

Kentucky Commission On Human Rights

ALL DOORS ARE OPEN IN KENTUCKY

Newsletter

2016 commission discrimination complaint statistics

The Kentucky Commission on Human Rights released its 2016 Annual Report in November.

The report will reveal that in the Kentucky government reporting year of July 1, 2015, to June 30, 2016, the commission filed 264 discrimination complaints for people in Kentucky. The commission closed 298 complaints during that time.

The allegations this year claimed disability more often than any other civil rights protected class basis. The basis of race was second. Gender was third.

This is the first year in commission history that disability has accounted for the largest volume of complaints. It is the first time in 50 years that the basis of race was not the number one reason for complaints being made.

The most complaints this year were in the area of employment, which has been the case each year since 1966 when the Kentucky Civil Rights Act was passed.

Housing complaints were the second highest area named in discrimination complaints this year and public accommodations complaints were third.

The agency staff has diminished from 30 members in 2007 to 19 in 2016. Due to state budget hardships, the commission and most of state government have received highly significant budget reductions since 2007. Even with the state funding issues, we reached this year an estimated 200,000 people about civil rights and the commission's work to protect people from discrimination.

The Kentucky Commission on Human Rights produces as many public awareness initiatives as funding allows. We publicize our services and civil rights through traditional and social media in creative ways. We inform civil rights protected class members about their rights

and about our enforcement duties. We inform the public of the legal requirement to comply with anti-discrimination law and about the benefits of equality. We collaborate with stakeholders and advocates to expand public awareness. We train employers, housing professionals, local human rights commissions, police organizations, schools, and community groups on civil rights.

Rise in hate incidents on KY campuses, commission asks for everyone's help

Media reports that racial and ethnic slurs have risen in the last months in the nation, and the Lexington Herald Leader newspaper on November 14 reported that such incidents have risen with a new surge in the last few weeks at the University of Kentucky.



Photo by Western Kentucky University student Francisco Serrano. The writing says, "Deport Them All." Serrano said the graffiti was marked on various sidewalks at WKU. He also reported that people on a campus street shouted racial slurs at him and threw an object out of a car window at him.

The Kentucky Commission on Human Rights and the

Continued next page

public have witnessed an increase in racial and ethnic harassment at Kentucky universities during the last few months, including Western Kentucky University. Media across the nation are reporting an increase in incidents on college campuses in other states. The Southern Poverty Law Center reports it has received 200 hate incident reports during October and November.

The Kentucky Commission on Human Rights urges everyone to exercise the duty to maintain the public peace and public safety. The commission calls for each of us to treat one another with simple dignity and humanity. We urge the public to follow legal processes including compliance with the U.S. and Kentucky Civil Rights acts.

During this important time, it is critical for all of us to exercise self-control, courtesy toward other people, and to remain vigilant over the peace of our society. This is essential for our survival, regardless of issue or debate.

Misconduct by students or outsiders on our student campuses is unacceptable. The commission stands with university leaders and officials in their commitments to protect all students and student rights to equal education and personal safety on campus. The commission urges educational institutions to exercise and enforce a no-tolerance policy for human rights-related hate incidents and harassment of students.

These types of aggression and hostility, when not curtailed, are dangerous. They threaten the safety of our young people and our communities.

In its article, the Lexington Herald Leader said the University of Kentucky "has seen an uptick in reports of racial and ethnic slurs or assaults made on campus" during the last weeks.

UK Spokesman Jay Blanton said nine such reports had been made to the Bias Incident Support Services Office of the university since Tuesday, "which is significantly more than we might see in a normal week," Blanton told the newspaper.

He said the mostly reports included racial and ethnic slurs being shouted at people on campus.

Two reports constituted assaults based on religion or ethnicity and were turned over to UK Police, Blanton said. One involved the use of pepper spray on a student, and the other was an allegation of traditional religion-related apparel being ripped off a student, he said.

The incidents prompted UK President Eli Capilouto to send out a campus-wide email urging civil discussion, the Herald Leader said.

"We are home to Trump voters and Clinton voters and those who feel marginalized from the political process," Capilouto wrote. "So, we must – as a campus and community – be a place that respectfully engages in courageous conversations about our differences."

At the same time, he noted, the UK community must "strongly condemn any behavior designed to create a community of hostility, aggression and exclusion for anyone, regardless of identity, race or belief. To that end, those who are motivated by hate and bigotry to create an

environment of harassment or threat will be held accountable to the fullest extent possible."

Last week, a political protest at Western Kentucky University turned into a brawl, the Herald Leader said. Again, the commission calls for all Kentuckians to exercise legal, peaceful behavior and to comply with legal processes.

Francisco Serrano, a Western Kentucky University student, recently reported to the commission that someone drove by him on the WKU campus in Bowling Green, Ky., threw an object at him out of a car window as he and another person walked down the campus sidewalk, and yelled racial slurs at him. He called campus police and asked the university to help with this matter. He reported that he received a letter from the university that it is working toward peaceful relations on campus.

In addition, Serrano last week emailed a photograph to the commission that he said he took on a WKU campus sidewalk. "There were chalk markings on sidewalks, everywhere," Serrano said. The markings said things like, 'deport them all,' and, 'get them out of here,' he said. "I reported these to the police," Serrano said, "but they told me because it wasn't racially motivated they could not do anything."

