

Kentucky Commission On Human Rights

Protector of Civil Rights. Voice for Equality. Catalyst for Positive Change.

Human Rights Report

American Legion case conciliated

In September, the Kentucky Commission on Human Rights conciliated a complex case involving American Legion Post 62 in Franklin, Ky.

The commission held an administrative hearing in June to determine whether the post violated the law when it refused to allow a black contractor into its building.

Commission Chair Henry Curtis presided over the hearing at the old Simpson County Courthouse in Franklin. Before the ruling was made, the parties agreed to settle the case rather than continue with litigation. The American Legion denied any violation of the law.

Al Shadi, an employee of Rent-A-Center, alleged he went to the post to service one of his employer's televisions but was not allowed inside. His white coworker testified that a person at the facility told him Shadi would not be allowed to enter because American Legion Post 62 allowed only white people.

In the complaint, Shadi and then Commission Chair Priscilla Johnson alleged the American Legion post discriminated based on race in the jurisdictions of employment and public accommodations, violations of Title VII of the Civil Rights Act of 1964, The

Kentucky Civil Rights Act (344.040 and 344.120, respectively) and the Kentucky Revenue Code (141.010).

Under the conciliation agreement, American Legion Post 62 agreed to pay Shadi \$6,500, take civil rights compliance training, and be monitored by the commission for three years for law compliance.

Shadi and Johnson alleged the organization's whites-only policy constituted unlawful interference with Shadi's employment with Rent-A-Center and that the American Legion Post is a place of public accommodations and is prohibited from enforcing a whites-only membership policy.

Private clubs in Kentucky are allowed to have one-race-only policies for their memberships, but in March 2005, the Kentucky Supreme Court ruled that one-race-only memberships can be investigated for tax purposes. The decision in the case of the Kentucky Commission on Human Rights v. Pendennis Club Inc. et al held that the Kentucky revenue code provisions are applicable to private clubs and can be used as an enforcement mechanism by denying tax deductions to members of clubs that discriminate on the basis of race, color, religion, national origin or sex.

The commission had not yet determined before conciliation was reached in the Shadi case if American Legion Post 62 is a private club or a place of public accommodations. •

Memorial for Rev. Louis Coleman

The Kentucky Commission on Human Rights on August 12 hosted a memorial service in the state capitol in Frankfort, Ky., to honor the late Rev. Louis Coleman. The well-known social justice advocate from Louisville, Ky., died on July 5 at the age of 64 following heart problems.



With bullhorn in hand, chanting 1960s-vintage anthems such as, "We Shall Not Be Moved," Coleman protested everywhere from the Governor's Office to remote construction sites in Kentucky.

Governor Steven Beshear and others spoke to 115 people gathered in the capitol rotunda. Attendees included the reverend's widow Etta Murphy Coleman, at least two of the couple's children, several grandchildren and other family members.

Gov. Beshear spoke warmly of his meeting with Rev. Coleman soon after the governor took office in January. "We spoke of several issues about which Louis was concerned," the governor said, "from minority hiring to education to environment."

Coleman was a social justice activist for over three decades. His continued pressure

on Valhalla Golf Club in Louisville during the PGA Championship of 1996 led the golf organization to take steps to expand the role of minorities in the sport nationwide. His involvement in a discrimination complaint against private country clubs in Kentucky resulted in a law that prevents members from taking tax breaks when clubs do not allow minority members (see first story on front page). His focus on smokestack emissions in the Rubbertown area in Louisville prompted state funding for air monitoring, which revealed excessive levels of chemicals in the air and resulted in a stringent toxic-air control program throughout Jefferson County.

As a direct result of his efforts, a large monetary settlement was awarded to 157 African American employees for exclusion and discriminatory practices at E.I. duPont Co. in Louisville. He was instrumental in a \$3.9 million award to 94 Louisville African American police officers. African American managers at the Ford Motor Truck Plant were able to settle with the company because of his intervention. With the use of demonstrations and dialogue, he was instrumental in the increase of minority participation on the United Parcel Service (UPS) Hub 2000 project, bringing 20 percent of the work to minority-owned construction businesses. •

State and local commissions meet in roundtable

The Kentucky Commission on Human Rights on July 29 organized a local commission roundtable at the Lincoln Trail Area Development District in Elizabethtown. A variety of issues were discussed, including access for people with disabilities to public and private buildings, human trafficking

and modern-day slavery, gender equality and closing the education gap for minorities.

