

# Kentucky Commission On Human Rights

ALL DOORS ARE OPEN IN KENTUCKY

Newsletter

## The late Dr. Blaine Hudson inducted as 55<sup>th</sup> Great Black Kentuckian

The Kentucky Commission on Human Rights inducted on February 6 the late Dr. Blaine Hudson as its 55<sup>th</sup> Great Black Kentuckian. He was University of Louisville Arts and Sciences dean.



*Unveiling Hudson's Gallery of Great Black Kentuckians poster are University of Louisville President James Ramsey, State Rep. Reginald Meeks, Hudson's daughter Maya Hudson Kelly, and his widow Bonnie Hines Hudson.*

The induction and unveiling of Hudson's Gallery of Great Black Kentuckians poster took place in the state capitol rotunda in Frankfort at the 2013 Kentucky Black History Month Celebration. About 200 people attended the event, which is sponsored by the Kentucky Black Legislative Caucus.

Gov. Steve Beshear and several dignitaries participated, including Senate President Robert Stivers, House Speaker Greg Stumbo and Chief Justice John D. Minton Jr.



*In the photo are Wendell Thomas, member of the Kentucky Council on Postsecondary Education Committee on Equal Opportunities, Priscilla Johnson, a former chair of the Kentucky Commission on Human Rights, Bonnie Hines Hudson, Maya Hudson Kelly,*

*Eleanor Jordan, Kentucky Commission on Women executive director, and Kentucky State Senator Gerald Neal.*

The Black Caucus is composed of Sen. Neal and Reps. Jesse Crenshaw of Lexington, Jim Glenn of Owensboro, Derrick Graham of Frankfort, Reginald Meeks of Louisville, Darryl Owens of Louisville and Arnold Simpson of Covington. Members of the caucus joined Neal in speaking on the significance of Black History Month.



*U L President Ramsey speaks about Hudson. At his right is Executive Director Johnson.*

Gov. Beshear said: "African Americans have made significant contributions to our state and to our nation, and Black History Month allows

us to reflect on those accomplishments. We know and honor many of these notable citizens, but also pay respect to the many others who have been forgotten by history..."

University of Louisville President James Ramsey spoke about Hudson's contributions to Kentucky.



*At left are KY Human Rights Commissioners Duane Bonifer and Dr. Doris Clark Sarr, Bonnie Hines Hudson, Maya Hudson Kelly, KY Human Rights Commissioner Timothy Thomas and Executive Director Johnson.*

Also speaking during the induction portion of the event were Kentucky

Human Rights Commission Executive Director John J. Johnson and Human Rights Commissioners Timothy Thomas of Madisonville, Dr. Doris Clark Sarr of Murray, and Duane Hudson's widow Bonnie Hines Hudson also spoke.

### About Blaine Hudson

Dr. J. Blaine Hudson (1949-2013), who died in January of this year was a well-known and consummate administrator, scholar, teacher and activist. He impacted countless people with his intelligence, compassion, courage and commitment.

Born in 1949 in Louisville, Hudson began what would become his lifelong fight for social change when as a junior high school-aged youngster he was refused admittance to a downtown movie theatre. As a student at the University of Louisville, he demonstrated in 1969 at the Arts and Sciences Dean's Office (where he would later serve as dean until the time of his death), demanding improvement in education opportunities for African American students.

He was a lifelong Louisville resident. He earned a Bachelor's of Science and Master's degrees of Education from the

University of Louisville (UL). He earned his Doctorate of Education from the University of Kentucky.

From 1974 to 1992, while teaching part-time, he held staff positions at UL, including University Staff Grievance Officer. He joined the faculty of the Department of Pan-African Studies full-time in 1992. He served as chair of that department (1998- 2003) and as an associate dean in the College of Arts and Sciences (1999-2004). In 2004, he was appointed acting dean of Arts and Sciences, and, after a national search, was appointed dean in 2005. He served as dean of the College of Arts and Sciences at the University of Louisville from 2005 until his death.

His teaching and research focused on the histories and cultures of persons of African ancestry throughout the world, inter-cultural education, diversity, and the history and social psychology of race. He contributed to the establishment of international programs in seven countries. He was author of *Fugitive Slaves and the Underground Railroad in the Kentucky Borderland* (2002), and *Encyclopedia of the Underground Railroad* (2006) and coauthor of *Two Centuries of Black Louisville: A Photographic History* (2011).

During his career, he chronicled the history of African Americans in Louisville, served on boards and commissions across the state and worked to solve the problem of gun violence in Louisville. He conducted the research for 10 historical markers and served as a historical consultant for the Farmington and Locust Grove historic homes, the Muhammad Ali Center, and the Kentucky Center for African American Heritage. He served on the Board of Directors of the Muhammad Ali Center and as chair of both the Kentucky African American Heritage Commission and the Kentucky State Advisory Committee to the U.S.

Commission on Civil Rights.

He was active in local and regional racial and social justice organizations and coordinated and taught in the Saturday Academy, a community education program focusing on African world history and culture. He led the effort to create a Freedom Park on the UL campus in an effort to counterbalance the Confederate statue that has stood nearby the main campus since 1895. He died on January 5, 2013.

## African American History Month of February

*by the Association for the Study of African American Life and History*

When Carter G. Woodson established Negro History week in 1926, he realized the importance of providing a theme to focus the attention of the public. The intention has never been to dictate or limit the exploration of the black experience, but to bring to the public's attention important developments that merit emphasis. The 2013 Black History Theme is "At the Crossroads of Freedom and Equality: The Emancipation Proclamation and the March on Washington."

The year 2013 marks two important anniversaries in the history of African Americans and the United States. On January 1, 1863, the Emancipation Proclamation set the United States on the path of ending slavery. A wartime measure issued by President Abraham Lincoln, the proclamation freed relatively few slaves, but it fueled the fire of the enslaved to strike for their freedom. In many respects, Lincoln's declaration simply acknowledged the epidemic of black self-emancipation – spread by black freedom crusaders like Harriet Tubman – that already

had commenced beyond his control. Those in bondage increasingly streamed into the camps of the Union Army, reclaiming and asserting self-determination. The result, abolitionist Fredrick Douglass predicted, was that the war for the Union became a war against slavery. The actions of both Lincoln and the slaves made clear that the Civil War was in deed, as well as in theory, a struggle between the forces of slavery and emancipation. The full-scale dismantlement of the "peculiar institution" of human bondage had begun.

In 1963, a century later, America once again stood at the crossroads. Nine years earlier, the U.S. Supreme Court had outlawed racial segregation in public schools, but the nation had not yet committed itself to equality of citizenship. Segregation and innumerable other forms of discrimination made second-class citizenship the extra-constitutional status of non-whites. Another American president caught in the gale of racial change, John F. Kennedy, temporized over the legal and moral issue of his time. Like Lincoln before him, national concerns, and the growing momentum of black mass mobilization efforts, overrode his personal ambivalence toward demands for black civil rights. On August 28, 1963, hundreds of thousands of Americans, blacks and whites, Jews and gentiles, Protestants and Catholics, marched to the memorial of Abraham Lincoln, the author of the Emancipation Proclamation, in the continuing pursuit of equality of citizenship and self-determination. It was on this occasion that Martin Luther King, Jr. delivered his celebrated "I Have a Dream" speech. Just as the Emancipation Proclamation had recognized the coming end of slavery, the March on Washington for Jobs and Freedom announced that the days of legal segregation in the United States

### Kentucky Commission on Human Rights

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Kentucky Commission on Human Rights Newsletter

Victoria Stephens, Editor

were numbered.

*The Association for the Study of African American Life and History was formed by the late Carter Woodson of Kentucky, the father of African American History Month.*

## Commission passes social justice resolutions, calls to action for lawmakers & public

The Kentucky Commission on Human Rights Board of Commissioners on Jan. 17, passed social justice resolutions in honor of the Martin Luther King Jr. Holiday, which was on Jan. 21.

