

# Kentucky Commission On Human Rights

ALL DOORS ARE OPEN IN KENTUCKY

Newsletter

## Commission holds its 2012 Kentucky Civil Rights Hall of Fame Induction Ceremony

Over 600 people joined the Kentucky Commission on Human Rights on Oct. 17 at the historic Lyric Theatre in Lexington Ky., for the 2012 Kentucky Civil Rights Hall of Fame Induction Ceremony. The commission inducted 14 new members, people who have led the way for equal opportunity in the Commonwealth of Kentucky with their hard work, dedication and commitment.

The inductees were nominated by people from across the state. The commission formed a panel of volunteer citizen judges representing a variety of professions and regions. The judges selected the inductees this year from a pool of 33 nominations. Inductees and nominees were celebrated at the event as champions who have made significant contributions to civil and human rights.



The 2012 inductees bring to 138 the membership in the Hall of Fame, which was created in 2000 by the commission. The programs honors role models for social justice and beacons for the cause of equality on many fronts.

Kentucky Civil Rights Hall of Fame members represent past and present eras and may be living or deceased. See page two for profiles and photos of the new inductees.

Following is a list of the 2012 inductees:

- Louis Benn (deceased) (Louisville)
- Richard Brown (Owensboro)
- George Burney (Louisville)
- Rev. Thurmond Coleman, Sr. (Louisville)
- Former Gov. Martha Layne Collins (Lexington)
- Laken Cosby Jr. (Louisville)
- Delores Delahanty (Louisville)
- Rev. Charles Elliott (Louisville)
- Audrey Louise Grevious (Lexington)
- Jesse Harris (deceased) (Louisville)
- Carol Jackson (Ashland)
- Priscilla Johnson (Lexington)
- Edgardo Mansilla (Louisville)
- Marcellus Mayes (Louisville)

*Civil Rights Hall of Fame continued next page*

## Commission negotiates \$52,000 agreement in disability complaint

Cathy Rhoden complained to the Kentucky Commission on Human Rights in 2008 that a new principal at Knox Central High School in Barbourville, Ky., where Rhoden had taught for close to 20 years, began to deny her reasonable accommodations she had previously been receiving for her disability. She said she thought the accommodations were simple requests for someone with limited mobility due to a progressive neurological condition. Rhoden claimed she was also ultimately denied a promotion based on her disability and believed that she was forced into resigning in 2010. (According to a news report by WYMT Mountain Television, Knox County has since hired a different principal at the school.)



*Cathy Rhoden, left, received \$52,000 from Knox Co. School Board as part of a conciliation agreement. We commend our attorney Alysia Robbens, right, and our members who worked on this case.*

Rhoden's discrimination complaint against the Knox County Board of Education was based on the protected class of disability in the area

of employment, a violation of the Kentucky Civil Rights Act and the Americans with Disabilities Act (ADA).

Based on its investigation findings, the commission issued notice to Knox County Schools that probable cause existed to believe that the school system discriminated against Rhoden. Before the commission held a final hearing in the case, Rhoden and the Knox County School Board chose to resolve the matter with a conciliation agreement, which the commission then negotiated. The Knox County Board of Education denied any allegations of violations of the law. In addition to the \$52,000 compensation paid to Rhoden, the school system agreed to require school officials to undergo civil rights compliance training, and agreed to undergo compliance monitoring by the commission for one year.

Rhoden sent a message to the commission that said, "I will be so happy for the commission staff to feel appreciated even if for a day...I hope everyone knows that I will never forget their kindness and help during one of the darkest periods of my life...I came out with such a good outcome, thanks to everyone's hard work and faith in me...I hope the message resonates with others."

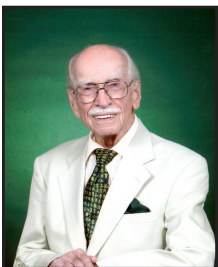
# Kentucky Civil Rights Hall of Fame 2012 Inductees



From left to right, Philip Taliaferro III, who nominated former Gov. Collins, former Gov. Martha L. Collins, Jeanette Stephens, Robert Jefferson, George L. Burney, Carol Jackson, Rev. Charles Elliott, Commission Exec. Director John J. Johnson kneeling, Laken Cosby Jr. seated, Dr. Kevin Cosby, Priscilla Johnson, Edgardo Mansilla, Rev. Etolia C. White, Rev. Ronald Lee Holmes, Rev. Thurmond Coleman, and Richard Benn, who accepted the inductee award on behalf of his late father Louis Benn.

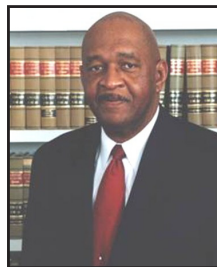
The 2012 Kentucky Civil Rights Hall of Fame induction Ceremony provided a wonderful afternoon of celebration of civil and human rights in Kentucky. The 600 participants helped the Kentucky Commission on Human Rights recognize the 33 nominees including the 14 inductees who have helped, through their hard work and dedication, improve equal opportunity and access and make better the lives of all Kentuckians.

The Kentucky Civil Rights Hall of Fame can be viewed online at [www.kchr.ky.gov](http://www.kchr.ky.gov).



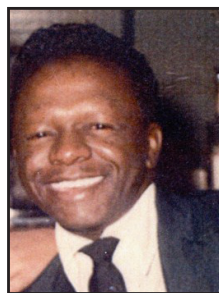
Louis M. Benn, 1912-2005, Louisville. A philanthropist and longtime manager of the JC Penney store in downtown Louisville. Served on boards of

numerous organizations that promoted civil rights, including the Louisville Urban League. Desegregated restrooms at his store and raised funds for thousands of youth scholarships.



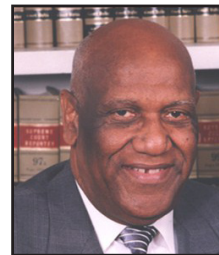
Richard E. Brown, b: 1942, Owensboro. Former member of the Kentucky Commission on Human Rights and a statewide leader of the NAACP.

Promoted the hiring of minorities in Owensboro city government. Stood up for human rights against the Ku Klux Klan and worked with the NAACP to help black coal miners when they faced threats.



George L. Burney, b: 1928, Louisville. Fought for civil rights causes for nearly 60 years, lobbying for equal rights for minorities. Longtime director of civil-rights

activist agency called People's Rights in Demanding Equality, which annually sponsors the Dr. Martin Luther King Jr. motorcade and memorial service. Organizer of numerous food, toy and clothes drives for the needy and voter-registration campaigns.



Rev. Thurmond Coleman Sr., b: 1926, Louisville. Served 45 years as pastor of First Baptist Church in Jeffersontown. Served 16 years as

member of state Human Rights Commission, the longest tenure of anyone who ever served on the board, before retiring in 2008. Supported creation of Kentucky Civil Rights Hall of Fame and long-time advocate for civil rights with the NAACP, the Justice Resource Center and other groups.