Western Kentucky area press and other residents from the region have reported an increase in harassment against students based on race, color, religion, and national origin at the university.

Kentucky Commission on Human Rights

John J. Johnson, Executive Director

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Kentucky Commission on Human Rights Newsletter

Victoria Stephens, editor

Commission mourns death of David O. Welch of Ashland

The Kentucky Commission on Human Rights and the nation have lost a beloved man who was part of our commission from its beginning, David O. Welch of Ashland, Ky.

He died on Sat., Oct. 29, and was 82 years old.



The former mayor of Ashland served the Kentucky Human Rights Commission from its inception in 1960 and for 20

years and at different times as chair and vice-chair. He served as Ashland mayor from 1976 to 1980. He was an esteemed attorney and a great champion of human rights. As mayor, he helped create the Ashland Human Rights local commission.

In 1967, he chaired the commission's first public hearing supporting equal rights for minorities and women.

Commission Executive Director John J. Johnson became lifelong friends with Mr. Welch in 1967, when Johnson, a young leader of the Franklin, Ky., NAACP Chapter,

asked the commission via one of the commission's first discrimination complaints, to integrate the Franklin community swimming pool. Commissioner Welch was hearing officer in the case. With the help of Mr. Welch's former Berea College dormitory roommate who was first commission Executive Director Galen Martin (deceased) and the ruling of the commission, the pool was integrated. It was a milestone in the small western town of Franklin and in Kentucky.

Executive Director Johnson and the state human rights commission under Chair George W. Stinson presented a special award to Mr. Welch at Berea College in February 2010 during a 50 year anniversary event of the Kentucky Commission on Human Rights.

The award said: "In recognition of David O. Welch, Kentucky's long distance runner for civil rights."

Among the many components of his legacy to the state-at-large, during his tenure as mayor, the City of Ashland saw for the first time appointments of African Americans as police officers and the hiring of women as firefighters.

Mr. Welch referred to the Ashland Human Rights local commission as "the conscience of the community."

Kentucky Human Rights Commissioner Carol Jackson of Ashland who also serves as president of the Ashland NAACP and has served on the Ashland Human Rights Commission, as well, said: "All of Ashland and I personally mourn the loss of this wonderful man. He was a true friend and a committed leader to equality. He was dedicated to serving others. We will greatly miss him."

Mr. Welch and Mr. Johnson have been serving the last years together on the Kentucky Council on Postsecondary Education Committee on Equal Opportunity. Mr. Johnson said, "David, himself, was considered a moral conscience of this invaluable committee."

Mr. Welch was inducted into the inaugural Kentucky Civil Rights Hall of Fame when it was established by the Kentucky Commission on Human Rights in 2000. The Hall of Fame has periodically inducted new members since that time.

Employer fired woman for pregnancy

The commission in June 2016 ordered Supreme Hibachi Buffet on New Circle Road in Lexington, Ky., to cease and desist from the unlawful practice of employment discrimination on the basis of sex. The restaurant was ordered to compensate complainant Ashley Hollis in the sum of \$23,425.62 for back pay and the injury of humiliation and embarrassment caused by the discrimination.

Hollis was pregnant when she was hired by the restaurant, but the employer fired her one month later when the owners found her pregnant stomach to be "big" and "ugly," according to the hearing officer Findings of Fact. The document said she was chastised by one owner, Fiona Dong, for not wearing clothing that did not minimize the appearance of the pregnancy. The other owner, Harry Dong, said that if the complainant wore a black shirt she would

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appear thinner in the belly and this would be more appropriate. Ms. Dong instructed Hollis to go home to change clothes. According to testimony, Hollis left the restaurant weeping. She said was embarrassed that the comments were made in front of customers and other employees.

After warning her more than once that she would have to quit working soon due to the pregnancy, she was removed from the work schedule. Hollis's doctor had not instructed her to stop working for any medical or other reason. Hollis said that she begged the owners to put her back to work, but they refused due to the pregnancy. According to the Findings of Fact, Hollis also lost her home as a result of losing the job. After being forcibly terminated from Supreme Hibachi Buffet, she was unable to find other work until after the baby was born. The family had been dependent upon her income, the record said.

The Kentucky Commission on Human Rights Board of Commissioners rules on complaints with the authority of a court of law. Commission final rulings may be appealed through circuit court.

Doctor refused sign language interpreter to patient's deaf power of attorney

The Kentucky Commission on Human Rights issued a default order in June 2016, requiring Rosenberg Reyes, M.D., doing business as Family Practice Health Center in Louisville, Ky., to cease and

desist from the unlawful practice of employment discrimination on the basis of disability. The respondent failed to comply with orders to respond issued by the hearing officer, and pursuant to law, the commission issued a default order, finding the doctor and his business in violation of the Kentucky Civil Rights Act. He was ordered to compensate complainant Viola Baker in the amount of \$20,400 for injuries of humiliation, embarrassment and emotional distress caused by the unlawful practices.