The resolutions are calls to action for legislators and the public. They were submitted to the members of the Kentucky General Assembly during the 2013 session. The commission urges the public to continue informing legislators of the need to address these issues in future sessions.

"There are human and civil rights challenges that need to be met in our great state," said John J. Johnson, executive director of the commission, "and we believe it is important to recognize the significance of the Martin Luther King National Holiday by addressing some of these issues while the General Assembly is in session.

"All Americans have rights and opportunities that never would have been achieved had it not been for the leadership of the great Dr. Martin Luther King Jr. and others throughout our state and national history," Johnson said. "Dr. King came to Kentucky several times during the 1960s to help our state become the first in the south to pass a Civil Rights Act, and we are proud to

submit these resolutions in honor of him," he said.

### Resolution Supporting Efforts to Increase Voter Participation in Kentucky

Eligible voters should be afforded fair opportunities to vote regardless of personal circumstances that may prevent attendance at the polls on Election Day. Working class persons, minorities, older persons and persons with disabilities are frequently unable, due to mitigating circumstances, to vote on election days. The commission encourages legislators and the public to push for increasing access and opportunities for voters by enacting laws that would provide additional voting options like "no-excuse" early voting, access to voting polls on weekends, fewer restrictions on absentee voting, voting-by-mail systems and same-day voter registration.

### Resolution in Support of Raising the High School Drop-out Age to Eighteen in Kentucky

Kentucky consistently ranks high among states in high school drop-out rates. Evidence suggests the high school drop-out rate disproportionately affects minorities and low income persons. In addition, high school drop-outs frequently suffer a lifetime of lost or significantly diminished socioeconomic opportunities. The commission encourages legislators and the public to push for raising the high school drop-out age to eighteen in order to make available to the state the full productive capacities of all persons. *Gov. Beshear signed into passage during the week of March 11, 2013, a law that allows schools to raise the dropout age to 18.*

### Resolution Reaffirming Support of Amending the Kentucky Civil Rights Act to include Sexual Orientation and Gender Identity as Protected Classes

The commission in 2008 urged the state legislature to add sexual orientation and gender identity to the Kentucky Civil Rights Act protected classes. Sixteen

other states and Washington D.C. have laws prohibiting discrimination based on these classes. Louisville, Lexington, Covington and Vicco, Ky., have local laws that prohibit this type of discrimination. A Kentucky survey found 83 percent of those polled agreed the two classes should be protected from discrimination. Protection from discrimination in one's pursuit of employment, housing and accessing the goods and services of public accommodations are fundamental freedoms that should include every Kentuckian. The commission again encourages legislators and the public to push for legislation that adds these protected classes to the Kentucky Civil Rights Act.

### Resolution in Support of Effective and Reasonable Federal and State Gun Control Legislation

The nation has endured at least 21 mass killings involving firearms since the passage of the Kentucky Civil Rights Act in 1966. Evidence suggests that most, if not all, of the perpetrators of the massacres had some form of emotional disorder or mental disease yet were able to acquire firearms including semi-automatic assault weapons. The commission encourages the state legislature to urge the Kentucky members of the U.S. Congress to push for reasonable and effective federal gun control laws. The commission encourages the public to push for such legislation.

### Resolution in Support of State and Local Policies, Ordinances and Laws that Affirmatively Further Fair Housing Choice

Although fair housing laws have been in place for over 40 years, housing discrimination is still prevalent in the state. The Kentucky Housing Corporation and other state and local organizations have identified viable solutions to address and alleviate current levels of discrimination

## Board of Commissioners

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



and segregation in housing choice, including the adoption of planning and zoning and land use development laws that further fair housing choice by encouraging integration and non-discrimination. The commission encourages legislators and the public to join with the U.S. Dept. of Housing and Urban Development and other state and local agencies, and enact legislation that implements their recommendations of these entities concerning the reform of state and local planning and zoning and land use development laws.

#### **Resolution Encouraging National Immigration Reform and Opposing State Policies that May Result in Unfair Discrimination Against immigrants**

There are over 140,000 immigrants estimated to reside in Kentucky, nearly 3.2 percent of the population. A 2008 study by the Perryman Group estimated at least 34,455 undocumented immigrants at that time held permanent jobs in the state, and removing undocumented people from the state would result in a \$1.7 billion loss in economic activity and a \$765.8 million loss in gross state product. The Immigration Policy Center reports that undocumented immigrants in Kentucky paid \$85.1 million in state and local taxes in 2010. The commission asks the legislature and the public to support policies and laws that protect Kentuckians from discrimination based on race, color, or national origin, and in so doing, to protect the fair and equal treatment of persons regardless of their immigrant status.

#### **Resolution in Support of Felony Voter Re-enfranchisement by Amending Section 145 of the Kentucky Constitution**

Only Kentucky, Virginia, Iowa and Florida permanently bar people convicted of a felony from the right to vote except by Executive Pardon. In Kentucky, 90 percent of the 186,000 people with felony convictions have paid their debt to society. They reside, work and pay taxes as free citizens. Not being allowed to vote prohibits them from exercising the full rights of free citizens. The impact of felony convictions disproportionately

affects minorities. A 2007 report by the Kentucky League of Women Voters says Kentucky has the second highest African American voting disenfranchisement rate in the country, thus keeping nearly one in four Kentucky African Americans from voting. Studies have also found that people with a record of felony conviction who voted after release from supervision were half as likely to be re-arrested than those who had not voted. The commission again encourages the state and its people to push for the automatic restoration of voting rights to felons who have completed their sentences and are released in terms that are just and promote reintegration back into society.

#### **Resolution Opposing the Death Penalty**

Since 1976, when Kentucky reinstated the death penalty, 50 of the 78 people sentenced to death have had their death sentences or convictions overturned due to misconduct or serious errors that occurred during their trials. This represents an unacceptable error rate of more than 60 percent. Nationwide, 140 people have been released from death rows 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. Numerous studies, including one commissioned by the Kentucky General Assembly, have shown that the commonwealth 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 black offenders convicted of killing a white victim. The commission encourages legislators and the public to push to end the death penalty in Kentucky.

## **Attend Fair Housing Conference and Fair Housing Month Proclamation Signing**

The Kentucky Human Rights Commission, Kentucky State University, the Lexington Fair Housing Council, the Kentucky Fair Housing Task Force and the U.S. Dept. of Housing and Urban Development (HUD) will present two special housing programs on Tuesday, April 9, in Frankfort, Ky. Both programs are free and open to the public.

The first is the Fair Housing Month in Kentucky proclamation. It will be held from 11 to 11:45 a.m. (EDT) in the state Capitol Rotunda, 700 Capital Avenue.

The program will feature the Fair Housing Month Proclamation signing by Gov. Steve Beshear and Secretary of State Alison Lundergan Grimes.

The signing will include remarks by commission Executive Director John J. Johnson, HUD-Region VI Fair Housing and Equal Opportunity Director Carlos Osegueda, and Kentucky Housing Corporation Chief Executive Officer Richard McQuady.

The second program is a Fair Housing Conference. It will be from 1 to 4 p.m., at the Cooperative Extension Building of Kentucky State University, 400 East Main Street.

The conference will feature speakers from HUD, the Lexington Fair Housing Council, the Kentucky Disabilities Coalition and others. Come and share your ideas about fair housing and learn the latest information on how laws can affect everyone who seeks, sells or rents housing.

Speakers are expected to be University President Mary Evans Sias, Commission Executive Director John J. Johnson, U. S. Department of Housing & Urban Development (HUD) Regional Director Carlos Osegueda, HUD Kentucky Field Office Field Office Director Krista Mills, and Kentucky Housing Corporation Deputy General Counsel Karen Quinn.