Martha Layne Collins, b: 1936, Lexington. Governor of Kentucky, 1983-1987, first woman to hold the office. Signed Martin Luther King Jr.

state holiday bill in 1986. Former high school teacher worked to improve education, made kindergarten mandatory for all public school students and established mandatory testing for teachers. Increased state funding of poor school districts, and served as cochair of Kentucky Task Force on the Economic Status of



## Women.



Laken Cosby Jr. (no birth date), Louisville. First African American to chair the Jefferson County Board of Education, in 1988. Served

long tenure on the Kentucky Board of Education, including two terms as chairman. Served as director of housing for the Kentucky Human Rights Commission. Started training program for real-estate professionals to prevent discrimination in sale and rental of housing. One-time president of Louisville NAACP.



Audrey Louise Ross Grevious, b: 1930, Lexington. Survived beatings and threats while taking part in sit-ins protesting segregation in the 1950s and 1960s.

Longtime teacher and principal at elementary schools in Lexington. Used her position to fight for integration and demanding that children not be separated by race in classrooms or in housing. Served as president of the Lexington NAACP and also was a member of Congress for Racial Equality.



Priscilla F. Johnson (no birth date), Lexington. Served as chairwoman of the Kentucky Commission on Human Rights for eight years. Also was chair of the

Lexington Human Rights Commission and was director of minority affairs for the Administrative Office of the Courts, where she encouraged minority youth to pursue careers in law. Worked on voter-registration drives and has worked with Kentucky judges to ensure fair treatment for minorities.



Dolores Delahanty, b: 1929, Louisville. She and late husband, Judge Robert Delahanty, were activists in the 1960s civil-rights movement in Louisville, participating in

demonstrations to end segregation. Helped establish Liberty House for abandoned children and Winter Help program to assist low-income families in paying heating bills. Cofounder of Women's Political Caucus and was an elected Jefferson County Fiscal Court commissioner.



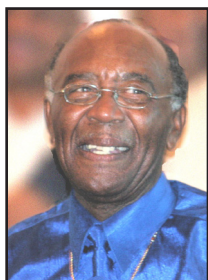
Dr. Jesse Harris, 1941-2012, Louisville. Longtime organizer for United Food & Commercial Workers Union Local 227. Fought

to reduce discrimination in the workplace. Host of gospel music radio show on WLOU that strived to bring people of different races together. Founder of Faces of Our Children Sickle Cell Foundation. He died on Sept. 22 after an illness shortly before the induction ceremony.



Edgardo Nestor Mansilla, b: 1953, Louisville. Native of Argentina, who became executive director of the Americana Community Center in Louisville in 1993;

the center strives to provide support to recent immigrants and is a place where they can celebrate their culture. He counsels people in detention centers who face deportation and has served as an advocate for the rights of immigrants, especially Latinos. Recipient of the Charles Weisberg Humanitarian Award from the National Conference of Christians and Jews.



Rev. Charles Elliott Jr., b: 1934, Louisville. Pastor of King Solomon Missionary Baptist Church for more than 50 years. Spent most of life helping the poor, fighting corruption and

promoting education and jobs for young people. Worked through such organizations as the Kentucky Christian Leadership Conference and the Kentucky Christian Benevolent Association to help the poor. Protested harsh treatment of inmates and the illegal firing of a police officer. Promoted development in the Parkland neighborhood.



Carol Jackson, b: 1952, Ashland. Longtime chairwoman of Ashland Human Rights Commission and first African American woman elected to the Ashland

Independent Board of Education. Also served on state Board of Education and as leader of the Boyd-Greenup County NAACP. Protested activities of anti-gay religious group in Ashland and organized Agri-Cultural Fair and created a youth council to encourage students to learn about government. Promoted diversity training for school teachers and administrators.



Marcellus L. Mayes, b: 1958, Louisville. President of the Metro Disability Coalition, a Louisville group that advocates for equality for the disabled. Has fought for government

employment of the disabled and is a member of the advisory board for the state Office of the Blind/McDowell Center. Worked with elected officials to make buildings accessible to the disabled.

## Case Highlight: Commission negotiates \$14,000 agreement in housing case

The Georgetown Housing Authority paid a tenant \$14,000 after refusing to accommodate her right to have a service animal in her home.

Johnna French filed a discrimination complaint in February 2010 with the commission alleging the housing authority discriminated against her based on disability in the area of housing. During its investigation, the commission found probable cause to believe that the housing agency discriminated against French in violation of the Kentucky Civil Rights Act and the U.S. Fair Housing Act.

Rather than pursue litigation, the parties agreed to resolve the matter with a conciliation agreement negotiated by the commission.

In the agreement, the housing authority denied any violation of the law, agreed not to discriminate, and agreed to compensate French in the amount of \$14,000, and compensate the commission with \$1,000.

The housing authority agreed to reinstate French into its Housing Choice Voucher program, to undergo compliance training and to undergo compliance monitoring by the commission for three years.

## Case Highlight: Commission negotiates agreement for sidewalks, better access for people with disabilities near St. Matthews Mall in Louisville

Priscilla Johnson, who was then the chair of the Kentucky Commission on Human Rights Board of Commissioners, filed a complaint in 2007 based on disability in public accommodations against the Kentucky Transportation Cabinet, the City of St. Matthews, and the Mall of St. Matthews, in St. Matthews, Ky. This would be a violation of the Kentucky Civil Rights Act.

She filed the discrimination complaint on behalf of an unnamed complainant and alleged the respondents failed to provide equal access by not having proper sidewalks and wheelchair-accessible-curb along a portion of Shelbyville Road in front of the Mall between Ten Pen Lane and (then) Sherburne Lane.

The commission issued a finding of probable cause to believe discrimination occurred. The parties agreed to resolve the matter with a conciliation agreement, which the commission negotiated.

The respondents denied any violation of the law. They affirmed they would comply with civil rights laws and not discriminate. They agreed to complete the installation of the sidewalk and curb ramps along Shelbyville Road

in front of the Mall St. Matthews between the above intersections, which incorporated a bus stop and sidewalk and crosswalks to the commercial enterprises on the opposite side of Shelbyville Road near or at the corner of Ten Pin Lane.

The respondents agreed to make these installations compliant with U.S. Americans with Disabilities Act specifications. The Mall also repaved its parking lot bordering Shelbyville Road and installed a curb ramp improving accessibility to the parking lot and to the Transit Authority of River City (TARC) bus stop.