Baker who is profoundly deaf was acting as power of attorney over medical issues of a family member when the discrimination occurred. She primarily communicates through American Sign Language. She telephoned the doctor's office through a deaf relay service to confirm an appointment for the person she represented and to request that an American Sign Language interpreter be provided according to law.

The doctor's office informed Baker that Family Practice Health Center would not provide her an interpreter, according to the commission final order on the matter.

Afterward, she visited the office to make an in-person request for an interpreter for the appointment, using hand-written notes to communicate with office personnel.

Again, she was told that Dr. Reyes's medical practice would not provide an interpreter. When she and the patient came to the appointment, she was informed the doctor had not provided an interpreter and would not pay for an interpreter for Baker because she was not the patient. Because she felt it necessary to be able to communicate in order to fulfill her role of directing the patient's medical decisions, she rescheduled the appointment

to allow time to arrange for an interpreter to accompany her.

She later brought an interpreter for the rescheduled appointment. For unknown reasons, she and the patient were made to wait several hours before seeing the doctor. In total, she paid the American Sign Language Interpreter for five and a half hours of service at \$220.00.

At another visit, she went through a similar experience. She tried unsuccessfully to reach the doctor by telephone relay service more than once to ask him to participate in the matter.

The Kentucky Commission on Human Rights Board of Commissioners rules on complaints with the authority of a court of law. Commission final rulings may be appealed through circuit court.

Fees allegedly charged for emotional support animals

The Lexington Fair Housing Council in August 2015 complained to the commission, alleging that W & A Rental in Radcliff, Ky., discriminated against people based on disability in the area of housing. This would be a violation of the Kentucky Civil Rights Act (Kentucky Revised Statutes Chapter 344) and the U.S. Fair Housing Act.

The Lexington Fair Housing Council claimed it conducted a disability discrimination investigation at 258 West Vine Street in Radcliff, which revealed W & A Rental charged a non-refundable pet fee for emotional support animals.

The council is a fair housing

organization with the mission to promote equal housing opportunities in Kentucky.

The commission investigated and as a result prepared to issue a finding of probable cause, which indicates there is sufficient evidence to believe discrimination may have occurred. Before the finding was issued, the parties chose to resolve the matter with a conciliation agreement.

W & A Rental denied all allegations of violation of the law. W & A affirmed that it does and shall comply with fair housing civil rights law, that it will write and implement policy that includes reasonable accommodations for people with disabilities such as not charging pet fees for support animals. W & A agreed to compensate the Lexington Fair Housing Council in the amount of \$250. W & A agreed to undergo fair housing law compliance training and submit to commission compliance monitoring for three years.

Similar case resolved in Elizabethtown

In Elizabethtown, Ky., Judy Carver complained to the commission that landlord Ronald Hines discriminated against her by charging a monthly pet fee for an emotional support animal that resided with her on a rental lot owned by Hines at 1771 Hodenville Road in Elizabethtown.

The commission conducted an investigation after which it prepared to issue a finding of probable cause, which indicates sufficient evidence to believe discrimination may have occurred. Prior to the probable cause determination, the parties chose to resolve the matter with a conciliation agreement.

Hines denied all allegations of violation of the law and affirmed that he does and shall comply with fair housing civil rights law. He affirmed that he is aware that it is against the law for any respondent of a discrimination complaint

to commit acts of retaliation, intimidation or coercion. He agreed to compensate Carver in the amount of \$1,500 in the form of a rent credit. Hines agreed to undergo fair housing law compliance training and will submit to commission compliance monitoring for one year.

The conciliation agreements do not constitute any admission of liability or wrongdoing, including but not limited to, any violation of the Kentucky Civil Rights Act, KRS Chapter 344 et. seq. or Federal Fair Housing act as amended, 42 USC 3601 et seq., all of which are specifically denied. The parties acknowledge that these conciliations are a compromise of disputed claims.

Race claim over rental property resolved

Courtney Milligan in April 2016 complained to the commission, alleging that Campus Evolution Villages, officially named CEV Gables LP, discriminated against her on the basis of her race (African American) in the area of housing. This would be a violation of the Kentucky Civil Rights Act (Kentucky Revised Statutes Chapter 344) and the U.S. Fair Housing Act. After the complaint was filed it was discovered the name of the company is actually CEV Gables LP.

Milligan claimed she was the only African American tenant among white tenants at the rentals at 1909 Creason Street in Bowling Green, Ky., when an insect problem was discovered.

Milligan claimed CEV Gables LP attempted to charge her \$750 for insect treatment and did not charge an insect treatment fee to the white

tenants.

She alleged when she complained about this, the landlord gave her an eviction notice, saying she had not paid rent for three months.

She claimed she paid rent for two of those months and that during the third month, CEV Gables LP refused to accept her rental payment.

CEV Gables denied any allegations of violation of the law and asserted that Milligan was responsible for the damages and costs resulting from pest control as described in the lease.

Before the commission reached any determination, the parties chose to resolve the matter with a conciliation agreement.

CEV Gables affirmed that it does and shall comply with fair housing civil rights law. The company agreed to dismiss the eviction notice filed against Milligan. It agreed to waive the \$750 pest control expense charged to her account.

The company agreed to renew her lease in accordance with its current lease offers at the time of renewal if she requests renewal and is not in default of the lease.

