



# Kentucky Commission on Human Rights



## PROTECTING CIVIL RIGHTS IN KENTUCKY STANDING FOR EQUALITY 2015 ANNUAL REPORT





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**2015 Annual Report**

**July 1, 2014 to June 30, 2015**

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## **PROTECTING CIVIL RIGHTS IN KENTUCKY STANDING FOR EQUALITY**

Kentucky Commission on Human Rights  
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Dear Governor Steve Beshear, Kentucky Legislators, and fellow Kentuckians:

**T**he Kentucky Commission on Human Rights respectfully commends to you its 2015 annual report. The enclosed information highlights the commission's activities during the state fiscal reporting period of July 1, 2014, to June 30, 2015.

The commission is the state government authority that enforces the Kentucky Civil Rights Act. Through partnership affiliations with the U.S. Department of Housing and Urban Development (HUD) and the U.S. Equal Employment Opportunity Commission (EEOC), our agency enforces the U.S. Civil Rights Act, the U.S. Fair Housing Act, the U.S. Americans with Disabilities Act, and other federal civil rights laws.

During the reporting period, the commission filed 235 discrimination complaints for the people of the Commonwealth and closed 322 cases. The number of new complaints based on race was higher than any other basis. As in the past, there were more complaints filed in the area of employment than in the areas of housing, public accommodations or financial transactions.

Thousands of people were reached through leadership, partnership, education, and outreach. The commission held a number of programs designed to share information about the rights to equality and the destruction wrought by discrimination.

Kentucky battles discrimination that is pervasive and damages the fabric of the Commonwealth. The Kentucky Commission on Human Rights is key in eradicating discrimination through enforcement, education, and raising public awareness.

This has been a year in our nation during which all Americans have seen the devastating results of discrimination and discriminatory hatred. It is crucial in this contemporary age to have a state human rights commission. The commission is fully needed and asks for everyone's full support of its role as a clear, strong, far-reaching voice for mutual respect and understanding among people and for the eradication of illegal discrimination from Kentucky.

Discrimination and unfair treatment have no place in our state. We are proud of our work and are committed to helping ensure the safety, well-being, and success of all Kentuckians.

Sincerely,

*George W. Stinson*

George W. Stinson, Chair

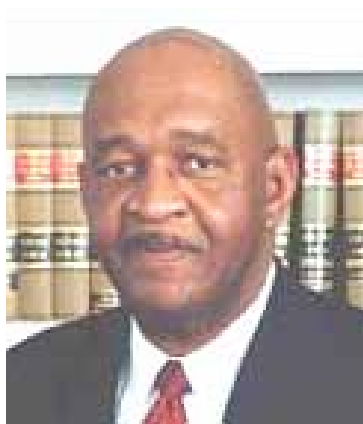
*John J. Johnson*

John J. Johnson, Executive Director

# KY Human Rights Board of Commissioners



Robert Asseo  
Florence  
6<sup>th</sup> Supreme Court District



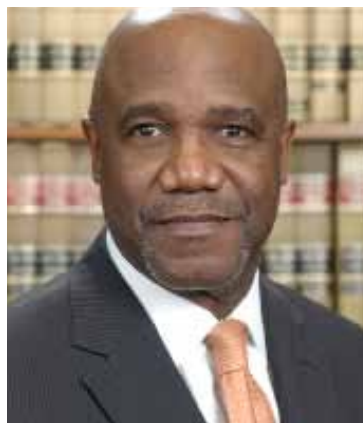
Richard E. Brown  
Owensboro  
2<sup>nd</sup> Supreme Court District



Samuel R. Coleman Jr.  
Middlesboro  
State At Large



Henry Curtis  
Frankfort  
5<sup>th</sup> Supreme Court District



D. Anthony Everett  
Lexington  
State At Large



Sandra D. Moore  
Richmond  
State At Large



Carol L. Jackson  
Ashland  
7<sup>th</sup> Supreme Court District



Doris Clark Sarr  
Murray  
State at Large



Timothy W. Thomas  
Madisonville  
1<sup>st</sup> Supreme Court District



George W. Stinson, Chair  
Louisville  
4<sup>th</sup> Supreme Court District



Duane Bonifer, Vice Chair  
Greensburg  
3<sup>rd</sup> Supreme Court District

# The State Authority that enforces anti-discrimination laws

**T**he Kentucky Commission on Human Rights is the state government authority that protects people from discrimination by enforcing laws that guarantee civil rights.