## Case Highlight: Probable Cause case results in conciliation agreement

DeShaun Pettway alleged Affiliated Computer Services in Lexington, Ky., discriminated against him based on the protected class of race in the area of employment, a violation of the Kentucky and U.S. Civil Rights acts. Pettway claimed the company denied him his paid time-off wages upon leaving his position with the company. Based on its investigation, the commission issued notice to the parties that probable cause existed to believe discrimination had occurred. Before the commission held a final hearing in the case, the parties chose to resolve the matter with a conciliation agreement. The company denied all allegations of violation of the law. It affirmed that it does and shall comply with civil rights law in its employment practices. As part of the agreement, Affiliated Computer Services compensated Pettway in the amount of \$3,500 and agreed

### Kentucky Commission on Human Rights

John J. Johnson, Executive Director  
332 W Broadway, Suite 700, Louisville, Kentucky 40202 . Phone: 502.595.4024 . Toll-free: 800.292.5566 . TDD: 502.595.4084 .  
Fax: 502.595.4801 . E-mail: [kchr.mail@ky.gov](mailto:kchr.mail@ky.gov)  
VISIT US ONLINE AT [www.kchr.ky.gov](http://www.kchr.ky.gov)  
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Victoria Stephens, Editor . Karen Crooks-Davis, Proofing Editor

to undergo civil rights compliance training and compliance monitoring for one year by the commission.

## Case Highlight: Race in Housing complaint results in agreement

Allision McDuffus alleged in January 2009 that Michael Clark and Venita Bright in Frankfort, Ky., discriminated against her based on the protected class of race regarding her husband's race in the area of housing. This would be a violation of the Kentucky Civil Rights Act.

McDuffus, who is white, claimed she signed a lease with the respondents in November 2008, and that after the respondents met her husband, who is black, at a later date, they made derogatory remarks to her about her husband and asked her to move from the premises.

After its investigation, the commission issued a determination that there was probable cause to believe discrimination occurred. Prior to further litigation of the complaint, the parties agreed to resolve the matter with a conciliation agreement, which the commission negotiated.

Clark and Bright denied any violation of the law and agreed not to discriminate and to compensate McDuffus in the amount of \$3,900. The respondents agreed to undergo fair housing compliance training and compliance monitoring by the commission for three years.

## KY Supreme Court rules in favor of student assignment plan

The Kentucky Supreme Court in September ruled in favor of the Jefferson County, Ky., Public School Student Assignment Plan.

The commission acted in support of JCPS when a lower court finding determined the school system did not have the authority to assign students to schools outside the students' neighborhoods.

Since 1975, JCPS had used its authority to assign students to schools outside their neighborhoods, as necessary, in order to assure equal opportunity to disadvantaged students and establish diversity for disadvantaged and advantaged students, alike.

### Commission joined partners to file amicus brief in support of JCPS

When the matter rose from appeal to the level of the Kentucky Supreme Court, the commission in a joint effort with the Louisville National Association for the Advancement of Colored People (NAACP), and the Louisville Urban League, supported JCPS by filing an Amicus Brief, or, a "Friend-of-the-Court" Brief, to the Kentucky Supreme Court. The document argued in favor of the school system's ability to assign students for the above stated purposes.

The Kentucky Supreme Court Opinion in September then overturned the lower court ruling against the JCPS Student Assignment Plan and found in the school system's favor.

The Court based its ruling on state

statutory grounds, which will prevent a further appeal to the U.S. Supreme Court.

The commission supports the equal opportunity inherent in the JCPS Student Assignment Plan, which has prevailed.

The commission thanks for his labor and commitment concerning the brief our former managing attorney, Mark Cambron, Esq. The commission thanks its partners, the Louisville NAACP with its president, Raul Cunningham, and the Louisville Urban League with its president, Ben Richmond, as well as the Frost Brown Todd LLC Law Firm and its attorney, Junis L. Baldon, for filing the brief and representing the "brief" partners.

## UK reports record diversity

In September, The Lane Report said that the state's largest public university reported significant increases in the diversity of its student body. The report said that this year for the University of Kentucky in Lexington, Ky.:

"There are 33 African American first-year students, a 26 percent increase; 1,839 undergraduates now are African American students, an 11 percent increase.

"There are 166 Hispanic first-year students, a 44 percent increase; 573 undergraduate students are Hispanic, a 26 percent increase.

"There are 110 first-year students with international backgrounds, a 96 percent increase; 524 undergraduates are international students, a 27 percent increase."

## Board of Commissioners

Chair George W. Stinson, Louisville . Henry Curtis, Frankfort . Robert Asseo, Florence . Timothy W. Thomas, Madisonville  
Doris Clark Sarr Ph.D., Murray . Samuel R. Coleman Jr., Middlesboro . Sandra Añez Powell, Lexington . Mildred Hudson Diehl, Fort Mitchell  
Duane Bonifer, Greensburg . Ann Newman, Ashland



## Domestic Violence and Fair Housing Laws

A December publication by the U.S. Dept. of Housing and Urban Development (HUD), reports that "victims of domestic violence too often experience housing discrimination because of the acts of their abusers. Housing authorities and landlords evict victims under zero tolerance crime policies, citing the violent acts of a household member or guest.

"Victims are evicted for the property damage caused by their abusers, or for the disturbance caused by their repeated calls to the police.

"Because domestic violence so often intersects with the protected classes of sex, race, and national origin, HUD's Office of Fair Housing and Equal Opportunity interprets the Fair Housing Act to provide some protection to victims who experience discrimination on the basis of their victim status. This interpretation is explained in detail in a guidance memorandum issued February 11, 2011, entitled "Assessing Claims of Housing Discrimination against Victims of Domestic Violence under the Fair Housing Act and the Violence Against Women Act."

Find the document online at <http://www.hud.gov/offices/fheo/library/11-domestic-violence-memo-with-attachment.pdf>.

## 7<sup>th</sup> Annual Kentucky Hispanic, Immigrant and Refugee Networking Summit

The Kentucky Commission on Human Rights celebrated Hispanic Heritage Month on Oct. 12 by presenting the 7<sup>th</sup> Annual Kentucky Hispanic, Immigrant and Refugee Networking Summit.

The day-long free event was held

at the Kentucky State University Research and Demonstration Farm in Frankfort, Ky. Over 100 people attended.

Participating were federal, state and local government representatives who work with immigrants in Kentucky. Also present were representatives of immigrant centers, private and non-profit groups, colleges, universities, and Hispanic and other immigrant members of the public. Gov. Steve Beshear sent Executive Director Delquan Dorsey of the Governor's Office of Minority Empowerment to read the Governor's proclamation celebrating Hispanics in Kentucky and National Hispanic Heritage Month, which is September 15 through October 15.



*Above, serving on a summit panel are Rev. Donzella Lee, Director of the Franklin Human Rights Commission; Isabel Gereda-Taylor, Multicultural Affairs Coordinator of the Lexington Fayette Urban County Government; Leyda Becker, International Community Liaison of the City of Bowling Green; Ray Sexton, Executive Director of the Lexington Human Rights Commission; and, Carolyn Miller Cooper, Executive Director of Louisville Metro Human Relations Commission.*

Several presentations were made by professionals who described their services to Kentucky's immigrant and refugee residents. There were panel discussions titled, "Immigrant and Refugee Agencies," "Community Outreach Organizations," "Federal Government Agencies," "Hispanic Media Outlets in Kentucky," "State Government Agencies & Institutions," and "Counties and City International Offices & Human Rights Commissions."

Kentucky Commission on Human Rights Executive Director John J.