CEV agreed to undergo fair housing law compliance training and to submit to commission compliance monitoring.

The conciliation agreement does not constitute an admission of liability or wrongdoing, including but not limited to, any violation of the Kentucky Civil Rights Act, KRS Chapter 344 et. seq. or Federal Fair Housing act as amended, 42 USC 3601 et seq., all of which are specifically denied. The parties acknowledge that the conciliation is a compromise of disputed claims.

Service animals not pets

In October 2015, Stacie Wise alleged to the commission that she was discriminated against based on disability in the area of housing. This would be a violation of the Kentucky Civil Rights Act (Kentucky Revised Statutes Chapter 344) and the U.S. Fair Housing Act.

Wise claimed McQueary Realty and Auction Services LLC and Darrell McQueary, in Russell Springs, Ky., the landlord of her residence at East 80 Apartments, denied her the reasonable accommodation of having a service animal for a disability and refused to rent an apartment to her because of a disability that requires her to utilize a service animal.

She claimed the landlord said the property had a 'no-pets' policy.

The respondents denied all allegations of unlawful discrimination and asserted that Wise failed to provide documents to substantiate her need for the reasonable accommodation of having a service animal reside with her.

The commission investigation revealed that respondent McQueary Realty and Auction Services LLC was the incorrect respondent. The complaint was amended to add Darrell McQueary to the complaint as the proper respondent.

Prior to a determination by the commission, the parties chose to resolve the complaint with a conciliation agreement.

Respondent McQueary Realty and Auction Services LLC was dismissed from the complaint. Respondent Darrell McQueary agreed to receive fair housing training and submit to commission compliance monitoring. The conciliation agreement does

not constitute an admission of liability or wrongdoing, including but not limited to, any violation of the Kentucky Civil Rights Act, KRS Chapter 344 et. seq. or Federal Fair Housing act as amended, 42 USC 3601 et seq., all of which are specifically denied. The parties acknowledge that the conciliation is a compromise of disputed claims.

The Kentucky Commission on Human Rights is the state government authority that enforces the Kentucky Civil Rights Act (Kentucky Revised Statutes Chapter 344), and, through its affiliations with the U.S. Equal Employment Opportunity Commission and the U.S. Dept. of Housing and Urban Development, enforces federal civil rights laws.

Conciliation reached in housing case in Owensboro

In December 2015, Trent Tucker alleged to the commission that landlords Robert A. and Mary Thomason discriminated against him based on disability in the area of housing. This would be a violation of the Kentucky Civil Rights Act (Ky. Revised Statutes Chapter 344) and the U.S. Fair Housing Act.

He claimed he made a request for a reasonable accommodation for a disability and that he was told the landlords at his residence in Owensboro, Ky., did not allow pets. The respondents denied all allegations of unlawful discrimination and asserted that the complainant was in violation of their 'no pets' policy. They denied any knowledge of a disability. Prior to a determination, the parties chose to resolve the complaint

with a conciliation agreement. The respondents compensated Tucker in the amount of \$50 to reimburse the pet fees they had charged him. They agreed to permit his reasonable accommodation request. They agreed to undergo fair housing law compliance training and submit to commission law compliance monitoring. The conciliation agreement does not constitute an admission of liability or wrongdoing, including but not limited to, any violation of the Kentucky Civil Rights Act, KRS Chapter 344 et. seq. or Federal Fair Housing act as amended, 42 USC 3601 et seq., all of which are specifically denied. The parties acknowledge that the conciliation is a compromise of disputed claims. The Kentucky Commission on Human Rights is the state government authority that enforces the Kentucky Civil Rights Act (Kentucky Revised Statutes Chapter 344), and, through its affiliations with the U.S. Equal Employment Opportunity Commission and the U.S. Dept. of Housing and Urban Development, enforces federal civil rights laws.

Annual Immigrant Outreach Summit held

The Kentucky Commission on Human Rights on October 13 hosted the 11th Annual Kentucky Hispanic, Immigrant, and Refugee Networking Summit. The day long event was held at the University of Kentucky Cooperative Extension Office in Shelbyville, Ky. Approximately 130 people attended.

"The annual Kentucky Hispanic, Immigrant and Refugee Networking Summit has become one of our

most successful education and outreach programs across the state," said commission immigrant outreach official Juan Peña. "We have seen some new partnerships formed among our attendees as a result," he said.

There were several speakers, discussions and panels. Topics included: The importance of reaching out to Immigrants and refugees; KY Latino/Hispanic Immigrant Organizations; Latino Media Outlets & Education Organizations; Kentucky State Agencies; federal government agencies, and more.

The summit was cosponsored by the University of Kentucky, College of Agriculture, Food and Environment, Cooperative Extension Office; the United States Department of Agriculture; the Lexington Fair Housing Council; the Kentucky State University College of Agriculture Food Science, and Sustainable System; and the Kentucky Labor Cabinet.

Reaching out about equality



In August, the commission held a large exhibit at the Kentucky State Fair in Louisville. We reached thousands of people, including this group of youth, from all over the

state and beyond about civil and human rights. Ky. Gov. Matthew Bevin allowed the commission to use his poster to help promote civil equal opportunity in Kentucky.

