasons."

Some families placed relatives in Fairview Hospital and Training Center for only as long as needed for them to be sterilized. The institution, which reported sterilizing more than half the people being discharged for several years, curtailed such procedures in the early 1970s. Authorities attributed the change to the growing human rights movement.

But the change at Fairview also coincided with the death of Elonda Murchison, 29, who died while recovering from a hysterectomy, according to a 1975 report by Willamette Week.

Jon Cooper, who oversaw the closure of Fairview in 2000 and has worked to preserve some of that institution's history, said people in his field routinely ditched unsavory history as public opinion changed. Someone looking for evidence that physical restraints were used at Fairview, for instance, would have had a hard time finding any in 1987, even though 10 years earlier there had been many.

"When it became politically incorrect to have them there, they just disappeared," Cooper said.

One of the chief legal and historical experts of eugenics said records have disappeared nationwide. Paul Lombardo, a University of Virginia law professor and historian whose research has driven much of the eugenics discussion nationwide, said the destruction of such records represents "the worst kind of bureaucratic negligence."

"Now there is no evidence that would allow government to reflect and say, 'We did this' or for people to look at it and learn from it, or for the people involved to make the case they've been harmed or even document the fact it happened," Lombardo said.

"It's a tragedy and a terrible way to conduct public policy."

In the hushed halls of the Oregon State Library, librarian Merrialyce Blanchard oversees a eugenics collection that includes more than 80 items, only a single page of which records what happened in Oregon.

Blanchard, who said she has gone out of her way to preserve and protect the collection, is disturbed by news of the records' destruction.

"If we lose this information, we could rewrite our own history."

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