Leaders from more than a half-dozen local human rights commissions attended the session. KCHR Executive Director John Johnson informed the group that the commission and its staff would help them promote equality in housing, jobs, public accommodations and financial transactions. In particular, he told the local leaders that KCHR is working on a survey to improve access to public buildings for people with disabilities.

Johnson said KCHR will be celebrating its 50th anniversary in 2010 and welcomed suggestions from the local commissions to help promote human rights in Kentucky for the future.

Some local commission leaders, such as Linda McCray, the executive director of the Bowling Green Human Rights Commission, said they are very concerned about the lack of minority teachers and administrators in their local school districts. McCray said her agency is working with the Bowling Green Housing Authority on a summer program to encourage students to achieve and graduate.

Other local leaders suggested getting articles in their local newspapers to examine the education gap for minorities. One local leader said minorities should become members of their local site-based decision making councils, which make recommendations on hiring and education in schools.

McCray said she was very concerned about substandard housing in Bowling Green and Warren County, where some low-income people are living without heat and toilets.

KCHR Commissioner Henry Blythe, who is also a leader of the Mayfield Human Rights Commission, said local leaders should hold HUD and other agencies responsible for housing they approve. He said local commissions should call the agencies on behalf of the residents. William Wharton, the executive director of the Lexington-Fayette Urban County Human Rights Commission, agreed. He said local commissioners may have to check the housing themselves and call housing authorities for help. •

Other late civil rights leaders honored

This summer, Kentuckians had to say goodbye to other civil rights leaders who recently died. The Human Rights Commission honored with resolutions Dr. Lialyce Akers, Minor Ulysses Daniels and Alice Wade.

Akers was the retired director of Women's Studies at the University of Louisville and taught women's studies at several other colleges and universities during her career. She served as head of the Kentucky Equal Rights Amendment Alliance and sat on the national steering committee of the Women's Political Caucus.

Daniels served as a Jefferson County Public Schools administrator, teacher and public servant for over four decades. He held a variety of positions including leading programs to help low income people. When he retired, he was executive director of Business Affairs for the public school system.

Alice Wade was one of Kentucky's leading activists. She fought and demonstrated against racism, police brutality and discrimination, particularly in Louisville. •

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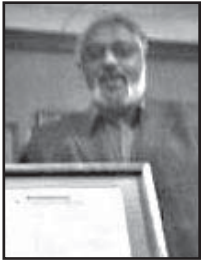
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Employees Retire

Michael Foree was with the commission for more than 23 years. He served as an enforcement officer for the Housing section of the Enforcement Branch where he investigated and brought to a close hundreds of cases during his career. At his retirement luncheon in August, Michael said he looks forward to spending time with his family and volunteering to help with programs at his church.



Cynthia Thornburg Schnell retired in September after serving the state for 27 years. She was the supervisor of the Housing section of the Enforcement Branch. Cyndi managed and conducted discrimination case investigations. She provided certified training to hundreds of realtors, businesses and case respondents on how to comply with laws that ensure fair housing to the people of Kentucky. She plans to take a short break before returning to school for another degree.



The commission thanks these outstanding employees for their work and accomplishments. Congratulations and best wishes to Michael and Cynthia. We will miss you. •

Commissioner Coleman retires

Thurmond Coleman Sr. sat on the commission for 16 years, from 1992 to 2008, most recently as the 4th Supreme Court District representative. He is the longest-serving commissioner in the agency's 48 years. The Kentucky Commission on Human Rights wishes to thank and applaud the reverend for his dedication and outstanding work as he retires from the commission.