KY NAACP 69th Convention, Johnson speaks on voting and equality

The Kentucky Conference of The NAACP led by President Raoul Cunningham, of Louisville, Ky., held its 69th annual convention from Friday, Sept. 23 through Sunday, Sept. 25 in Madisonville, Ky.

After a series of workshops and meetings, the convention on Saturday evening celebrated the state NAACP, the largest and first statewide civil rights organization in Kentucky, by gathering for the annual Freedom Fund Banquet.

Kentucky Commission on Human Rights Executive Director John J. Johnson was honored to serve as keynote speaker to the members representing NAACP branches throughout the state who gathered for the banquet. The theme of the convention was, "Our Lives Matter; Our Votes Count."

Johnson, who has served since 2007 as the Kentucky Human Rights Commission executive director, previously worked at the national headquarters of the NAACP based in Baltimore, Md., where he was Chief of Executive Operations, overseeing the executive office of the President and CEO.

At the 69th Kentucky NAACP

Convention on Saturday, Sept. 24, Johnson emphasized to members the urgency and duty of African American Kentuckians to vote in public elections.

"Seven decades after the organizing of the Kentucky Conference of NAACP Branches, Kentucky African Americans and NAACP leaders must continue to be vigilant if freedom is to flourish in our state," Johnson said. "We must work together to strike down the iron bars of poverty, undo the heavy manacles of unemployment, close down the cell blocks of bigotry and police abuse, and end at last the captivity of untreated illnesses and unequal opportunity," he said.

Johnson stressed that equality is every American's right. "We have that right, regardless of our race, color, religion, national origin, disability, gender, and disability," he said.

He told the group that the struggle to secure the right to vote for African Americans was long and difficult. He urged every person to encourage every citizen to register and vote in every election.

"In the last general election, only 45 percent of Kentucky eligible voters turned out to vote," Johnson said. "If you believe our lives matter, we cannot afford to sit back and assume all will be alright; it is up to every Kentuckian to participate in the election process, which reflects the hope and promise of America," he said.

He reminded the audience of "the many people who were beaten or had fire hoses and mad dogs turned on them because they sought the right to vote."

Johnson asked African American Kentuckians to participate in phone-calling, asking neighbors to vote, providing free rides to the polls on election-day, and making announcements in churches and other organization meetings about

the importance of voting. "Take at least five people with you on Election Day to the polls," Johnson urged, "and honor the right to vote," he said.



Commission Executive Director John J. Johnson

Johnson also urged Kentuckians to continue to pursue re-enfranchisement laws that allow people to vote who were former felons and have served their sentences and paid their debts to society. "Kentucky continues to have the highest African American disenfranchisement rate in the country," Johnson said.

African Americans comprise about 6.6 percent of Kentucky's voting age population, but represent approximately 23.7 percent of the state's disenfranchised population, he said.

In other Kentucky civil rights issues, Johnson said that equal education must be a top priority. "In our state, 66.2 percent of black high school graduates are not college-ready in one or more subjects, and this is the highest percentage of any racial group," he said.

"Our children's lives matter and we must ensure that every child has access and obtains meaningful and first-rate education," Johnson said.

He said that on average, 2.6 percent of white students drop out of school, while 4.91 percent of African

American students drop out of school in Kentucky every year.

Regarding black teachers, in the 1953-54 school year (63 years ago), 6.8 percent of Kentucky teachers were African American, while today, the percentage has dropped to 3.7 percent, Johnson told the state NAACP representatives.

Housing, economics, racial economic justice are also ongoing concerns across the nation, Johnson said. "Although job opportunities have increased in recent years, nationally, black unemployment still remains double that of white unemployment," he said.

He also spoke about incarceration statistics in Kentucky. "African Americans account for 7.5 percent of Kentucky's total population, but account for 31 percent of the state prison population," he said. Kentucky's combined prison and jail incarceration rate for African Americans is nearly five times that of the incarcerated rate for whites, he said. The white incarceration rate stands at 561 per 100,000 residents; the black incarceration rate stands at 2,793 per 100,000 residents, he said.

Johnson also spoke about poverty within the state: "About 13.2 percent of Kentucky's white people live in poverty, and 28 percent of African American Kentuckians live in poverty. It knows no color line; white children in rural Kentucky suffer as African American children in urban areas suffer. Kentucky has one of the nation's highest poverty rates for children at 23.3 percent for white children and 47.3 percent for African American children. Many of our children find themselves on a lonely island of poverty in the midst of American prosperity. Grinding poverty wears down the human spirit and attacks the God-given dignity of those who suffer its burden," he said.

"Our lives matter," Johnson said.

"The NAACP is not the state's largest black social organization, it

is the state's strongest civil rights organization," he said. "The NAACP, African Americans, and, in fact, all Kentuckians, should speak loudly and boldly to correct the disparities that exist regarding these and other equal opportunity and equal treatment issues," Johnson said.