Planned is a Fair Housing panel with Kentucky Disabilities Coalition Executive

Director Sharon Fields, Metropolitan Housing Coalition Executive Director Cathy Hinko and Fairness Coalition Director Chris Hartman.

To reserve a place at the housing conference, please contact Juan Peña at the Kentucky Human Rights Commission at 1.800.292.5566 or send an email to Juan.Pena@ky.gov.

During April, the state human rights commission, local commissions and Kentucky fair housing partners will conduct training and events in the state to raise awareness and provide compliance education about the Kentucky and U.S. Fair Housing acts.

## Appalachian town passes a 'Fairness Ordinance'

The tiny Eastern Kentucky coal town of Vicco, which rests in the Appalachian Mountain region of the state, has passed a local fairness ordinance that prohibits discrimination based on sexual orientation and sexual identity in the area of employment and housing.

Vicco is in Perry County and has a population of 335 people. In January, it became only the fourth city in the state to pass such an ordinance and is the first rural and also small Kentucky town to do so. In fact, it is believed at this point by media to be the smallest municipality in the United States to pass a law that protects from discrimination people who are Lesbian, gay, bisexual or transgender.

In addition, the Vicco ordinance will ban discrimination based on the classes of race, religion, gender and age. The local law will be enforceable in the areas of housing, employment and accommodations.



Above is a town street in Vicco. The photo was published

in 'The New York Times' on January 28, 2013.

Louisville, Lexington and Covington, are the other Kentucky cities with fairness ordinances. Louisville and Lexington are the two largest urban centers in the state, and Covington is just across Ohio River bridges from the large city of Cincinnati, Ohio.

The Vicco City Commission passed the measure 3 to 1. According to the January 28<sup>th</sup> edition of *The New York Times*, which sent a reporter and photographer to the town to cover this news, "it [passage of the ordinance] ... presented a legislative model to the nation's partisan-paralyzed Capitol, 460 miles away."

The *Courier-Journal* newspaper (based in Louisville with bureaus in other areas of Kentucky) reported that the measure generated lengthy debate at the commission meeting, according to Vicco Mayor Johnny Cummings.

The *Courier-Journal* article of January 15<sup>th</sup> reported Cummings as saying, "The overall tone for everyone we support ... for equal rights."

The *Courier-Journal* said: "Ashley added in a written statement: 'Vicco is a community that believes all folks should be treated fairly. We believe everyone deserves the opportunity for life, liberty, and the pursuit of happiness. Fairness is a Kentucky value, a Vicco value, and one of our most American values.'"

In his interview with *The New York Times*, Mayor Cummings said, "you discuss, you find consensus, you vote, and you move on...you have to get along."

"The Kentucky Commission on Human Rights is excited that this small town has made a giant stand to protect vulnerable individuals from discrimination with a local ordinance, and that it has included the classes of sexual orientation and gender identity," said George W. Stinson, chair of the Kentucky Commission on Human Rights Board of Commissioners. "This act demonstrates a widening view by people everywhere that no one deserves to be mistreated, bullied, abused or otherwise victimized by the cruelty of discrimination," he said, "and this is great news for Kentuckians."



Above, Vicco Mayor Johnny Cummings conducts city business. He also owns and operates a local business in Vicco. (This photo was published by 'The New York Times' on January 28, 2013.)

## Woodford County High School plan to meet with minority and low income students ill advised

by Kentucky Commission on Human Rights Chair George Stinson



The Kentucky Commission on Human Rights found disturbing a plan last December by the Woodford County (Kentucky) High School to segregate, in an assembly-type

meeting, African American and Hispanic students, and students who receive financial assistance for lunch, to discuss improving academic performance.

The Kentucky Commission on Human Rights and also the Kentucky Department of Education rejected the notion of segregating students by race, national origin and economic status to discuss academic performance while apparently exempting majority students to discuss academic performance at the same time.

This plan came to light through a letter from school officials to parents of students who belong to these groups and said the school planned to hold the group meeting on Dec. 13 with the students. The parent letter said recent statistics showed these groups to have greater [achievement] gaps and that the

meeting was intended to offer support and assistance.

The letter upset parents and members of the public, after which the Woodford County School Superintendent canceled the planned assembly.

The Kentucky Commission on Human Rights strongly supported the Kentucky Department of Education's response regarding the Woodford County High School meeting plan.

Kentucky Dept. of Education Commissioner Terry Holliday, Ph.D., said in a letter on Dec. 14 to Woodford County School Superintendent Scott Hawkins, "While I certainly hope that the letter was a lapse of judgment and an extremely poor choice of words by school staff, I nonetheless expect immediate corrective action to occur that will include appropriate gap reduction activities and the training of staff."

He instructed the superintendent to also conduct a culture audit of the high school with an action plan to address any findings.

He further wrote, "Finally, we must all be reminded that while each student deserves an education that provides for high levels of achievement, no direct or indirect act or practice of exclusion, distinction, restriction, segregation, or any other act or practice of differentiation will be tolerated in Kentucky schools."

While the commission has not formally investigated the matter, and therefore does not draw an ultimate conclusion on the actual facts of this situation, the Commission nevertheless joins with the good citizens of Woodford County, the Department of Education, and all others who oppose any direct or indirect act or practice of exclusion, distinction, restriction, segregation, or any other act or practice of differentiation based on race, color, national origin, or any other intrinsic characteristic within Kentucky schools.

## Discrimination Complaint Case Highlights

The Kentucky Commission on Human Rights met in January and February of this year to rule on discrimination complaints for the Commonwealth of Kentucky. It ruled to accept the following conciliation agreements, which are similar to settlements and are negotiated by commission staff:

### Highland Heights, Ky.

**Lexington Fair Housing Council v. Meadowview Apartments LP:** On May 4, 2012, Lexington Fair Housing Council alleged that Meadowview Apartments, 100 Meadow Trail Drive, in Highland Heights, discriminated based on the protected class of disability in the area of housing. This would be a violation of the Kentucky Civil Rights Act and the U.S. Fair Housing Act. The council claimed the property was inaccessible to people with disabilities and not compliant with design and construction requirements of the federal Fair Housing Act. After an investigation by commission staff, the agency prepared to issue a probable cause determination, which indicates there is evidence to believe discrimination occurred. Prior to the issuance, the parties decided to resolve the matter with a conciliation agreement, which the commission negotiated. The respondent denied any violation of the law. The property company agreed to comply with civil rights law, bring up to design requirements within 120 days any usable doorways within ground floor units concerning width and adjust thermostat height from the finished floors. The respondent agreed to provide reasonable accommodations to tenants with disabilities, not raise the rent for the units in which the corrections are made, pay \$1,000 to the council, \$1,000 to the commission, and \$500 to a charity that assists people with disabilities, undergo fair housing compliance training and for two years submit to compliance monitoring by the commission.

### Cave City, Ky.

**Lexington Fair Housing Council v. Glenwood Apartments:** On Jan. 13, 2011, the Lexington Fair Housing Council alleged that Glenwood Apartments, 9451 Happy Valley Road, in Cave City, discriminated based on the protected class of disability in the area of housing. This would be a violation of the Kentucky Civil Rights Act, the U.S. Fair Housing Act and the U.S. Americans with Disabilities Act. The council claimed the rental property was not providing a reasonable accommodation to people with disabilities who use support animals because it permitted the animals but required an additional "pet deposit" from the individuals. The commission issued a probable cause determination, indicating there was evidence to believe discrimination occurred. The respondent elected to proceed to circuit court, and on Jan. 5, 2012, the commission filed a civil complaint in Barren Circuit Court. Before proceeding to trial, the parties chose to resolve the matter with a conciliation agreement, which the commission negotiated. The respondent denied any violation of the law. It agreed to make a donation of \$1,000 to the Arc of Barren County, a non-profit organization offering support and services to individuals with disabilities, comply with civil rights law, undergo fair housing training, and for three years submit to compliance monitoring by the commission.