Johnson was the keynote speaker at the conference. He said:

"Many reports throughout the nation reveal that immigration policies are causing a disturbing pattern of abuses and human rights violations that threaten the livelihood and safety of entire families, workers and communities.

"We fear that in too many instances immigrant and refugee rights are being ignored and individuals are abused in the areas of employment, in access to needed services, and by being steered into racially segregated housing.

"We must work diligently to ensure that our sisters and brothers who are recent immigrants to our state and perhaps representing our state's most vulnerable segment are not pushed into a permanent under-class and circumstances that lead to poverty and poor health.

"All of us who believe in equality can make a real difference by joining forces to ensure that civil rights and constitutional protections are not trampled upon by those who would abuse the human rights of any of our state's population."

## KY Human Rights Commission urges legislators to end death penalty

At the Kentucky Commission on Human Rights Board of Commissioners meeting on Oct. 17 in Lexington, Ky., the commission urged the Kentucky General Assembly to repeal the law that allows the use of the death penalty in murder convictions. The commission urged Gov. Steve Beshear to sign any such law brought before him by the General Assembly that abolishes the death penalty in Kentucky.

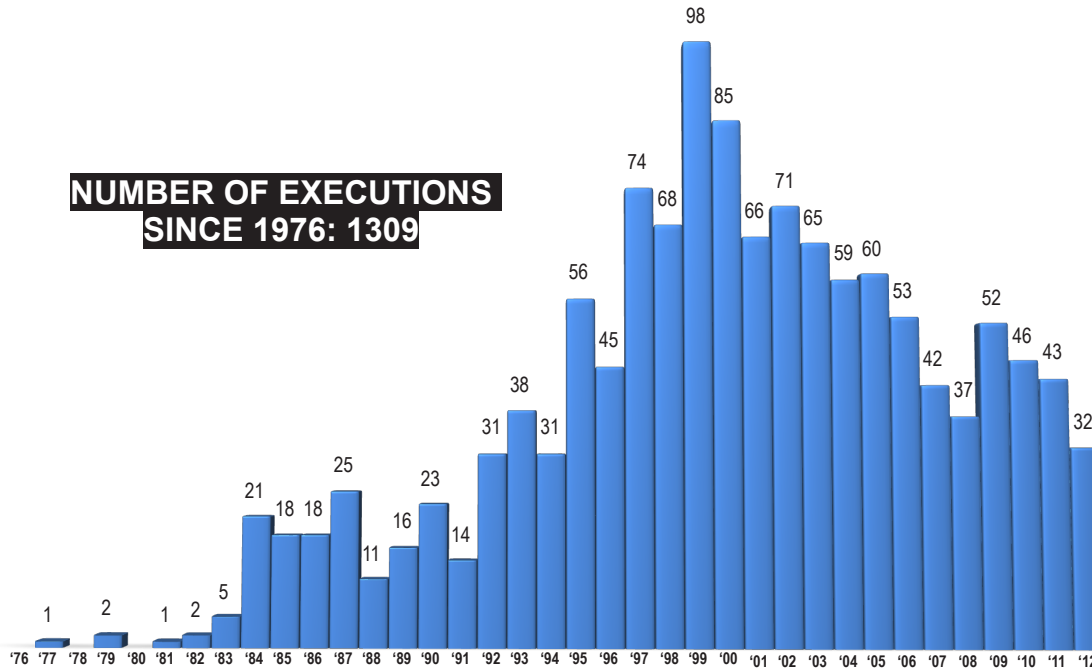
The Commission Board unanimously passed a resolution opposing the death penalty for submission to Gov.

# DEATH PENALTY INFORMATION CENTER

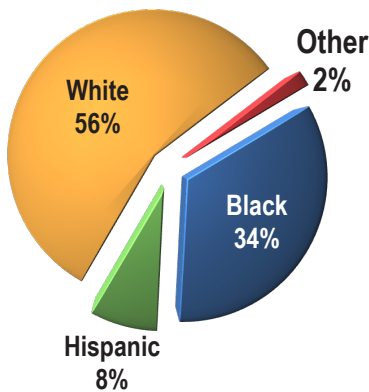
## Facts about the Death Penalty

*Updated: October 16, 2012*

### NUMBER OF EXECUTIONS SINCE 1976: 1309

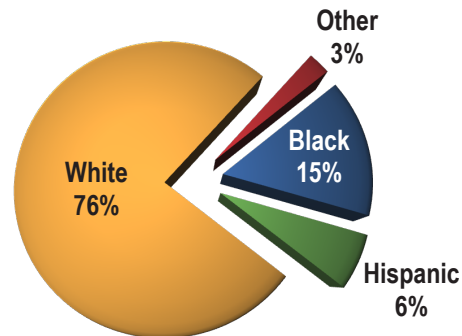


### Race of Defendants Executed



- White: 736
- Black: 449
- Hispanic: 100
- Other: 24

### Race of Victims in Death Penalty Cases



Over 75% of the murder victims in cases resulting in an execution were white, even though nationally only 50% of murder victims generally are white.

### DEATH PENALTY STATES (33)

Alabama  
 Arizona  
 Arkansas  
 California  
 Colorado  
 Delaware  
 Florida  
 Georgia  
 Idaho  
 Indiana  
 Kansas  
 Kentucky  
 Louisiana  
 Maryland  
 Mississippi  
 Missouri  
 Montana  
 Nebraska  
 Nevada  
 New Hampshire  
 North Carolina  
 Ohio  
 Oklahoma  
 Oregon  
 Pennsylvania  
 South Carolina  
 South Dakota  
 Tennessee  
 Texas  
 Utah  
 Virginia  
 Washington  
 Wyoming  
 U.S. Gov't  
 U.S. Military

### NON-DEATH PENALTY STATES (17)

Alaska  
 Connecticut\*  
 Hawaii  
 Illinois  
 Iowa  
 Maine  
 Massachusetts  
 Michigan  
 Minnesota  
 New Jersey  
 New Mexico\*  
 New York  
 North Dakota  
 Rhode Island  
 Vermont  
 West Virginia  
 Wisconsin  
 District of  
 Columbia  
 \*Inmates remain  
 on death row.

Steve Beshear and the Kentucky General Assembly.

According to the Kentucky Commission on Human Rights Resolution of October 17, 2012, Opposing the Death Penalty:

"Since 1976, when Kentucky reinstated the death penalty, 50 of the 78 people sentenced to death have had their death sentence or conviction overturned due to misconduct or serious errors that occurred during their trial. This represents an unacceptable error rate of more than 60 percent. Nationwide, 140 people have been released from death row due to evidence of wrongful conviction.

"Statistics confirm that the imposition of the death penalty is disproportionately imposed on minorities and the poor. African Americans constitute 12 percent of the U.S. population, but represent 42 percent of prisoners on death row. According to Amnesty International, more than 20 percent of black defendants executed since 1976 were convicted by all-white juries.