Nation's housing finance still down for black & Hispanic consumers

The National Fair Housing Alliance announced on Oct. 6 that the Center for Responsible Lending (CRL) released a policy analysis based on new mortgage data collected under the Home Mortgage Disclosure Act (HMDA). The data, which covers nearly all mortgages made in the United States in 2015, revealed that access to mortgage credit remains out of reach for many consumers of color. The following information was issued by the NFHA:

"The new HMDA data confirms a recent CRL study, *The Drought Continues: Mortgage Credit Runs Dry for Californians of Color*, revealing that the housing market in California and across the country are recovering unevenly, especially in communities of color. These trends are particularly troubling in light of the declining home ownership rate for African Americans and Latinos. Recent regulations have made the loans in today's market much safer for lenders and borrowers. Market over corrections have denied African American, Latino, and low-income consumers access to these safe mortgage loans. The evidence from the 2015 HMDA data show that the market is simply not serving these

borrowers.

“Despite fair lending laws and mortgage rules, Latino and African American consumers received a small percentage of the mortgages made in 2015 and remain disproportionately reliant upon government-backed mortgages that come with high rates and fees. Very few conventional loans were made to these consumers.

“Although it’s promising to see the housing market expand over the last year, consumers of color still do not have broad access to the most affordable mortgage loans,” said Nikitra Bailey, an executive vice president with CRL. “As our nation becomes increasingly more diverse, these disparities will suppress economic growth across communities that have been left out of the economic recovery. CRL believes that every creditworthy consumer, regardless of race or ethnicity, should be able to access mortgages and the potential for family wealth that comes from home ownership.”

“The data shows that borrowers of color, particularly African Americans and Latinos, and families with low-to-moderate incomes remain under-served in the mortgage market, especially with loans sold to Fannie Mae and Freddie Mac. The report also shows that borrowers of color and low-to-moderate-income consumers that do access mortgage loans to buy a home overwhelmingly rely upon government-backed loans.

“Highlights from the 2015 HMDA data include:

“The share of loans made to African American and Hispanic borrowers in 2015 rose modestly, but remained well below the population share they compose. In 2015, African Americans received 5.5 percent of loans up from 5.2 percent in 2014; Hispanic borrowers received 8.3 percent up from 7.9 percent in 2014. These percentages fall far short of

the share of the U.S. populations that these groups represent. African Americans compose 13.3% and Hispanics 17.6% of the total national population.

“The share of loans made to low and moderate-income borrowers rose slightly in 2015 to 28 percent from 27.1 percent. Although modestly higher than the share in 2014 the 2015 share was lower than it was from 2009 to 2013.

“Most home purchase loans made to African American and Hispanic borrowers continued to be through government insured programs (including FHA, VA and others) and reliance on these programs continued to increase. In 2015, 70.2 percent of loans to African American borrowers and 62.6 percent of loans to Hispanic borrowers were government backed. These shares compare to just 36.0 percent of loans made to non-Hispanic white borrowers.

“In keeping with recent trends, a very small share of conventional home-purchase loans were made to African American and Hispanic borrowers. In 2015, just 2.7 percent of conventional home-purchase loans were made to African American borrowers and just 5.1 percent of these loans were made to Hispanic borrowers. These percentages are virtually unchanged from the levels in 2014.

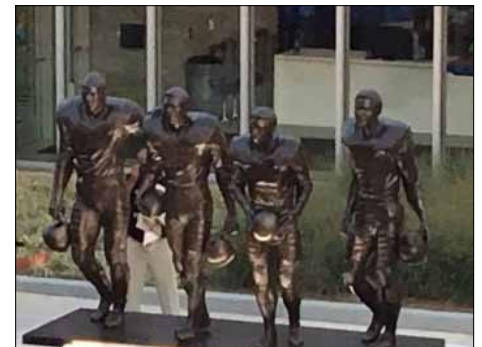
New KY sculpture of black pioneers of SEC Football

This article published by Sept. 23, 2016 “NCAA Report”

The statue honoring the four players who broke the color barrier in Southeastern Conference football –

Nate Northington, Greg Page, Wilbur Hackett and Houston Hogg – was unveiled at an event at the site of the statue on Thursday, Sept. 22, 2016.

The statue commemorates the playing careers and lives of the first four African American football players in SEC history. It will be located on a pedestal in the plaza between the new Kentucky Football Training Facility and Commonwealth Stadium, positioned to remind fans, coaches and players of the incredible contributions made by Northington, Page, Hackett and Hogg to the University of Kentucky, the SEC and college football on a national level.



“No four players in our program’s history have better demonstrated the values of courage, determination and selflessness than Nate, Greg, Wilbur and Houston,” Athletics Director Mitch Barnhart said. “The pride we take in calling them Kentucky Wildcats is matched only by our gratitude for what they have done for this university and for college football in the South. We are proud to show that appreciation with the dedication of this statue that will occupy a prominent place at the home of Kentucky football.”

Cast in bronze, the statue features the four pioneers in uniform standing side by side. It was designed and sculpted by J. Brett Grill over the course of a year after interviews with the three living trailblazers; Page’s brother, Melvin; and teammates of the four. The statue is to scale, with the tallest

figure standing approximately seven-and-a-half feet tall. It is 11 feet wide at its base and four feet in depth, weighing around 3,500 pounds.