### Benton, Ky.

**Community Options Inc. v. the City of Benton, Ky.:** Community Options, a non-profit organization that provides supervised residential housing for people with disabilities, alleged on Dec. 6, 2011, that the City of Benton discriminated based on the protected class of disability in the area of housing. This would be a violation of the Kentucky Civil Rights Act and the U.S. Fair Housing Act. Community Options claimed the city notified it that it would not be allowed to operate its supportive housing for people with disabilities in residential areas of the city. The city asserted it only questioned whether the complainant could operate its services in a residential area of the city and therefore filed a complaint for



declaratory relief in Marshall Circuit Court. After an investigation by the commission, the agency prepared to issue a probable cause determination, which would indicate there was evidence to believe discrimination occurred. Prior to the issuance, the parties decided to resolve the matter with a conciliation agreement, which the commission negotiated. The respondent denied any violation of the law. The respondent agreed to withdraw its complaint for declaratory relief. It agreed that Community Options is authorized to operate a residential care facility in Benton, and that the complainant may utilize the subject property at 202 Merrywood Drive without further legal action. The respondent agreed that its city attorney and zoning administrator will undergo fair housing training and thereafter advise the city council as issues arise regarding the statutory right of residential care facilities operated for people with disabilities to operate in any residential area. The respondent agreed to submit to commission compliance monitoring for two years.

**Richmond, Ky.**

**Tonya Merida v. Franklin American Mortgage Company and Star Mortgage LLC:** On April 4, 2012, Tonya Merida alleged that American Mortgage and Star Mortgage discriminated based on the protected class of disability in the area of housing. This would be a violation of the Kentucky Civil Rights Act and the U.S. Fair Housing Act. Merida claimed the companies' underwriting requirements imposed higher levels of income verification on disabled persons that receive social security disability than those required of non-disabled persons. On April 10, 2012, Star Mortgage filed a response to the complaint denying the allegations and any violation of the law. On April 30, 2012, American Mortgage filed a similar response. After investigation by staff, the commission prepared to issue a determination of probable cause, which indicates there is evidence to believe discrimination occurred. Prior to the issuance, the parties decided to resolve the matter with a conciliation agreement, which the commission negotiated. The respondents agreed

to comply with civil rights law, to pay Merida \$10,500 and in a separate check pay \$500 to the commission to offset a portion of the commission's expenses. The respondents agreed to undergo fair housing training and for two years submit to compliance monitoring by the commission.

**Henderson, Ky.**

**Tamara Durham v. Popp Brothers Inc. doing business as KFC:** On Oct. 2, 2008, Tamara Durham alleged the KFC in Henderson discriminated against her based on sex in the area of employment. This would be a violation of the Kentucky Civil Rights Act and the U.S. Civil Rights Act. She claimed the company forced her to take leave when she was pregnant. After its investigation, the commission issued a determination of probable cause, which indicated there was evidence to believe discrimination occurred. Prior to holding a final hearing on the case, the parties decided to resolve the matter with a conciliation agreement. The company denied any violation of the law. The company agreed to comply with civil rights law, to rescind all mandatory leave policies regarding pregnant women and to employ pregnant women and members of other protected classes, undergo employment civil rights compliance training and for three years submit to compliance monitoring by the commission.

**La Grange, Ky.**

**Jennifer Vermillion v. Process Equipment Company Inc., doing business as Proheat Inc.:** On Sept. 9, 2010, Jennifer Vermillion alleged that Proheat discriminated against her based on the protected class of sex in the area of employment. This would be a violation of the Kentucky Civil Rights Act and the U.S. Civil Rights Act. She claimed the employer discriminated, harassed and retaliated against her based on her gender. After staff investigation, the commission issued a determination of probable cause, which indicates there is evidence to believe discrimination occurred. Prior to holding a final hearing on the case, the parties decided to resolve the matter with a conciliation agreement. Proheat denied any violation of the law. The company agreed to compensate Vermillion

in the amount of \$45,000, revise its written policy describing its prohibition of discrimination of any kind and to implement serious disciplinary actions if discrimination occurs. The company agreed to undergo employment civil rights compliance training and for two years to submit to compliance monitoring by the commission.

**Crofton, Ky.**

**In two individual complaints, Darrell Gossett and Lisa Gossett v. Corpus Realty Company:** Darrell and Lisa Gossett alleged they were discriminated against in the area of housing based on the protected class of familial status. This would be a violation of the Kentucky Civil Rights Act and the U.S. Fair Housing Act. The couple claimed that in July 2012 each spoke by telephone with Corpus Realty about renting one of its properties and was told by employees the company did not want to rent its three bedroom property in Crofton to people with children or to four people. Corpus Realty denied any violation of the law. Before the completion of the commission investigation, the parties chose to resolve the complaint with a conciliation agreement, which the commission negotiated. The respondent affirmed that it complies with fair housing law and agreed to compensate each complainant in the amount of \$5,000. The company agreed to undergo fair housing compliance training and to submit to compliance monitoring by the commission for three years.

**Danville, Ky.**

**Carleen Buschmann v. Eye Associates of Danville PSC:** Carleen Buschmann alleged she was discriminated against by the medical provider in the area of public accommodations on the basis of disability. This would be a violation of the Kentucky and U.S. Civil Rights acts. She claimed that on June 23, 2011, she visited Eye Associates for medical reasons and that while there staff failed to provide her with auxiliary aids (a sign language interpreter). This would be a violation of the Kentucky and U.S. Civil Rights acts. The company denied any violation of the law. The commission issued a notice to the parties that probable cause existed to believe discrimination had occurred. Before the

matter proceeded to a final hearing, the parties chose to resolve the matter with a conciliation agreement, which the commission negotiated. Eye Associates of Danville affirmed that it does and will comply with civil rights laws and will not discriminate against patients based on civil rights protected classes. It agreed to provide to people who are deaf or are hard of hearing appropriate aids and services as required by law. The respondent compensated Buschmann in the amount of \$8,000 and agreed to undergo compliance training and monitoring by the commission for three years.

**Berea, Ky.**

**Tony Merida v. Bank of America and mortgage loan officer Jason Crouch:** Tony Merida alleged she was discriminated against by Bank of America and its loan officer, Jason Crouch, in the area of housing on the basis of disability. This would be a violation of the Kentucky Civil Rights Act and the U.S. Fair Housing Act. She claimed that in the spring of 2012, she applied for a housing loan at which time the loan officer told her she would need to provide a letter from her doctor to verify she was eligible to continue to receive disability income. The Bank of America and Crouch denied any violation of the law. Commission investigation found probable cause to believe discrimination had occurred, but before the notice of probable cause was issued by the commission, the parties chose to resolve the matter with a conciliation agreement, which the commission negotiated. The respondent affirmed it does not nor will it discriminate against a person based on disability or other protected classes. It compensated Merida in the amount of \$11,500.

**Prospect, Ky.**

**Paige Windham v. Lee and Dee Summerfield:** Paige Windham alleged that Lee and Dee Summerfield discriminated against her in the area of housing on the basis of familial status. This would be a violation of the Kentucky Civil Rights Act and U.S. Fair Housing Act. She claimed that in November 2011 she inquired about renting a property owned by the

Summerfields, and that they refused to rent to her because she had children in the household. The commission issued a notice to the parties that there was probable cause to believe discrimination had occurred. The respondents elected to proceed to circuit court. Two additional complainants were then joined to the complaint, Kelly and Rick Wine. Prior to the matter proceeding to trial, the parties chose to resolve the matter with a conciliation agreement, which the commission negotiated. The respondents denied any violation of the law and affirmed that they do and will comply with civil rights laws and will not discriminate. They compensated the complainants in the amount of \$8,500. The respondents agreed to undergo fair housing compliance training and submit for three years to compliance monitoring by the commission.