Additionally, numerous empirical studies, including one commissioned by the Kentucky General Assembly, have shown that the state is more likely to seek the death penalty when the offender is black and the victim is white, and that a death sentence is more likely to be imposed on a black offender convicted of killing a white victim. Further, nationwide, over 90 percent of defendants in capital cases are indigent and cannot afford a criminal defense attorney of choice and in the past could not afford mental health care if needed.

"Based on findings of a recent two-year study conducted by the American Bar Association (ABA), former Kentucky Supreme Court Justices, James E. Keller and Martin Johnstone, as well as the President of the ABA and former President of the Kentucky Bar Association, William T. Robinson, have called for a suspension of executions in Kentucky until its death penalty

system has been reformed. Writing in the December 18, 2011 issue of the Louisville Courier-Journal, the Justices concluded that, 'The list of problematic cases is staggering, and review of the system is deeply troubling. Fairness, impartiality, and effectiveness of counsel have been undermined by serious flaws that reveal systemic problems in administration of the death penalty in the Commonwealth.'

"According to Amnesty International, over two-thirds of the countries of the world, 141 in total, have now abolished the death penalty in law or practice.

As an example of the death penalty system fraught with problems, the commission learned through media reports on Oct. 30 that after spending nearly 17 years in prison for a murder he confessed to, but did not commit, Edwin Chandler, an African American, was completely exonerated by new fingerprint technology that placed another man at the scene of the crime. This mistake that nearly cost an innocent man his life also cost the city of Louisville an 8.5 million dollar settlement for Chandler's wrongful conviction.

According to the Courier-Journal newspaper on Oct. 30, "Louisville Police Chief Steve Conrad said...he has ordered the department's Public Integrity Unit to investigate what led to the wrongful conviction of Edwin Chandler 17 years ago.

Conrad said the results will be passed to the commonwealth's attorney's office, which will decide if charges should be filed.

## Kentucky Fair Housing Task Force



*Above, the quarterly meeting of the commission's Kentucky Fair Housing Task Force*

*Written by Commission Immigrant Outreach Supervisor Juan Peña*

The quarterly meeting of the Kentucky Fair Housing Task Force was held at the Bowling Green Housing Authority in Bowling Green, Ky., on October 16.

The task force, created by the Kentucky Commission on Human Rights, consists of representatives of federal, state, county and city government agencies mandated to enforce the Fair Housing Act.

Also, it includes non-profit organizations with interest in fair housing. The task force was created to further fair housing across Kentucky, to reach out to marginalized communities and populations, including immigrants, with high risk of being discriminated against in housing, and to work toward removing impediments.

Based on studies and reports, the task force has identified two major impediments to fair housing: 1) the lack of an enforceable state-wide Uniform Residential Landlord and Tenant Act; and, 2) ordinances to prohibit discrimination on the basis of sexual orientation or gender identity in most cities and counties.

The task force has decided to work on these two issues by encouraging city governments to adopt the Uniform Residential Landlord and Tenant Act, which outlines the rights and



responsibilities of both tenants and landlords, and ordinances to prohibit discrimination on the basis of sexual orientation and gender identity in housing and employment.

## Executive Director urges state entities to increase minorities and women

Kentucky Commission on Human Rights Executive Director John J. Johnson with the support of the state Human Rights Board of Commissioners recently sent three open letters to state government heads asking them to increase their numbers of females and minorities.

The Kentucky Human Rights Commission enforces the Kentucky Civil Rights Act. Part of that job entails receiving Title VI reports from all state government entities. These reports detail the numbers of minorities and females in the state workforces and serving on boards, councils and committees.

Based on the reports the commission received for the annual period of July 1, 2011 to June 30, 2012, Johnson sent letters of concern to Kentucky Department of Agriculture Commissioner James R. Comer, Kentucky Public Protection Cabinet Secretary Robert Vance, and Kentucky Transportation Cabinet Secretary Michael Hancock.

In the letters, Johnson urged each entity head to increase female and minorities not only in their workforces, but also serving on their various boards, councils and committees.

Such increases are necessary to help Kentucky government meet its female and minority hiring and membership goals, the letters said.

"These hiring goals have been set in order to help the state correctly represent the percentages of women and minority constituents within a diverse state," said Johnson.

Since 2004, the state's hiring goals for women has been 52.42 percent and for minorities 10 percent.

In 2012, the Dept. of Agriculture had only one minority member serving on the department's 11 reported boards, councils, and committees, representing less than 1 percent of total membership. Collectively these groups have membership totaling 128 people.

Johnson recognized that Commissioner Comer had only recently begun his tenure as commissioner of the Agriculture Department, and that the unfortunate disparities of minority representation as reflected in the report have persisted over a period of years.

According to Agriculture's Title VI report, from a total workforce of 247 persons, Agriculture only employed 77 white females compared to 157 white males, six African American females, one African American male, one Hispanic male, two Asian females, two Asian males and one Native American female.

The Governor's 21-member Council on Agriculture was not included in the report, but for each of the preceding five years, no minority person was reported to be a member of this important council, Johnson said.

Johnson expressed concern, as well, to secretaries Vance and Hancock about the absence of minority members on the cabinet boards, councils and committees of the Public Protection and Transportation cabinets. In addition, both cabinets showed low numbers of female and minority employees.

Johnson noted that the Public Protection Cabinet's 2012 Title VI report showed there was no minority representation on the Kentucky Board of Boiler and Pressure Vessel Rules, the Manufactured Home Certification and Licensure Board or the Board of Heating, Ventilation, and Air Conditioning Contractors.

The Kentucky Transportation Cabinet's Title VI report showed that five of the cabinet's seven committees had no minority representation.

Johnson placed particular emphasis on the absence of a minority or female on the Disadvantaged Business Enterprise Certification Committee, which works to assist minority- and women-owned businesses.

The letter to the Transportation Cabinet secretary said: "The [Kentucky Human Rights] Commission is particularly concerned that there is no minority representation on any of the 12 District Office Property Loss Control committees. Also, of the additional 12 committees listed in the cabinet's report, only eight have any minority representation. Finally, of the 4,706 employees [of the Transportation Cabinet], only 294 are minorities, less than seven percent."

The three government heads have since indicated to the Kentucky Human Rights Commission an interest in developing a strategy to improve the numbers of women and minorities in their workforces and on their various councils, boards and committees.

"The Human Rights Commission looks forward to seeing improved numbers in next year's Title VI reports, not only for the three entities we have communicated with this year, but in the entire state workforce and its service arms," Johnson said.

## Commission issues statement regarding Lesbian couple ousted from a Richmond park

In August, the Kentucky Human Rights Board of Commissioners issued a statement to the Richmond mayor and the Richmond Human

Rights Commission regarding an alleged incident of discrimination at the E. C. Million Park in Richmond, Ky. Over the July Fourth weekend, Cheri Chenault and Destiny Keith were having professional photographs taken. When posing with a kiss for a photo, the park gatekeeper made derogatory remarks about the couple's perceived sexual orientation and ousted the couple and the photographer from the park, according to news reports.