This year marks the 50th anniversary of Northington and Page's arrival on the UK campus in 1966. Hackett and Hogg would join them a year later. Northington made his varsity debut on Sept. 23, 1967 against Indiana before breaking the SEC's color barrier a week later when UK hosted Ole Miss on Sept. 30, 1967. Tragically, Page – Northington's close friend – passed away just a day prior on Sept. 29 after suffering a neck injury in a practice accident. Hackett and Hogg would carry on Northington and Page's legacy, with Hackett becoming the SEC's first African American team captain in any sport in 1969.

Kentucky football's 2016 schedule poster also paid homage to the trailblazers, with four current players reenacting the poses from the statue and wearing the same numbers Northington, Page, Hackett and Hogg wore as Wildcats. The theme of the poster is "Make a Stand," a nod to Northington, Page, Hackett and Hogg's resolve in integrating SEC football.

Col. Charles Young Park in Louisville ceremony

By John J. Johnson, Ky. Human Rights Commission Executive Director

The Colonel Charles D. Young Park rededication in Louisville took place on August 27. It is named for a great Kentucky African American who the

commission and many other believe should be posthumously promoted to Brigadier General.

The Kentucky Commission on Human Rights asks members of the public to urge that the late U.S. Col. Charles D. Young of Kentucky be posthumously awarded the rank of brigadier general. Justice delayed does not have to result in justice denied when it comes to the righting of historical wrongs.

At the park rededication on Aug. 17, the Omega Psi Phi Fraternity in association with the Louisville Dept. of Metro Parks and Recreation held a rededication service of a Louisville park in Lytle Street in the Portland neighborhood named for Young.



Above, Exec. Dir. Johnson, along with other honorary U.S. Buffalo Soldiers, gathered with Louisville Mayor Greg Fisher, who is seated in the front row with other participants.

At the event, the park name was changed from the Charles Young Park to the Colonel Charles D. Young Park to more appropriately honor the man for whom it is named and to highlight his example to park visitors. Participants included Louisville Mayor Greg Fischer, Louisville Metro Councilwoman Cheri Bryant Hamilton, NAACP, River City Drum Corps and Louisville Buffalo Soldiers. I was also honored to be among the participants.

Young, born to former slaves in Mays Lick, Ky., in 1864, was the highest ranking African American commanding officer in the U. S. Army from 1894 until his death in

1922. He also served as the first African American superintendent of a national park, while commanding a troop of Buffalo Soldiers before the creation of the U. S. National Park Service. In 1889, he became the third African American to graduate for the U. S. Military Academy at West Point. He graduated with the rank of second lieutenant. Because of his exceptional leadership, in 1917, he was promoted to Lt. Colonel, making him the highest-ranking African American U.S. Army officer in World War I.

Because the military at that time would not allow African Americans to command white troops, Young served nearly his entire military career with regiments of the all-black U. S. Buffalo Soldiers. He spent 28 years leading the 10th U.S. Calvary Regiment, a division of the Buffalo Soldiers in Nebraska, and led the 9th and 10th cavalries of Buffalo Soldiers in Utah.

Many Americans, past and present, have believed the political and social climates of the time of racial segregation and discrimination prevented Young from being promoted to become the first black brigadier general in the U.S. Armed Forces.

He served and fought for our nation with distinction and courage. He exuded decorum and honor in leadership, both in and out of uniform. He persevered and triumphed through racial insults, social isolation and discrimination at West Point. He encountered bigotry and hostility throughout his military career. He overcame harassment, disrespect and the embarrassment that comes with racial hatred. Through it all, he behaved with dignity. He met, head-on, the challenges of racism and discrimination that were embedded within society and the military.

Inducted many years ago as the 6th inductee of the Kentucky Commission on Human Rights

Gallery of Great Black Kentuckians, Young continues to be a role model for African Americans and all people who seek better lives for themselves and their families by defeating bigotry and discrimination through hard work, faith, talent and perseverance.

While working at the NAACP Headquarters in Baltimore, Md., as director of Armed Services and Veteran's Affairs, it was my honor to establish the Charles Young Military and Veterans Affairs Pavilion at an annual conference.

In 2011, the Kentucky Commission on Human Rights joined many other groups led by the National Coalition of Black Veterans in adopting a resolution that urges the United States president to posthumously and fittingly award Young the rank of brigadier general.

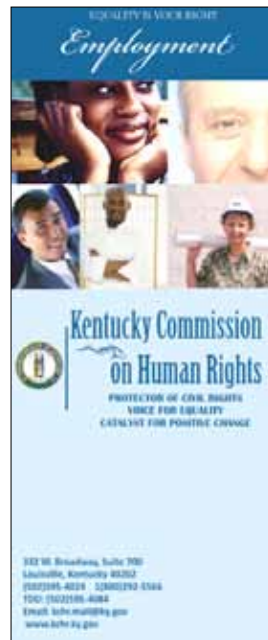
People who visit the Charles D. Young Park in Louisville can learn about and remember the lifetime achievements of this Kentucky Son and great American. His courage and spirit continue to inspire people across the world to overcome adversity and to contribute to the welfare of others. We urge Kentuckians to contact their U. S. senators and representatives to encourage the president to posthumously promote Col. Young to the rank of brigadier general.