## Rally in capitol raised awareness of Kentuckians with diverse national origins

*by Juan Peña, commission Immigrant Outreach Liaison and Regional Field Supervisor*

More than 150 immigrants and their supporters rallied in Kentucky's capitol on Feb. 27 to focus awareness of legislators and the public on immigrant and refugee struggles. The state legislature is in session ends on March 26.

The American Civil Liberties Union of Kentucky spear-headed the advocacy event, which had the theme, "I am a Kentuckian."

The group held a morning press conference in the capitol rotunda where several people from around the world shared their personal stories as immigrants.

The press conference ended with the patriotic song, "This Land is Your Land," by the late Woody Guthrie. After the press conference, the group visited

legislators to lobby for the passage of House Bill 396.

The proposed public safety bill would provide immigrant Kentucky drivers with roadway safety training and testing and the ability to purchase car insurance.

Juan Peña, Immigrant Outreach liaison and one of the commission's regional field supervisors, attended the press conference to learn more about the civil rights needs of the state's immigrants and refugees.

## Disability Awareness Day In Kentucky

Gov. Steve Beshear declared March 5 Disabilities Awareness Day in Kentucky. He spoke at a rally in the capitol held the same day in which hundreds of people with disabilities and their families participated. The rally was organized by the "874K Coalition," representing the 874,000 people in Kentucky who have some disability.

The annual rally is designed to raise the awareness of legislators and the public about the needs and issues of concern of people with disabilities. This year's rally participants urged lawmakers to continue funding for needed programs, despite the state's tightening budget.

The Kentucky Commission on Human Rights protects people with disabilities from illegal discrimination. Kentucky is among states that have the highest numbers of people with disabilities in the nation.

## KY Man displayed effigy of President with melon

During the holidays, it came to light through media, that Liberty, Ky., resident, Danny Hafley, had on display in his front yard near a well-traveled road a life-size mannequin that depicted U.S. President Barak Obama holding a piece of watermelon.

News photos showed the standing figure wearing a suit, a wide smile, and holding a slice of melon from which a



bite had been taken. The figure's arms held up the object as if poised to eat.

According to news reports, Hafley said the display was meant as a joke and not as a racist symbol.

Kentucky Commission on Human Rights Executive Director John J. Johnson said about the matter that, "Regardless of the racial composition of the many towns and counties across the state, most Kentucky communities know how to welcome diversity and demonstrate common courtesy to other people no matter their differing physical or other attributes. Perhaps Mr. Hafley would also like to be treated with decency and respect by members of his community."



*The photograph of the controversial yard display was published by Television News Channel Lexington [Ky.] 18 on Dec. 24, 2012.*

Johnson said: "The so-called yard display sends a message of hatred and blatant disregard of one's fellows. I can imagine that the larger citizenry of the town of Liberty and Casey County is embarrassed by this piece of news, and I am confident this is not the attitude of the majority of citizens in Casey County.

"The Kentucky Commission on Human Rights believes in the people of Casey County and that the local officials and community at large will discourage any such pitiful display and the backwardness that such an antic communicates to the entire world," he said.

Upon the commission's discovery of the matter, the commission, the executive director sent letters to Casey County Judge-Executive Ronald Wright and City of Liberty Mayor Steve Sweeney urging them and other officials in the area to discourage this type of activity.

The letters said the effigy in a yard of one of their constituents is a throw-back

to eras when such symbols were used to demean and stereotype as inferior African American people who were enslaved, segregated and abused. He offered the commission's assistance in providing education and mediation about the existence of the mannequin and about the benefits of unity and equal opportunity to the residents of Casey County.

The most recent census statistics show that the African American population of Casey County is .7 percent, with a majority of 97.9 percent of the population being white.

## Berea enacts discrimination protection for city workers based on sexual orientation

Berea Mayor Steve Connelly in January signed an executive order prohibiting discrimination based on sexual orientation in hiring, firing and benefits for the city's 130 employees.

The Kentucky Commission on Human Rights and other members of the Kentucky Fairness Coalition have been encouraging the Berea Council for over a year to include in a local ordinance the protected classes of sexual orientation and sexual identity.

With the commission's assistance, in 2011, the city council reestablished the Berea Human Rights Commission. It is one of 24 local human rights commissions now in the state. The local commissions act as important partners to the Kentucky Commission on Human Rights.

A few cities, Berea, Covington, Louisville, Lexington-Fayette County, and now Vicco, have created local ordinances that allow their local commissions to also investigate and make determinations on discrimination complaints in their regions.

Berea, located near the western edge of the Daniel Boone National Forest, has

a history of progressive action on civil rights, dating to the mid 19<sup>th</sup> century, according to the *Lexington Herald-Leader* newspaper Feb. 1, 2013 edition.

Berea College became the only racially integrated college in the South upon its founding in 1855. Approximately 10 ago, the school extended benefits to domestic partners of employees, including same-sex partners, the *Lexington Herald-Leader* said.

"The Kentucky Commission on Human Rights is pleased about the Berea mayor's order to provide government employees with protections from discrimination based on sexual orientation," said commission Executive Director John Johnson. "We will continue to urge Berea and the state to add the protected classes of sexual orientation and sexual identity to civil rights laws so that more people in Kentucky don't have to endure the desolation of discrimination," he said.

Johnson, who grew up in Franklin, Ky., during the era of legal segregation of African Americans, knows first-hand the pain and humiliation of discrimination, he said.

"There's nothing so dehumanizing," he said. "No person deserves to be a pariah in their society because of attributes like race, color, religion, disability, age, national origin, sex, sexual orientation or sexual identity," he said.

## Commission Fairness activities

*by Chad Stratton, commission Kentucky Fairness Coalition Liaison and Civil Rights Enforcement Officer*

The Kentucky Commission on Human Rights is a member of the Kentucky Fairness Coalition, a consortium of groups seeking to expand the Kentucky Civil Rights Act and to encourage city and county governments in the state to pass ordinances that expand discrimination

protections to people based on sexual orientation and gender identity.

#### Chad Stratton



On Feb. 5, commission Regional Field Supervisor Glenda Green and Fairness Liaison and Enforcement Officer Chad Stratton, in conjunction with the Kentucky Association

of Civil Liberties Union, gave a presentation to the Bardstown Human Relations Commission and other community members. The presentation was well attended by community members and included more than two hours of discussion about civil rights laws and requirements, both generally and in regard to Fairness protections. The luncheon portion allowed state staff and local commissioners the opportunity to interface about furthering protection from discrimination to people based on sexual orientation and sexual identity

On Feb. 22, Stratton supported the Statewide Fairness Steering Committee in the annual Rally for Fairness at the state capitol. The morning activities consisted of delivering over 1,000 letters in support of Fairness (providing civil rights protection to people based on sexual orientation and sexual identity) to state legislators, with over a hundred Kentuckians visiting their legislators in person to advocate for the passing of statewide fairness protections. In the afternoon, commission Chair George Stinson and Stratton attended the Rally for Fairness in the Capitol Rotunda, which broke previous attendance records.

## Brown appointed to commission

Governor Steven Beshear in January appointed Richard E. Brown of Owensboro, Ky., in Daviess County, to the Kentucky Commission on Human Rights Board of Commissioners. Brown previously served on the commission for five years from 2001 to 2006.

He earned a Bachelor's Degree in Sociology from Brescia University in Owensboro. He has served on the Daviess County Foundation Board, the National Association for the Advancement of Colored People (NAACP) and the Owensboro Career Development Association Inc.