The agency receives, initiates, investigates, conciliates, mediates, and rules upon complaints alleging violations of the Kentucky Civil Rights Act. Through its affiliations with the U.S. Dept. of Housing and Urban Development and the U.S. Equal Employment Opportunity Commission, the Kentucky Human Rights Commission also enforces the United States Civil Rights Act.

The commission consists of the executive director, agency personnel, and the Board of Commissioners.

With headquarters in Louisville and the Northern Kentucky office in Covington, the Kentucky Commission on Human Rights has opened doors of opportunity for thousands of people for 55 years.

When the Kentucky General Assembly and Gov. Bert Combs created the Kentucky Commission

on Human Rights in 1960, the job of the agency was to encourage fair treatment, foster mutual understanding and respect, and discourage discrimination against any racial or ethnic group or its members.

In 1966, the commission role expanded with passage of the Kentucky Civil Rights Act (Kentucky Revised Statutes Chapter 344). This law made discrimination illegal, and it gave the Kentucky Commission on Human Rights the statutory authority to enforce the law for the people of the Commonwealth of Kentucky.

The law made Kentucky the first state in the south to prohibit discrimination.

The commission is mandated to educate the public about the laws against discrimination and the benefits of equality. The agency conducts a comprehensive program of collaboration, communications, education, outreach, and training to vigorously carry out this task.

**The Kentucky Governor appoints the 11-member Kentucky Commission on Human Rights Board of Commissioners. The members represent the state population by the seven Kentucky Supreme Court Districts and the state at large. The quasi-judicial board hears and rules on discrimination complaints with the authority of a court of law.**

## Mission

To eradicate discrimination in the commonwealth through enforcement of the Kentucky Civil Rights Act.

## Vision

A commonwealth united against discrimination. A commonwealth united for equality.

## Purpose

The Kentucky Commission on Human Rights governing law is the Kentucky Civil Rights Act, Kentucky Revised Statutes Chapter 344. The Act directs the commission to:

“Safeguard all individuals within the state from discrimination because of familial status, race, color, religion, national origin, sex, age 40 and over, or because of the person's status as a qualified individual with a disability as defined in KRS 344.010 and KRS 344.030; Thereby to protect their interest in personal dignity and freedom from humiliation, to make available to the state their full productive capacities, to secure the state against domestic strife and unrest which would menace its democratic institutions, to preserve the public safety, health, and general welfare, and to further the interest, rights, and privileges of individuals within the state.”

# KENTUCKY CIVIL CIVIL RIGHTS ACT

The Kentucky Civil Rights Act makes it unlawful to discriminate against people. The law defines discrimination as any direct or indirect act or practice of exclusion, distinction, restriction, segregation, limitation, refusal, denial, or any other act or practice of differentiation or preference in the treatment of a person or persons, or the aiding, abetting, inciting, coercing or compelling thereof made unlawful under this law.

The law grants protection from discrimination based on specific classes. The following are protected classes under the Kentucky Civil Rights Act. Not all protected classes are covered in every listed area:

Age

Color

Disability

Familial Status

National Origin

Race

Religion

Sex

Tobacco-Smoking Status

The law protects people in the following areas:

Housing

Employment

Public Accommodations

Financial Transactions

It is against the law to retaliate against any person who has made a discrimination complaint to the Kentucky Commission on Human Rights.

Through its affiliations with the U.S. Department of Housing and Urban Development and the U.S. Equal Employment Opportunity Commission, the Kentucky Commission on Human Rights enforces The U.S. Civil Rights Act, The U.S. Fair Housing Act, The U.S. Americans With Disabilities Act and other federal anti-discrimination laws.

# HOW THE LAW PROTECTS PEOPLE IN THE STATE

## Housing

It is against the law to discriminate against any person who seeks to rent or own housing, based on the person's color, disability, familial status (whether one lives with children under 18 years of age), national origin, race, religion or sex. Federal and Kentucky fair housing laws provide equal opportunity to all people when buying, selling, renting, financing or insuring housing. You have the right to buy or rent where you choose a home, condominium, apartment, trailer or lot. Everyone must obey the law, including property owners, property managers, real estate brokers, sales agents, operators, builders and developers, advertisers and advertising media, mortgage lenders, insurers, and banks or other financial institutions.