A resident of Jeffersontown, Ky., just outside Louisville, he is the retired pastor of First Baptist Church of Jeffersontown where he served for 45 years. He is a former minister of Emmanuel Baptist Church in Louisville, former interim pastor at New Canaan Baptist Church, interim pastor at Greater Good Hope Baptist Church for 14 months, and former manager of the American Baptist Newspaper.

He has held many memberships including: General Association of Baptists in Kentucky; former vice president of the Louisville Branch of the NAACP; NAACP Ministerial Coalition; past chair of Louisville Urban League Board; president of Jeffersontown Association of Christian Congregations; Jefferson County Welfare-to-Work Task Force and the Jefferson County Crime Commission. He has been honored with a building, street and gymnasium named after him. •

Visit from Iranian Delegation



The World Affairs Council of Kentucky and Southern Indiana brought a delegation of International Human Rights professors and International Law experts and students from Iran on May 27 to the Kentucky Commission on Human Rights as part of an International Visitor Leadership Approaches to Peace and conflict Resolution Program.

The program objectives are to: develop an understanding of Islamic perspectives and strategies regarding the use of preventive diplomacy and conflict resolution in domestic and international affairs; familiarize participants with universities, government, public and private organizations active in alternative dispute mediation; attend a university seminar on conflict resolution and mediation, and discuss academic, political, military, religious and economic perspectives on conflict resolution and peace studies.

The Kentucky Human Rights Commission described for the group the processes used to resolve discrimination complaints. The participants visited the Louisville Christ Church Cathedral, the Muhammad Ali Center, the Center for Interfaith Relations, Iroquois High School, and the Louisville Metro Police Department. •

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Did You Know?

According to the Kentucky Coalition for Immigrant and Refugee Rights, there are 888 hate groups in the U.S., a 48 percent rise since 2000.

Hearings focus on Native Americans, disability, aging

The commission held three advocacy hearings this summer to highlight the needs of people who are members of protected classes of the U.S. and Kentucky Civil Rights acts.

In recognition of the 18th anniversary on July 26 of the Americans with Disabilities Act, the July hearing topic was, "Kentucky's Overlooked Majority: A presentation on Disability Rights." Panelists were Sharon Fields, executive director of the Kentucky Disabilities Coalition, Cass Irvin, community organizer and disability rights activist, Marcellus Mayes president of the Metro Disability Coalition in Louisville, David Holton, 30th District Court judge and Kentucky's first blind judge, and Timothy Owens, American Sign Language educator.

Presented on the WFPL 89.3 FM radio State of Affairs show on June 19 was the panel to discuss Native Americans in Kentucky. Speakers for "Does Kentucky Treat its First, Last?" were Momfeather Erickson, founder and executive director of the Mantle Rock Native American Education and Cultural Center in Marion, Ky., Martin Soaring Eagle, a member of the Kentucky Native American Heritage Commission and president of the Circle of Wisdom Unity Conference, and Michael Dunn, educator of American Indian culture and head veteran dancer of a Native American pow wow.

In August, the commission was in Paducah, Ky., for the citizens advocacy panel to assess equal opportunity for aging Kentuckians. Afterward, the commission participated in the city's Emancipation Celebration activities, including a parade on Aug. 9. The event celebrated the freeing of African Americans after 246 years of slavery. •

How to work with language interpreters

Aida Juric, Interpreter Services coordinator of Migration and Refugee Services for the Archdiocese of Louisville Catholic Charities, visited the commission on May 6 to teach staff members how to properly work with foreign language interpreters.

TIPS for working with Interpreters and foreign-language clients

Speak directly to the client as if the interpreter were not present.

Pause often to allow the interpreter to interpret accurately and completely and to keep the conversation flowing smoothly.

Avoid slang, idiomatic language and highly technical terminology.

Maintain control of the session. If the interpreter starts getting into side conversations or taking control of the interaction, direct him or her back to just interpreting.

Check for client understanding at intervals.

Save conversations with the interpreter for before or after the client consultation.

Do a "pre-session" with the interpreter, explaining what you expect from him or her such as: confidentiality, first-person interpreting, accurate and complete interpreting. You might advise, "Please interpret everything that the client and I say," for example. •

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