Commissioner Brown took the oath of office at the Kentucky Human Rights Board of Commissioners January meeting. His term will expire September 12, 2015. He replaces Alma

Louise Randolph Patton of Owensboro, whose term expired.

"The commission thanks former Commissioner Randolph Patton for her service to the people of Kentucky, and we welcome Commissioner Brown and look forward to his contributions," said John J. Johnson, executive director.

"We are pleased to welcome Richard Brown to the Human Rights Board of Commissioners," said Chair George W. Stinson. "He is a longtime civil rights activist, and his willingness to serve for a second time on the commission is a testament to his concern about people's equality," he said.

Brown has been a longtime activist for civil and human rights in Owensboro since the early 1960s. A local and statewide leader of the NAACP, he used his influence to calm racial tensions after a riot in 1968 caused police to heavily patrol black neighborhoods. He fought for more hiring of minorities in Owensboro city government, which resulted in the hiring of the city's first black firefighter in 1971. As a member of the NAACP, he addressed threats and racist protests toward black coal miners in Western Kentucky. He helped 30,000 Owensboro residents resist a march of the Ku Klux Klan by wearing yellow ribbons that indicated their city stood for unity rather than division. He helped the Daviess County Board of Education recruit minority teachers and organized scholarships and field trips for area youth. He is an inductee of the Kentucky Civil Rights Hall of Fame.

## Commission attorney in Who's Who



The commission is pleased to recognize its staff attorney, Alteata McWilliams, for her selection into the *Who's Who in Louisville African American Profiles*.

McWilliams has been with the commission for over 16 years and was formerly an assistant Jefferson County attorney. Since 2008, she has been the director of Mediation for the commission.

Ms. McWilliams earned her Bachelor's of Liberal Studies degree from the University of Louisville and her Juris Doctorate from the University of Louisville Brandeis School of Law.

She is a member of the Kentucky Bar Association, Louisville Bar Association, Louisville Black Lawyer's Association, Phi Alpha Delta Law Fraternity International, Kentuckiana Girl Scouts Board of Director, Louisville Metro's Property Maintenance and Public Nuisance Board, and the Cambridge Who's Who of Executives, Professionals and Entrepreneurs.

She volunteers for civic and social organizations, including the University of Louisville Joseph H. McMillan Black Family Conference and Louisville Metro Government.

## Executive Director speaks during King Holiday

John J. Johnson, executive director for the Kentucky Commission on Human Rights, was the guest speaker at the Somerset Community College (SCC) Unity Breakfast on January 18. The event is held annually to honor the birthday holiday of the late Rev. Martin Luther King Jr. and is sponsored by the SCC President's Office and SCC Office of Cultural Diversity.

"We should use occasions like this across the nation to recommit to

riding America of the violence, hatred, bigotry and inequality that, unbelievably, still remains," said Johnson.



*Above, Executive Director John Johnson speaks at the Unity Breakfast. The event was held in the Citizens National Bank Community Room of the Harold Rogers Student Commons at Somerset Community College.*

Johnson said Kentuckians have a special relationship with the late Dr. King because of his work in the state. He made many visits to Kentucky throughout his activism to assist with civil rights efforts.



*Above, are Eddie Girdler, mayor of Somerset, Ky., Jo Marshall, Ph.D., president and CEO of SCC, Elaine A. Wilson, director of the SCC Office of Cultural Diversity, John Johnson, and Barty Bullock, Pulaski County judge-executive.*

"His influence, and the people he touched, reached from the greatest corridors of power in the world to the smallest communities and hollows like those in rural Kentucky," Johnson said.

On March 5, 1964, King joined Kentucky civil rights leaders on a march of 10,000 people to the state capitol in Frankfort where they called for an end to legal segregation.

The demonstration helped lead to Kentucky's becoming the first state south of the Mason-Dixon Line to pass a state Civil Rights Act. The law was passed in 1966 and made the

Kentucky Commission on Human Rights the state authority to enforce the Act with the power of a court of law.

Johnson also spoke on Jan. 20 at the annual King Holiday Community Church service in Middlesboro, Ky. The event was sponsored by the Lincoln School Homecoming Organization and was coordinated with the help of Kentucky Human Rights Commissioner Samuel Coleman, who is a resident of Middlesboro and represents the state at large on the state Human Rights Commission Board.

## Parks postal stamp celebrated with help of friend from NAACP days, John Johnson



The U.S. Postal Service issued on Feb. 4 the Rosa Parks (Forever®) stamp. It honors the life of an American activist who became

an iconic figure in the Civil Rights Movement. She would have celebrated her 100<sup>th</sup> birthday on the day the stamp was issued.

On Feb. 12, John J. Johnson, executive director of the Kentucky Commission on Human Rights, joined Phyllis Arnold, manager of the Dr. Martin Luther King Jr. U.S. Post Office Branch located at 2727 W. Broadway in Louisville, Ky., to celebrate the issue of the new stamp.

Johnson formerly served as a member of the Rosa and Raymond Parks Foundation. Johnson was also a longtime acquaintance of Rosa Parks during his tenure at the national headquarters of the NAACP (National Association for the Advancement of

Colored People) in Baltimore, Md.

"Mrs. Parks always supported our initiatives for the NAACP and often participated," Johnson said. "She was a gentle lady who exuded a calm dignity resolute courage, he said, "and I admired her very much."

When Parks died in 2005, Johnson coordinated through the national NAACP the first of her three memorial services. It took place in Montgomery, Ala. In 1955, in Montgomery, Parks courageously refused to give up her seat on a municipal bus to a white man, defying the discriminatory laws of the time. The seamstress was also secretary of the Montgomery NAACP chapter at the time of her arrest.

She was often referred to by other civil rights activists as "Mother Parks" because her single act of civil disobedience in the heart of the South in the 1950s helped catapult the American Civil Rights Movement to the forefront of public attention, Johnson said. "She is considered by many civil rights activists to be the mother of the Modern Civil Rights Movement," he said.

According to the U.S. Postal Service website, the stamp art, a gouache painting on illustration board, is a portrait of Parks emphasizing her quiet strength. A 1950s photograph served as the basis for the stamp portrait. The response to Parks's arrest was a boycott of the Montgomery bus system that lasted for more than a year and became an international cause célèbre, the U.S. Postal Service said.

In 1956, in a related case, the U.S. Supreme Court affirmed that segregating Montgomery buses was unconstitutional. Soon after the boycott ended, Parks moved to Detroit, Michigan.

She joined the 1963 March on Washington D.C. and returned to Alabama in 1965 to join the famous civil rights march from Selma to Montgomery.

The many honors she received in her lifetime include the Presidential Medal of Freedom (1996), the Spingarn Medal (1979), and the Congressional Gold Medal (1999).

Upon her death, she became the first woman and second African American to



lie in state in the U.S. Capitol Rotunda in Washington D.C.

Artist Thomas Blackshear II created an original painting for the stamp, which was designed by art director Derry Noyes.

The stamp honoring Rosa Parks is one of three stamps in the civil rights set celebrating freedom, courage, and equality being issued in 2013. It is being issued as a Forever® stamp. Forever stamps are always equal in value to the current First-Class Mail one-ounce rate.



Above, Phyllis Arnold, manager of the Martin Luther King Jr. U.S. Post Office Branch in Louisville, and Kentucky Human Rights Executive Director John Johnson, display the new stamp of the "Mother of the Civil Rights Movement," the late Rosa Parks.

## Commission Meeting Schedule

The Kentucky Commission on Human Rights meets on a regular basis to rule on discrimination complaints for the Commonwealth of Kentucky. The meetings listed are open to the public. Each is scheduled to begin at 9:30 a.m. in the time zone of the listed location. The schedule was approved at the January 2013 commission meeting and is as follows:

- Thursday, March 21, at the commission Louisville, Ky., headquarters, 332 W. Broadway, Second Floor Conference Room.
- Thursday, April 18, at Louisville headquarters.
- Thursday, May 16, at Louisville headquarters.
- Thursday, June 20, in Murray, Ky.