The commission statement says: "This incident, as alleged, serves as a sad reminder to us all of the need to protect all persons from the individual and societal harms of insidious acts of discrimination, including discrimination based on sexual orientation and gender identity."

The governor issued an executive order in 2008 regarding the state government workforce that said, "It shall be the policy of the Commonwealth of Kentucky to provide equal employment opportunity to all people in all aspects of employer-employee relations without discrimination because of race, color, religion, sex, national origin, sexual orientation or gender identity, ancestry, age, disability or veteran status."

The same year, the commission then issued a resolution that urged the Commonwealth of Kentucky to add sexual orientation and gender identity as protected classes to the Kentucky Civil Rights Act, KRS Chapter 344, in order to protect people from sexual orientation and identity discrimination on a statewide basis.

The commission statement said about the alleged incident in the park in Richmond, "... in the interest of common decency and fundamental justice, the KCHR joins with the people of Richmond in condemning, in the strongest possible terms, the brutal assault on the personal dignity of each of the victims in the E. C. Million Park incident. We encourage the citizens of Richmond to continue the vital

struggle to ensure simple fairness, justice and equality for all of their citizens."

## KCHR works to reactivate state NAHRW chapters

The Kentucky Commission on Human Rights throughout this year continues to work with several local human rights commissions including those in Lexington, Louisville, Franklin, Henderson and Bowling Green, on efforts to re-activate the Kentucky Chapter of the National Association of Human Rights Workers (NAHRW).

NAHRW is an organization of individuals committed to providing education, training, research, networking, and professional development to its members in order to enable them to foster equality within a diverse society.

Organized in 1947, with the charge of supporting individuals and organizations who are engaged in human and civil rights professions, NAHRW aims to encourage the collection, compilation and dissemination of information and research among organizations and individuals engaged in the improvement of intergroup relations; to advance generally the science, process and art of intergroup relations and to improve the standards of work in the human and civil rights field, advancing technical and professional knowledge, standards and practices.

To express an interest or ask for information contact commission Staff Assistant Cynthia Fox at 1.800.292.5566.

## Governor appoints, reappoints commissioners

The Kentucky Commission on Human Rights is pleased to announce that Gov. Steve Beshear in August made one appointment and three reappointments to the Kentucky Commission on Human Rights Board of Commissioners. The commission has 11 members.



Doris Clark Sarr, Ph.D., of Murray, Ky., was newly appointed to serve as a Kentucky Human Rights commissioner. Dr. Sarr is director of the Adventures in Math

& Science (AIMS) program at Murray State University. Her term will expire Sept. 12, 2014. She replaced State-at-Large Commissioner Virginia Burton of Lexington, Ky., whose term expired. The commission thanks Ms. Burton for her service to the commission and welcomes Dr. Sarr.



Commissioner Samuel R. Coleman Jr. of Middlesboro, Ky., was reappointed to represent the state at large. He has served as a Kentucky Human Rights commissioner since

2008. He is the director of the Small Business Development Center at Southeast Kentucky Community and Technical College. He also serves as a commissioner of the Kentucky African American Heritage Commission and as a board member of the Tri-Cities Heritage Development Corporation. His term will expire Sept. 12, 2014.



Commission Chair George W. Stinson of Louisville, Ky., was reappointed to represent the Fourth Supreme Court District and was designated to continue to serve as

chair. He has served as a Kentucky Human Rights commissioner and as chair since 2008. He is a real estate developer of SLS Management LLC in Louisville. His term will expire Sept. 12, 2014.



Commissioner Timothy W. Thomas of Madisonville, Ky., was reappointed to represent the First Supreme Court District. He has served as a Kentucky Human Rights

commissioner since 2008. He serves on the Hopkins County Joint Planning Commission as vice chair, is president of Hopkins County Crimestoppers Inc., and is president of the Hopkins County Community Clinic Board of Directors. His term will expire Sept. 12, 2014.

"The Kentucky Commission on Human Rights performs an important job for the people of Kentucky by enforcing civil rights laws and working to end discrimination," said John J. Johnson, Kentucky Human Rights Commission executive director. "We appreciate the fine service of Chair Stinson and Commissioners Thomas and Coleman and thank them for their commitment to continue," he said. "We are honored to welcome Dr. Doris Sarr and look forward to the contributions she will bring," he said.

## Executive Director John Johnson receives Lifetime Achievement Award



The Kentucky Commission on Human Rights proudly announces that its executive director has received the 2012 Carl and Anne Braden Lifetime

Achievement Award of the Kentucky Alliance Against Racist and Political Repression.

The Alliance presented the award to John J. Johnson in Louisville at its annual Unity Dinner on Dec. 1 at the downtown Hotel Louisville.

Since 2007, he has served as executive director of the commission, the state agency that enforces civil rights laws, all of which make discrimination illegal. The commission provides education and outreach programs to encourage fair treatment and to promote the obligation to comply with the laws.

In the FORSooth Newspaper of Louisville, a human rights activism publication, the Alliance described why the group selected Johnson as this year's award recipient.

"John J. Johnson's life has been a reflection of his deep passion for the ideals embodied in a simple phrase uttered daily by children and adults across our nation.

"The phrase 'with liberty and justice for all' epitomizes the path he has hewn since his youth.

"For almost 50 years, he has been a soldier on local, state, national and international bases in the struggle for the right of all people to live in an environment of racial equality and human dignity.

"Johnson's commitment to exposing and wiping out discrimination in all of its forms took root in the small

town of Franklin, Ky. His life's work budded from a volunteer position with the local branch of the National Association for the Advancement of Colored People (NAACP). He served as president of the Kentucky NAACP Conference of Branches for 14 years, increasing the number of local branches from four to 42.

"In 1986, he joined the national staff of the NAACP in Baltimore, Md., where he was ultimately appointed Chief of Executive Operations."

Congratulations to Executive Director Johnson.

### ***"Affirmatively Furthering Fair Housing in Louisville Metro, Ky.: A 20-Year Action Plan"***

Executive Director Johnson in September participated in an oral history interview with Amber G. Duke, MA, program coordinator of the University of Louisville Anne Braden Institute for Social Justice Research. She has conducted a series of interviews as part of a U.S. Dept. of Housing and Urban Development, that is, HUD- funded research project. This is in collaboration with the Metropolitan Housing Coalition and the Louisville Metro Human Relations Commission and is titled "Affirmatively Furthering Fair Housing in Louisville Metro, Ky.: A 20-Year Action Plan." All of the interviews will become part of a digital oral history collection at UL and will be posted on the web in the near future.

## Bardstown high and middle schools excited about their new Youth Human Rights Councils

At a ceremony on Oct. 31, the Bardstown High School Youth Human Rights Council unveiled for the school a new human rights mural that reflects the diversity of the student body.





*The Bardstown High School Youth Human Rights Council*

The mural is the first project of the school's Youth Human Rights Council. The mural is hoped to inspire students to celebrate their diversity and eclectic student culture.