## Employment

It is unlawful to discriminate against any person in the area of employment because of the person's age (40 and over), color, disability, national origin, race, religion, sex or tobacco-smoking status. It is unlawful to discriminate against any individual in regard to recruiting, hiring and promotion, transfer, work assignments, performance measurements, the work environment, job training, discipline and discharge, wages and benefits, or any other term, condition, or privilege of employment. The law prohibits not only intentional discrimination,

but also neutral job policies that disproportionately affect persons of a certain protected class and that are not related to the job and the needs of the business. The law applies to employers of eight or more people (15 in a disability claim), in businesses, employment agencies, labor organizations, licensing agencies, federal agencies, and the Commonwealth of Kentucky and its political subdivisions, including public schools.

## Public Accommodations

It is illegal for a place of public accommodation, resort or amusement to refuse or deny the full and equal enjoyment of goods, facilities and accommodations to any person because of his or her color, disability, national origin, race or religion. A place of public accommodation includes any place, store, or other establishment, either licensed or unlicensed, which supplies goods or services to the general public or which solicits or accepts the patronage or trade of the general public or which is directly or indirectly supported by government funds. Stores, restaurants, businesses, theatres, hotels, and medical offices are just a few examples. In addition, restaurants, hotels, motels, and facilities directly or indirectly supported by government funds are prohibited from denying goods and services on the basis of sex.

## Financial Transactions

The denial of credit or financing by a financial institution or person offering credit is illegal when it is based on certain protected classes, including race, color, religion, national origin or sex. It is illegal to discriminate for these reasons in the interest rate or monthly payment of a loan, in its terms and payment schedule, points, fees, or penalties, or in the offer of credit insurance on the loan.

## Retaliation

It is illegal to retaliate or discriminate in any manner against a person who has opposed a practice declared unlawful by the Kentucky Civil Rights Act or because he or she has filed a complaint or assisted in any manner in an investigation or proceeding under the Kentucky Civil Rights Act.



# Enforcing the Kentucky Civil Rights Act

## THE CASE PROCESS

### Filing a Complaint

A person who believes he or she has been illegally discriminated against may contact the commission by phone, mail, email, via the website or in person. This begins the complaint process. An intake or enforcement officer takes the complaint and asks questions. Complaints must be filed on a timely basis. Complaints in public accommodations, employment, financial transactions and retaliation must be filed within 180 days of the incident. Housing complaints must be filed within 365 days of the incident. All complaints must be signed and notarized.

### Mediation

If both parties are willing to mediate, a mediator will schedule the case within 30 days. If mediation leads to an agreement, the case is closed.

### Investigation

Once the complaint is filed, if mediation has been declined or is unsuccessful, the commission undertakes a thorough and impartial investigation. The agency conducts interviews and gathers facts from the person making the complaint and those who have been charged with discrimination.



**Kentucky Commission on Human Rights General Counsel and Managing Attorney Keith Duerr**

### Conciliation

Enforcement officers work to conciliate the complaint. Conciliation involves commission staff negotiations between the parties that have been charged with discrimination and the persons who made the complaint. Conciliation talks can lead to a settlement, which may include a monetary award.

### Findings

If, after investigating the complaint, the commission does not find evidence to support the complaint, the enforcement officer makes a no-probable-cause recommendation. The commission may dismiss the complaint. The person who filed the complaint and those who have been charged with discrimination are notified. When the evidence is strong enough to believe that illegal discrimination has probably occurred, a finding of probable-cause is recommended.

### Hearing

If investigation leads to a probable-cause recommendation, the complaint moves to the litigation phase. Commission attorneys work on behalf of the complainant to conciliate, persuade or litigate in matters concerning the discrimination complaint. In the event that no conciliation settlement can be reached, the commission conducts a hearing. Staff attorneys represent the person who is making the discrimination complaint and the agency at the hearing. Hearings are similar to civil trials. The evidence and testimony are presented at the hearing. Commissioners make a final determination.