For location, call commission headquarters in June at 1.800.292.5566 or visit the website at [kchr.ky.gov](http://kchr.ky.gov).

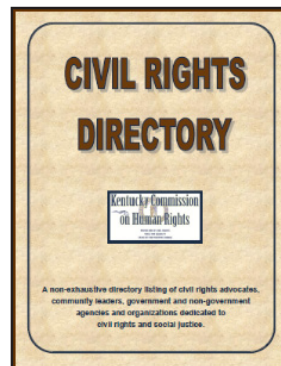
- In July there is no meeting.
- Thursday, August 15, at Louisville headquarters.
- Thursday, September 19, at Louisville headquarters.
- Thursday, October 17, at Louisville headquarters.
- Thursday, November 21, at Louisville headquarters.
- In December there is no meeting.

## New publications from the commission

by Karen Crooks-Davis  
Kentucky Commission on Human Rights  
Executive Secretary to the Director

### Civil Rights Directory

The Kentucky Commission on Human Rights has compiled a Civil Rights Directory containing more than 500 state and national contacts. The purpose of the publication is to provide community leaders and members of the public with contact information for government and non-government agencies and organizations dedicated to civil rights and social justice.



The diverse groups in the directory represent persons of color, women, children, older Americans, people with disabilities, the LGBT community, major religious groups, labor unions, and civil liberties and human rights groups. Fair housing advocates and stakeholders are especially encouraged to use the directory as a clearinghouse for contact information useful in their work. Call the office at 1.800.292.5566 for a printed copy or download it from the website at [kchr.ky.gov](http://kchr.ky.gov)

### Fair Housing Coloring and Activity Book

The commission is excited to announce the creation of a coloring and activity book for kids! *Good Neighbors Come in All Colors* is designed to teach young people about the meaning of fair housing, and it promotes unity and harmony among all people



The fun, educational children's publication will be made available to local human rights commissions so that they can duplicate the book

for distribution throughout their cities and counties. The book is produced as part of a partnership initiative with the U.S. Dept. of Housing and Urban Development that has helped the commission conduct several fair housing promotions over the last one year period.

Call the office at 1.800.292.5566 for a printed copy or download it from the website at [kchr.ky.gov](http://kchr.ky.gov).

### Lest We Forget, a pictorial civil rights history booklet

As a tool to promote and support National Black History Month in February, the Kentucky Human Rights Commission published a booklet with historical facts and photographs important to the journey toward equality in America.



*Lest We Forget* highlights the 50<sup>th</sup> anniversary of significant events that occurred in 1963 at the height of the American Civil Rights

Movement. The commission used the

booklet at several outreach events. It was widely distributed and has been so requested that it is now out of print until further funding can be obtained. However, it can be downloaded from the website at [kchr.ky.gov](http://kchr.ky.gov).

## State Implements New Procurement Process for Minority Vendors

*by the Office of Governor Steve Beshear*

Upon recommendation from the Governor's Minority Employment, Business Affairs & Economic Development Council, the Finance and Administration Cabinet is now requiring executive branch agencies to reach out to ethnic minority vendors when possible to contract for goods or services.

"Doing business with the Commonwealth is not just for large companies," said Gov. Steve Beshear. "With this initiative, we are specifically asking agencies to widen their solicitation reach and try to work with ethnic minority businesses on smaller contract opportunities or figure out what portions of a contract can be fulfilled by an ethnic minority business."

The Small Purchase Authority guidelines allow executive branch agencies to solicit and contract for goods and services between \$1,000 and \$20,000 depending on the specific authority granted to the agency. Under these new guidelines, agencies who use their Small Purchase Authority must solicit at least one quote from ethnic minority vendors. Large procurement contracts are facilitated by the Finance Cabinet's Office of Procurement Services.

"We felt a large percentage of ethnic minorities were being precluded from doing business with the state because they lacked the capacity to handle large contracts," said Dee Dee Harbut, chair of the Governor's Minority

Employment, Business Affairs & Economic Development Council. "We believe this process will help open the door for these vendors to participate in the procurement of government contracts."

Recently the Office of Procurement Services met with state agencies and provided information on how to locate ethnic minority vendors. This included using eMARS, the state's procurement system, and the SMALL BUSINESS CONNECTION website ([kentucky.gov/sbc/default.aspx](http://kentucky.gov/sbc/default.aspx)).

Agencies must document which businesses are solicited when quotes are issued and note which vendors are ethnic minority businesses. The success of this new process will be measured by the increase in minority businesses registration in eMARS, the increase in solicitations issued to ethnic minority businesses, the increase in quotes received from ethnic minority businesses, the increase in the number of contracts awarded to ethnic minority businesses and ultimately the increase in dollars spent with ethnic minority businesses.

## Super Sunday for minority students seeking college education is annual event

The Kentucky Community and Technical College System (KCTCS) conducted its third annual Super Sunday initiative on Sunday, February 24.

KCTCS Super Sunday is an annual student recruitment initiative specifically targeting African American students and their families, with information and resources to support college admissions and enrollment.

KCTCS and each of its 16 colleges partnered with African American churches throughout the state to host college information fairs for prospective college students and their families.

The day promoted higher education to

show students how they can achieve a college education. It also highlighted the role of parental involvement and early preparation in facilitating successful access to college for African Americans.

It is part of the KCTCS Super Sunday statewide effort to encourage early planning for college and the involvement of community members as mentors for young people, KCTCS officials said.

To learn more about the annual Super Sunday event visit the website at [supersunday.kctcs.edu](http://supersunday.kctcs.edu). Or, call Natalie Gibson, system director for Cultural Diversity at the Kentucky Community and Technical College System in Versailles, 859.256.3551.

## Black History Month highlight: Hamilton's Spirit of Freedom honors black civil war soldiers

A sculpture created by Louisville, Ky., native and well-known artist Ed Hamilton is featured in this year's calendar published by the U.S. Capitol Historical Society.

The District of Columbia Commission on the Arts and Humanities in 1993 commissioned Hamilton to create the "Spirit of Freedom" after an arduous competitive process.



The 9'1/2" bronze consists of a front high bas-relief and lower relief on the backside. The backside consists of a family group as the soldier, a son, leaves for the war. The front has three infantry soldiers and a sailor as protectors of the fight for freedom. It was completed in early 1997, installed on the two foot high round base on July 16, 1998, and dedicated on July 18, 1998. It stands at the corner of 10<sup>th</sup> and U Streets in Washington, D.C.

The monument represents the 209,145 African Americans who fought for the United States Union forces during the Civil War.

The uniformed soldiers in the sculpture represent the men from the 54<sup>th</sup> Massachusetts Volunteer Infantry, Company B. The 54<sup>th</sup> Regiment Massachusetts Volunteer Infantry saw extensive service, and the regiment was one of the first official African American units in the U.S. during the Civil War.

The regiment gained recognition on July 18, 1863, when it spearheaded an assault on Fort Wagner near Charleston, South Carolina. At this battle, its leading officer was killed, along with 29 of his men, 24 more later died of wounds, 15 were captured, 52 were missing in action and never accounted for, and 149 were wounded. The total regimental casualties of 272 would be the highest total for the 54<sup>th</sup> in a single engagement during the war. Although Union forces were not able to take and hold the fort (despite taking a portion of the walls in the initial assault), the 54<sup>th</sup> was widely acclaimed for its valor during the battle, and the event helped encourage the further enlistment and mobilization of African American troops, a key development that President Abraham Lincoln once noted as helping to secure the final victory. Decades later, Sergeant William Harvey Carney was awarded the Medal of Honor for grabbing the U.S. flag as the flag bearer fell, carrying the flag to the enemy ramparts and back, and singing "Boys, the old flag never touched the ground!" While other African Americans had been granted the award by the time it was presented to Carney, Carney's is the earliest action for which the Medal of Honor was awarded to an African American.