Need help with discrimination at your job?

The Kentucky Commission on Human Rights enforces the Kentucky Civil Rights Act and through its federal affiliation with the U.S. Equal Employment

Opportunity Commission, we enforce the U.S. Civil Rights Act.

To learn more about your rights in employment to equal opportunity and treatment, go to the commission website to download our "Equality is your Right Employment Brochure." Go to <http://kchr.ky.gov/reports/Pages/employmentbrochure.aspx>



We can help if you or someone you know may be a victim of discrimination in the area of employment, which means on the job or while applying for a job. Contact us as 1.800.292.5566.

The Kentucky and U.S. Civil Rights acts protect you from discrimination by employers, potential employers or fellow employees.

The law prohibits discrimination in the area of employment due to race, color, religion, national origin, sex, age if you are 40 years of age or older, disability, and tobacco-smoking status.

U.S. Justice files complaint and consent decree against Florence, KY

The Justice Department announced Oct. 26 that it filed a complaint and consent decree in the U.S. District Court for the Eastern District of Kentucky against the City of Florence.

The comoplaunt alleged that the city violated the Americans with Disabilities Act (ADA) by discriminating against a woman with a pregnancy-related disability by failing to provide a reasonable accommodation of light duty.

The complaint also alleged that the city imposed a "no-restrictions" policy, commingled employees' medical records within their personnel files, and engaged in a pattern or practice of discrimination against women, based on sex (pregnancy).

This would be in violation of Title VII of the Civil Rights Act of 1964.

The consent decree required the City of Florence to pay \$135,000 in compensatory damages and attorney's fees. It required the city to reinstate the paid leave that two women police officers were forced to use.

The city will be required to adopt new policies that allow accommodations, including light duty, for pregnant employees and employees with disabilities.

It will include a policy that establishes an effective process for receiving and responding to employees' accommodation requests and discrimination complaints; and a policy that ensures the proper maintenance of

employee medical records.

In addition, the city will train all staff who participate in making personnel decisions related to light duty and other accommodation requests.

Healthcare.gov now for enrolling in Affordable Care Act insurance

According to a release issued by Kentucky Health and Human Services:

"Here are some key points for Kentuckians to know;

"Nothing changes with 2016 coverage. Plans are still valid through Dec. 31, 2016.

"Beginning Nov. 1, 2016, Kentuckians who qualify for a Qualified Health Plan need to apply and enroll at HealthCare.gov for 2017 coverage.

"Open Enrollment Period (OEP) for 2017 Qualified Health Plan coverage is from Nov. 1, 2016 to Jan. 31, 2017. You must enroll by Dec. 15, 2016 for coverage to begin Jan. 1, 2017.

"If a person is enrolled in 2016 with an issuer that will not be offering plans in 2017 on HealthCare.gov, the enrollee will have more time to choose a plan for 2017 due to a Special Enrollment Period for Loss of Minimum Essential Coverage.

"Kentuckians can only get the tax credit, called APTC or Advanced Premium Tax Credit or a Cost Sharing Reduction that helps cover out-of-pocket costs by enrolling

through HealthCare.gov.

The Medicaid program and application process have not changed.

"If a person is enrolled in Medicaid, they do not need to do anything until their renewal/recertification date. If someone is Medicaid eligible, he/she can apply anytime during the year.

"The kynect call center 855.459.6328 is still here to help direct Kentuckians where to go for coverage. The call center will help pre-screen for program eligibility and can assist with Medicaid applications. The call center can also help with questions and information.

"HealthCare.gov customer service call center can be reached at 800.318.2596 and is open 24 hours a day, seven days a week.

"Where to apply:

"Kentuckians who have applied for or enrolled in coverage through

"Beginning Nov. 1, the kynect website began serving as a landing page and offers detailed messaging and direction on when and where to apply.

"The HealthCare.gov website has messaging in place for Kentucky residents as well as messages through their phone system."

Lt. Gov. launches Million Women Mentors of Kentucky

STEM is a curriculum based on the idea of educating students in four specific disciplines — science, technology, engineering and mathematics — in an

interdisciplinary and applied approach.

Lt. Gov. Jenean Hampton and the Kentucky Commission on Women in September hosted the launch event for the Million Women Mentors initiative of Kentucky (MWM-KY).

Lt. Gov. Hampton serves as the Honorary Chair for MWM-KY, an initiative whose mission is to support girls and women in STEM by providing one million STEM mentors.

She serves alongside MWM-KY Co-Chairs Dr. Czarena Crofcheck and Kathy Plomin. Lt. Gov. Hampton spoke on the importance of supporting girls and women in STEM.



"With NASA playing an inspirational role in my childhood and holding a degree in industrial engineering, I know firsthand the powerful opportunities STEM can offer women," said Hampton.

Other speakers on the topic of mentoring girls in STEM included Danette Wilder from SealingLife, Dr. Mary Lynne Capilouto from the University of Kentucky, Sandra McCain from Lexmark International, Dr. Czarena Crofcheck from the University of Kentucky and Kate Collins, who is currently majoring in physics at the University of Kentucky.

For more information on Million Women Mentors of Kentucky, please visit www.MillionWomenMentors.org/ky.