### Enforcement

When the commission determines that discrimination has occurred, the parties charged with discrimination may be ordered to cease and desist from any further discrimination and to remedy past discrimination. A remedy can include a monetary award, policy change, employment reinstatement or an accommodation in housing. Commission final orders have the authority of those by a court of law. The commission may ask a circuit court to enforce the order. A commission decision may be appealed to a circuit court within 30 days of the order.



## 2015 Case Information

PROTECTING  
CIVIL RIGHTS



At left, the Kentucky Commission on Human Rights Board of Commissioners is shown in session. Chair George Stinson sits at the far head of table at center. Executive Director John Johnson sits left of the chairman. Surrounding them are commissioners and staff members of the commission agency. The board of commissioners met 10 times during the 2015 reporting year to rule on discrimination complaints on behalf of the people of the commonwealth.

The Kentucky Commission on Human Rights processed approximately 2,630 inquiries between July 1, 2014 and June 30, 2015. Each of these individuals contacted the commission because they believed they were victims of illegal discrimination in Kentucky or because they sought further information about civil rights.

### Number of Cases Filed

From the inquiries, the commission filed 235 formal discrimination complaints, a result of these meeting statutory

requirements and falling within the agency's jurisdiction as stipulated in the Kentucky and U.S. Civil Rights acts.

### Cases Closed Summary

This year, the commission helped complainants receive approximately \$244,760 in compensation plus an unknown amount of compensation negotiated in private settlements. Complainants also received non-monetary terms in their agreements and settlements.

The commission closed 322 cases this year. Cases closed

with conciliation agreements (similar to settlements) for complainants climbed to 28 compared to 15 in 2014. Included were 10 probable cause cases resolved with conciliation agreements, one more than last year. The agency closed 16 cases in private mediation settlements. Also, there were 42 private settlements.

## Average Case Age

The average case age, from filing to resolution, of housing discrimination complaints remained 104 days, the same as last year. The combined average age of employment and public accommodations complaints changed from 265 to 292 days. This is in part due to the commission's success with negotiating conciliation agreements, which benefit complainants and prevent the necessity to proceed with litigation in several instances. Therefore, case age also reflects the ample time it takes to negotiate such agreements. The change is also a result of continuing staff shortages in the legal, enforcement, and intake units due to state budget cuts, which have occurred throughout state government the last nine years.

## Mediation Settlements

The commission received 152 cases for consideration, with parties choosing mediation in 18 cases. The agency successfully mediated 16 of these. The remainder were assigned to undergo investigation. The mediation settlement amounts totaled \$98,240. There were other settlement terms, among which were job and policy changes, training, salary increases, uncontested unemployment, apology and promise not to discriminate, removal of disciplinary "write ups," and transfer to day shift.

The Mediation Unit was formed in 2007 and successfully impacts the service of the commission. Mediation is an informal and confidential process through which opposing parties meet face to face to discuss the alleged discrimination incidents that resulted in a complaint. The complainants and respondents negotiate voluntary resolution of the disputes under the guidance of a commission mediation attorney. Settlement is voluntary in mediations, and mediation results, which are protected by privacy clauses, result in closure of a case.

## Private Settlements

Forty-two complaint withdrawals resulting in private settlements were achieved once all parties were informed a complaint investigation was underway or during the course of investigation. Complainants were then able to negotiate private settlements with their respondents. Parties preferred to privately settle the complaints rather than undergo the

completion of a commission investigation and a possible ruling. As these are private, it is, of course, unknown to the commission or the public the dollar amounts that may have been part of the terms of these 43 settlements.

## Conciliation Agreements

The commission negotiated a total of 28 conciliation agreements between complainants and respondents, most all of which resulted in monetary compensation for the complainants. Related respondents agreed to comply with the laws against discrimination, change policies to bring them into law compliance, undergo compliance training, and undergo compliance monitoring, which the commission undertakes.

## Probable Cause Conciliations

The commission held one quasi-judicial hearing in 2015, which was still to be ruled upon by the board of commissioners at the end of the reporting year on June 30, 2015. This small number was due to the rate of success in resolving complaints with staff-negotiated conciliation agreements in 10 cases where the commission found that probable cause existed to believe discrimination may have occurred. The total compensation through these probable cause conciliations was \$128,700.

When the agency determines that probable cause exists, the opposing parties may choose to either settle the case with such agreements or pursue further litigation, which can ultimately end with a hearing and final ruling by the commission board.