The infantry was depicted in the American film, "Glory," made in 1989, for which African American actor Denzel Washington won his first of two Academy awards; this one was for Best Supporting Actor.

*Information about the monument is attributed to Ed Hamilton's website at [edhamiltonworks.com](http://edhamiltonworks.com); information about related civil war history is attributed to the website, [54thmass.org](http://54thmass.org), maintained by a volunteer organization dedicated to preserving history of the regiment.*

## Commission's Fisher speaks to government group designed to assist former felons



Kentucky Commission on Human Rights Northern Kentucky Office Field Supervisor John C. K. Fisher gave a presentation on Jan. 24 to the Northern Kentucky Re-Entry Project members. The

group helps former felons transition into jobs and housing.

The event was held at the Northern Kentucky Re-Entry Project office, which is a division of the Kentucky Dept. of Corrections, and is located in the Catholic Social Services office on Church Street in Covington. Fisher spoke about helping felons understand their rights to fair housing and jobs under the Kentucky Civil Rights Act.

The Northern Kentucky Re-Entry Project is supporting measures to restore civil and voting rights to former felons, as well.

It supports a proposal to "ban the box," which would ask employers to not check a prospective employee's criminal background before giving him or her a face-to-face interview first.

The purpose of "banning the box" is to give a former felon a chance to try for a job before a potential employer automatically disregards an application

because the candidate checks the box that shows he or she has a criminal background.

Fisher told the group that the Kentucky Human Rights Commission supports restoring voting rights to former felons once they have completed their sentences.

The Northern Kentucky Re-Entry Project is planning a number of future meetings to inform their clients directly about their civil rights and Fisher plans to make presentations to the former felons and their families at the meetings.

## New executive director for Bowling Green Human Rights



Alice Gatewood Waddell was recently selected as the new executive director of the Bowling Green-Warren County Human Rights Commission.

She was previously

an art teacher for the 11<sup>th</sup> Street Alternative School in Bowling Green. She also conducted art programs for children at the Graham Drive branch of the Warren County Public Library.

The commission had been without an executive director since October 2012, when former Executive Director Linda McCray stepped down after several years of service.

Commission Chair Wathetta Buford said she welcomes the new director, and the state commission also welcomes her.

## Women's History Month is March

*by the Office of Governor Steve Beshear*

Commission on Women, along with Gov. Steve Beshear, honored three distinguished Kentucky women for their illustrious careers and significant contributions to the commonwealth.

Lois Howard Gray, Thelma Stovall and Mary Eugenia Wharton were inducted posthumously into the "Kentucky



Women Remembered" exhibit. As part of the honor, their portraits will be displayed alongside past inductees in the state Capitol.

As part of the celebration, Beshear proclaimed March "Women's History Month."

"Kentucky Women Remembered," overseen by the Kentucky Commission on Women, began in 1978 and consists of portraits depicting outstanding women in Kentucky's history. The exhibit found a permanent home in the Capitol in 1996 after many years of traveling around the state.

The Kentucky Women Remembered Committee selects up to three Kentucky women annually to become part of the exhibit. Nominees must have been born in or spent a significant part of their lives in Kentucky and may be living or deceased.

"For years, many contributions women have made in the fabric of Kentucky history have gone unnoticed and unrecorded," said Eleanor Jordan, executive director of the Kentucky Commission on Women. "This annual ceremony and recognition of women's history month is our way of writing some of those women back into history and highlighting how significant their roles have been to the Commonwealth."

With the three current inductees, the exhibit boasts 68 portraits of outstanding women in Kentucky.

#### Lois Howard Gray



Barren County, 1920-2012) Lois Howard Gray was one of Kentucky's first and most successful female entrepreneurs. She was the cofounder with her late husband

of one of the country's highly regarded construction companies, Gray Construction.

Gray earned a Bachelor of Arts degree in history and English from Transylvania University. She continued her postgraduate work in fine arts at the University of Kentucky and Western Kentucky University, before earning a master's degree in art education from

Peabody College at Vanderbilt University.

During World War II, she served as a lieutenant in WAVES (Women Accepted for Volunteer Emergency Service) from 1943 to 1946. In 1960, Gray and her husband founded the James N. Gray Construction Co., a commercial construction company based in Glasgow. The company grew quickly in its early years, but the untimely death of her husband left the company without its leader.

Despite being advised by auditors and business associates that a construction company was not a business for a woman, she decided to continue the family business. She and her sons took over the business and grew it into one of the top design-build contractors in the nation. Gray was honored as the 2002 National Business Woman Owner of the Year by the National Association of Women Business Owners. In addition to her successful business career, Gray was a tireless community advocate.

#### Thelma Stovall



(Hart County, 1919-1994) At age 15, Thelma Stovall went to work at the Brown & Williamson Tobacco Co. in Louisville to help the family's finances. Her single

mother was raising two children during the Great Depression. At Brown & Williamson, Stovall began her active involvement in organized labor and remained a strong friend of the Kentucky labor unions throughout her long career in public service.

Beginning in 1950, she advanced the status of women in Kentucky politics as the first woman to hold elective political office from Jefferson County in the Kentucky House of Representatives. She served three terms in the state House before being elected Kentucky's secretary of state for three terms: 1956-60, 1964-68 and 1972-75.

She also served as Kentucky state treasurer for two terms: 1960-64 and 1968-72. In 1975, she was elected the first female lieutenant governor in Kentucky. As lieutenant governor, she vetoed the General Assembly's rescission of its ratification of the Equal Rights

Amendment to the U.S. Constitution. She was appointed as a member emeritus of the Kentucky Commission on Women by Kentucky Gov. Martha Layne Collins.

#### Mary Eugenia Wharton



(Jessamine County, 1912-1991) Mary Eugenia Wharton valued field studies in botany and was a pioneer for women in the field. She received her

bachelor's degree in botany and geology at the University of Kentucky and her master's and doctoral degrees from the University of Michigan.

After a couple years of brief teaching jobs, she accepted a position at Georgetown College where she taught classes for 30 years and became the head of the biology department. In addition to teaching, Wharton was an avid writer. She searched for plants throughout Kentucky, gathering data that she would later use in her books.

She collaborated with Kentucky wildlife author Roger Barbour on field guides such as "Wildflowers and Ferns of Kentucky" and "Trees and Shrubs of Kentucky." The breadth of her interests and her love of the Bluegrass were reflected in other publications such as "Horse World of the Bluegrass" and "Peach Leather and Rebel Grey." Her last book, "Bluegrass Land and Life," was also a collaboration with Barbour and is considered to be the result of a lifetime of research on the "Inner Bluegrass region."

She was one of the original founders of the Land and Nature Trust of the Bluegrass and served on the board of trustees of the Kentucky chapter of the Nature Conservancy. In addition to her research and writing, Wharton's legacy includes the 278-acre Floracliff Nature Sanctuary in southern Fayette County, where people can learn about the environment and conduct research.

She found several rare species of plants, including an unnamed species of dewberry in Montgomery County in 1942 that was named in her honor – *Rubus whartoniae*.

# Kentucky Commission On Human Rights

332 West Broadway, Suite 700

Louisville, Kentucky 40202

**ALL DOORS ARE OPEN IN KENTUCKY**



## Kentucky Commission on Human Rights

All Doors Are Open in Kentucky

Live Free From Housing Discrimination

For help with illegal discrimination in housing, employment, public accommodations, or financial transactions, contact the Kentucky Commission on Human Rights  
1.800.292.5566  
TDD 502.595.4084  
[kchr.ky.gov](http://kchr.ky.gov)

Welcome!



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.

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