The unveiling ceremony was attended by members of the BHS Youth Human Rights Council, advisors Lucretia Young, Rosetta Dodson and Jamie Neal, Principal Chris Pickett, and Glenda Green, human rights field supervisor for the Kentucky Commission on Human Rights.



*At left, commission Field Supervisor Glenda Green helped the school form its own Youth Human Rights Council.*

The council was created by the school last year to help students promote equality

and unity among peers and faculty.

Meanwhile, on Nov. 16, Bardstown Middle School became the first middle school in the state to form its own Youth Council on Human Rights.

The school joins Central and Seneca high schools in Louisville, Ky., and Bardstown High School as the first Kentucky schools to have Youth Human Rights councils. All were created with the assistance of the commission's Youth Human Rights Council Program.

The Kentucky Human Rights Commission recently provided a first training to Bardstown Middle School students who said they want to serve as core members.

So far, according to Kelly Harrison, Positive Approach to Students

Success (PASS) Program Specialist for Bardstown Middle School, 20 students are signed up to serve on the council and are eager to get going on establishing the council's goals.

Harrison said: "When we learned of this opportunity to form a Youth Human Rights Council with the help of the Kentucky Human Rights Commission, it became one of our main focuses," he said.

Harrison said the students hope to use their council to find ways to help their fellows who are in at-risk categories caused from poverty, lack of parental support, learning disabilities, and the challenges of tackling both home and school issues.

"The kids excitedly talk about making education completely accessible and reaching all of our students," Harrison said.

Bardstown Middle School Principal Bob Blackmon commended Harrison for overseeing the new council. "Mr. Harrison first initiated a student representative council, and it seemed like a natural progression to incorporate a Youth Human Rights Council along with it," Blackmon said.

The commission last year introduced the School Youth Human Rights Council Program, which provides schools with guidance and training, and helps schools create a venue for students to learn how to become civically active by helping others and promoting harmony and peace among their student bodies.

"This is an important way to help our students realize their potential in using a student voice in areas they see as important to work on," Blackmon said. "Students have totally different perspectives than adults about their school culture, and we look forward to their being able to utilize the Youth Human Rights Council as a positive and proactive tool for giving us feedback and for making a better school and a better world," he said.

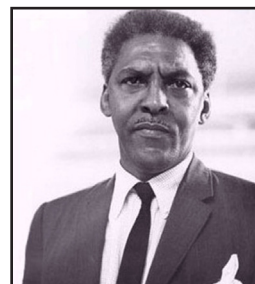
"We are proud to help Kentucky schools establish their own Youth Human Rights Councils," said John

J. Johnson, executive director of the Kentucky Commission on Human Rights. "We hope all Kentucky school administrators take advantage of the program and give their students this opportunity to be a part of changing the world around them for the better," Johnson said.

Contact the commission at 1.800.292.5566 to ask for assistance in forming a Youth Human Rights Council at any Kentucky school.

## Commission promotes fair housing at University of Louisville Bayard Rustin event

The Kentucky Commission on Human Rights in its Fair Housing partnership with The U.S. Dept. of Housing and Urban Development (HUD) promoted fair housing at the University of Louisville by producing and distributing a flyer on Oct. 4 at a UL student event honoring the late Bayard Rustin.



According to the UL Student Newspaper, *The Louisville Cardinal*: "Bayard Rustin, was a famous civil rights activist who was one of the

key organizers of the 1964 Civil Rights March on Washington. He worked with Dr. Martin Luther King and other prominent civil rights activists. Rustin, himself, was a gay man who faced many challenges. However, Brian Buford, the director of the university LGBT office, hopes Rustin's role in social justice issues will inspire students. 'He is, in my mind, the embodiment of everything we hope students will learn about social justice, and he's the inspiration that we will build things on,' Buford said."

The event was produced by the on-campus LGBT student organization.

The evening featured an address by

Mandy Carter, national coordinator of the Bayard Rustin Commemoration 2012-2013 Project, and Walter Naegle, surviving partner of Bayard Rustin. The audience watched the film, *"Brother Outsider, The Life of Bayard Rustin."*

*The Louisville Cardinal said:* "The [UL] University Tower Apartments, UTA, now houses a new living learning community with a social justice theme named after the civil rights activist Bayard Rustin.

"This year the 8<sup>th</sup> floor of UTA houses students who are interested in lesbian, gay, bisexual and transgendered (LGBT) issues as well as other social justice programs. 'We provide social justice-themed housing that offers a safe, affirming environment for students of all identities,' said Molly Eames, a senior at the University of Louisville, who is the resident assistant of the community."

## Radio commercial and video public service announcement demonstrate housing discrimination

In July, the commission as part of its 2012 Fair Housing partnership with the U.S. Dept. of Housing and Urban Development (HUD), released a new commercial for its fair housing radio campaign and a matching video public service announcement.



The commission asked the state government production department, Creative Services, to create the audio

commercial and the video public service announcement.

In the photo, the Creative Services actor performs the video spot. Using a past HUD public service announcement as its model, the commission wrote a script in which the actor calls a property management company to ask if a particular apartment is available. He calls the person several times, each time using a different name and accent, or demonstrating that he is a member of other protected class categories. As examples: In one call, he says that he is disabled; in another, he indicates that he is of a particular religion; in others, he presents himself as a person of various racial and ethnic backgrounds. Each time, the rental property representative tells him the property is not available. Finally, he calls the same representative but uses a Standard American or majority accent, and when he asks if the same apartment is available, the representative tells him, yes it is.

Currently, the radio commercial can be heard in all 120 counties of the state on a number of radio stations. View the video spot by visiting the Kentucky Commission on Human Rights Facebook and Twitter pages. These may be accessed from the commission government website at [www.kchr.ky.gov](http://www.kchr.ky.gov).

People who believe they may be victims of housing discrimination should contact the Kentucky Commission on Human Rights at 1.800.292.5566. The TDD number is 502.595.4084.

## Anniversary of landmark disability civil rights case

The year 2012 marked the 13<sup>th</sup> anniversary of the U.S. Supreme Court decision in *Olmstead v. L.C.*, where the Supreme Court recognized that the civil rights of people with disabilities under the Americans with Disabilities Act (ADA) are violated when they are

unnecessarily segregated from the rest of society.

The promise of *Olmstead* is that people with disabilities will have the opportunity to live like people without disabilities – to have friends, work, be part of a family, and participate in community activities.

The Kentucky Commission on Human Rights proudly protects people from discrimination based on disability. We enforce the Kentucky Civil Rights Act. Through our affiliations with the U.S. Dept. of Housing and Urban Development (HUD) and the U.S. Equal Employment Opportunity Commission (EEOC), we enforce the U.S. Civil Rights Act, the U.S. Fair Housing Act, and the U.S. Americans with Disabilities Act.

For more information about disability civil rights protections, or to file a disability discrimination complaint, contact the Kentucky Human Rights Commission at 1.800.292.5566 or at its TDD number, 502.595.4084.