The agency negotiated 18 conciliation agreements while the complaints were still in the investigative phase, resulting in a total of \$17,819 for complainants.

**The commission helped complainants receive approximately \$244,760 through conciliation agreements and mediation settlements. This does not include dollars complainants received in 42 private settlements.**

# Case Statistics



## 10-YEAR COMPARISON No. of Discrimination Complaints Filed

AREA	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Employment	246	297	343	320	228	262	229	212	260	213	147
Housing	52	30	37	47	47	25	53	41	45	55	47
Public Accommodations	45	56	43	54	47	42	51	33	56	47	41
Financial Transactions	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>343</b>	<b>383</b>	<b>423</b>	<b>421</b>	<b>322</b>	<b>329</b>	<b>333</b>	<b>286</b>	<b>361</b>	<b>315</b>	<b>235</b>

**235 complaints filed in 2015**

## 10-YEAR TOTAL No. of Discrimination Complaints Filed

**EMPLOYMENT = 3,031**  
**HOUSING = 513**  
**PUBLIC ACCOMMODATIONS = 545**  
**FINANCIAL TRANSACTIONS = 0**  
**TOTAL = 4,089**

# Complaints Filed by Basis 2005 to 2015

Basis	2005	2006	2007	2008	2009	2010
Race or Color	160	164	193	158	125	128
Sex	91	90	91	93	67	63
Age (40+)	34	56	47	38	34	38
Religion	3	7	4	9	9	9
Disability	56	85	86	99	73	68
National Origin	28	30	30	13	24	24
Retaliation	56	27	39	39	28	40
Familial Status	10	5	6	9	8	2
Smoking	3	0	0	9	1	1
Totals	441	464	496	467	369	373

*Note: There are more bases than number of complaints filed each year because some complaints list more than one basis.*

Basis	2011	2012	2013	2014	2015	Totals
Race or Color	143	97	123	93	103	1487
Sex	38	119	65	53	57	827
Age (40+)	35	26	37	30	40	415
Religion	9	4	6	13	11	84
Disability	94	76	84	35	80	836
National Origin	23	17	17	16	33	255
Retaliation	27	29	42	35	58	420
Familial Status	6	11	5	0	3	65
Smoking	0	1	1	3	3	22
Totals	375	380	380	278	388	4411

# 10-YEAR COMPARISON

## Discrimination Complaint Closures

STANDING FOR  
EQUALITY

2005 to 2015

Rulings by Commission	2005	2006	2007	2008	2009
No Probable Cause	257	209	300	263	244
Conciliation during Investigation	26	45	6	11	19
Withdrawal w/Right to sue	20	38	65	60	26
Withdrawal w/Settlement	8	25	26	22	52
Final Ruling Judgement	0	2	1	4	0
Probable Cause & Pre-PC Conciliation	8	10	25	16	7
Successful Mediation	N/A	N/A	N/A	19	27
<b>Total</b>	<b>319</b>	<b>329</b>	<b>423</b>	<b>395</b>	<b>375</b>

**\*3,998 complaints closed 2005 to 2015**

*\*The number of cases closed is higher than number of cases filed for the 10 year period since cases often carry over from previous years.*

**322 complaints closed 2015**

Rulings by Commission	2010	2011	2012	2013	2014	2015
No Probable Cause	252	337	186	209	203	187
Conciliation during Investigation	10	15	12	12	6	18
Withdrawal w/Right to sue	39	23	34	40	76	49
Withdrawal w/Settlement	42	37	32	44	43	42
Final Ruling Judgement	2	0	0	1	0	0
Probable Cause & Pre-PC Conciliation	4	10	14	16	9	10
Successful Mediation	34	17	28	23	25	16
<b>Total</b>	<b>383</b>	<b>439</b>	<b>306</b>	<b>345</b>	<b>362</b>	<b>322</b>



## Case Highlights

# Commission negotiated \$60,000 in employment probable cause case



**Commission Attorney Alysia Robben and complainant David Lynn with Lynn's compensation check from the respondent.**

David Lynn v. Community Alternatives Kentucky Inc. and Res-Care Inc. in Frankfort, Ky.:

Lynn complained in November 2012 to the Kentucky Commission on Human Rights, alleging his employer discriminated against him based on the protected class of disability in the area of employment. This would be a violation of the Kentucky Civil Rights Act and the U.S. Americans with Disabilities Act.