## African American and Latino Relations Summit

On Aug. 23, the commission held its second African American Latino Relations Summit at Kentucky State University in Frankfort.

About 100 people attended the event, which brought Latino and African leaders, educators, attorneys and business professionals together to discuss issues ranging from education to housing to police and community relations.

Commission Executive Director John J. Johnson helped lead the discussion and KCHR Commissioners Sandra Añez Powell and Timothy Thomas attended. Commission Immigrant Outreach Supervisor Juan Peña and Northern Kentucky Field Supervisor John C.K. Fisher assisted Education and Outreach Director Mary Ann Taylor organize the summit. The commission thanks its hard-working,



dedicated staff.



*Above, summit participants view a panel discussion.*



*Above is the Fair Housing Information Center on display at the state fair.*



*Above, while serving on one of the summit panels, Commission Northern Field Supervisor John C.K. Fisher, Executive Director John J. Johnson and Dr. Kimberly Sinclair Holmes of Kentucky State University's (KSU) College of Agriculture, Food Science and Sustainable Systems listen as Dr. Mary Evans Sias, president of KSU (far right), speaks to the African American and Latin Relations Summit audience.*



*Above, Commission Immigrant Outreach Supervisor Juan Peña and Education and Outreach Director Mary Ann Taylor were two of many staff members and commission officials who met with people at the week-long Kentucky State Fair.*

## Commission holds Fair Housing Information Center, education, trainings

In August, the commission as part of its 2012 Fair Housing partnership with the U.S. Dept. of Housing and Urban Development (HUD) created a Fair Housing Information Center for the Kentucky State Fair in Louisville, Ky., and for other exhibits throughout the season. The commission received so many visitors from all over the state, and beyond, that staff members were able to distribute 8,000 fair housing and other civil rights information publications.

The commission participated in several education and outreach events throughout the summer and fall. Examples are the World Fest in September in Louisville, where the commission again held its Fair Housing Information Center. World Fest is the region's largest international festival, and this year celebrated its 10<sup>th</sup> anniversary with three days of expanded world food, music, dance and culture during Labor Day weekend on Louisville's Belvedere on the river.

In June, the commission placed its Fair Housing Center for the Summerfest under a tent awning and provided free public fair housing training for everyone. Summerfest was held in Chickasaw Park in Louisville.

**Conferences and Training Events**  
Among the commission's several conferences and trainings held

throughout the season, were a public conference at Centre College in the Student Center in Danville, Ky., and a similar meeting in Berea, Ky., in July.

The Centre College fair housing discussion was attended by academic professionals, students and members of the public. In Berea, the commission joined the Berea Human Rights Commission to sponsor training to the public on the rights provided by the Kentucky Fair Housing Act. The training was held in the Berea City Hall. Real estate licensees, landlords, social service providers and government employees attended.

These fair housing trainings are part of the ongoing statewide campaign to educate the public about federal and Kentucky fair housing laws.

Recent statistics have shown that discriminatory practices based on disability are on the rise. The U.S. Dept. of Housing and Urban Development (HUD) has also said that denying housing or evicting a victim of domestic violence may have basis to file a discrimination complaint based on the protected class of sex.

The trainings provided information about fair housing laws, reasonable accommodations and modifications for qualified individuals with a disability, the new HUD LGBT Rule that prohibits certain housing providers to discriminate against individuals on the basis of sexual orientation and gender identity, and the Uniform Residential Landlord and Tenant Act that outlines the rights and responsibilities of landlords and tenants.



*In the previous photo at bottom of page 14, the commission in October was proud to participate and to hold an exhibit at the National Association*



## Discrimination Surveys online

The Kentucky Commission on Human Rights is conducting two surveys and asks the public to participate.

**The Public Accommodation Disability Access Survey:** As part of our jurisdiction with regard to disability as a protected class of the Kentucky Civil Rights Act, the commission is conducting an accessibility survey for people in Kentucky with disabilities. The purpose of the survey is to train and educate Kentucky residents on how to identify barriers to accessibility in places of public accommodation in their own communities, assist places of public accommodation in recognizing and fulfilling their responsibilities to comply with the American Disabilities Act and the Kentucky Civil Rights Act, and create positive partnership opportunities for communities with their local human rights commissions.

**Housing Discrimination Survey:** This year, the U.S. Department of Housing and Urban Development (HUD) created a policy to ensure that its HUD-assisted and HUD-insured housing programs do not discriminate against people based on sexual orientation, gender identity or marital status. The Kentucky Commission on Human Rights in conjunction with its HUD fair housing partnership is assisting with a survey. If you believe you have been the victim of such discrimination, please complete this short survey. Both the Public Accommodation Disability Access Survey and the Housing Discrimination Survey can be found at the commission website, [www.kchr.ky.gov](http://www.kchr.ky.gov).

## U.S. Veterans, vulnerable group

The following statistics were published in a recent publican by the U.S. Dept. of Housing and Urban Development (HUD) called *"Evidence Matters."* The

article noted that post Sept. 11, 2001-terrorist attack veterans find the transition to civilian life harder and experience higher rates of post-traumatic stress than veterans who served even in previous wars. Regarding homelessness, 13 percent of homeless adults are veterans. Ninety-two percent of homeless veterans are men. One in nine veterans living in poverty is homeless. Over half of homeless veterans are disabled.

### Veterans by Race

This data is derived from sheltered homeless veterans - those who spent at least one night homeless in an emergency shelter or transitional housing facility between Oct. 1, 2009 and Sept. 30, 2010. The source of this information is from the HUD document, *"Veteran Homelessness: Supplement to the 2010 Annual Homeless Assessment Report to Congress."*

Veterans who are white, non-Hispanic

and non-Latino account for 57.1 percent of homeless veterans during the period. 5.1 percent were white, Hispanic or Latino. Just over 35 percent were African American. American Indians or Alaskan natives accounted for 2.5 percent of homeless veterans. There were .4 percent who were Native Hawaiian and other Pacific Islander veterans, and those of other or "several races" accounted for 4.4 percent of homeless veterans.

HUD has been working throughout the year to house homeless veterans. It is jointly coordinating efforts at present to house another 35,735 homeless veterans by the end of September 2013.



Welcome

## Kentucky Commission on Human Rights

It is against the law to discriminate against any person who seeks to rent or own housing in Kentucky. You have the right to the housing of your choice regardless of your race, color, religion, national origin, disability, sex and familial status (protects pregnant women and families with children under 18 years-old). It is illegal to retaliate against any person who makes a discrimination complaint to the Kentucky Commission on Human Rights.

**All Doors Are Open in Kentucky  
Live Free From Housing Discrimination**

For help, contact The Kentucky Commission on Human Rights  
1.800.292.5566 • TDD 502.595.4084  
[www.kchr.ky.gov](http://www.kchr.ky.gov)



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# **Kentucky Commission On Human Rights**

**332 West Broadway, Suite 700**

**Louisville, Kentucky 40202**

**ALL DOORS ARE OPEN IN KENTUCKY**