Lynn alleged that his employers terminated him from his position

because of a disability. After investigating, the commission determined there was probable cause to believe discrimination may have occurred. Prior to holding a final hearing in the matter, the parties chose to resolve the complaint with a conciliation agreement. The respondents agreed to compensate Lynn in the amount of \$60,000. The company denied any violation of the law and affirmed that it will not discriminate based on disability or any other protected class in the Kentucky and U.S. Civil Rights acts.

Conciliation agreements do 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 these conciliations are a compromise of disputed claims.

# Complainant claimed landlord used racial slurs against her

The Kentucky Human Rights Board of Commissioners ruled to approve a conciliation agreement in the matter of Karmee Puckett v. Paris Pike Ltd. Partnership doing business as Hopewell Apartments in Paris, Ky.

Puckett complained in December 2013 to the commission, alleging that her landlord discriminated against her on the protected class of race in the area of housing. This would be a violation of the Kentucky Civil Rights Act and the U.S. Fair Housing Act.

She claimed the on-site apartment manager at Hopewell Apartments harassed her and her minor child by directing racial slurs against them and commenting on negative racial stereotypes in their presence. She claimed the landlord retaliated against her by taking actions to evict her after she opposed these practices.

The case was transferred to the commission legal unit with a recommendation to determine probable cause. However, prior to the issuance of a formal charge of discrimination, the complainant and respondent chose to resolve the matter with a conciliation agreement.

The respondent denied any violation of the law. It agreed that it does not nor will it commit unlawful discrimination. The respondent also agreed to compensate Puckett in the amount of \$17,000, to undergo fair housing compliance training and submit to compliance monitoring by the commission for three years.



**The Trinity White Knights, a branch of the hate group, the Ku Klux Klan, demonstrated in April 2015 in the three Northern Kentucky towns of Maysville, Flemingsburg and Morehead.**



## Case Highlights

# Employee terminated due to error on medical report was compensated and rehired

In January 2015, the commission board ruled to accept a conciliation agreement the commission staff negotiated in the matter of Shane Ketchey v. Transcraft Corporation in Cadiz, Ky. The commission determined that probable cause existed to believe discrimination may have occurred.

Ketchey complained to the commission that Transcraft Corporation discriminated against him on the basis of disability in the area of employment. He is virtually blind in one eye. He claimed he was hired as a temporary worker and after five months of successful temporary employment, Transcraft offered Ketchey permanent full-time employment, which he accepted.

However, as a result of an erroneous statement in his post-offer physical report, Transcraft terminated Ketchey finding (incorrectly) that he needed cataract surgery in his right eye to be qualified for the same position he had already been successfully working for the preceding five months.

The commission determined that if Transcraft had engaged in an interactive process with Ketchey, it would have ascertained the error in the report of his post-offer physical and learned that Ketchey had already had cataract surgery that corrected his right eye vision to 20/25. After being made aware of its error by commission staff, Transcraft eventually rehired Ketchey.

After investigation, a probable cause letter was issued against Transcraft on August 8, 2014, and the case was set for an administrative hearing in May 2015. However, prior to the hearing, the parties chose to resolve the matter with a conciliation agreement.

Transcraft denied any violation of the law. It asserts that it has not, nor will it in the future discriminate against any applicant or employee because of a disability or perceived disability. Transcraft agreed not to engage in any retaliation against any person who has participated in this action. The company compensated Ketchey in the sum of \$10,000 for humiliation and embarrassment. The company agreed to undergo civil rights compliance training and submit to compliance monitoring by the commission for three years.



# Public Accommodations refused service to individual with service animal

In the matter of Dwight Taylor v. Clark's Gas Station & Food Mart, et. al., in Louisville, a probable cause determination was made, indicating a belief exists that discrimination may have occurred. The parties chose to resolve the matter with a conciliation agreement, which the Kentucky Commission on Human Rights Board of Commissioners ruled to approve in January 2015.

Dwight Taylor complained to the commission in April 2014 that Clark's Gas Station discriminated against him based on disability in the area of public accommodations. This would be a violation of the Kentucky Civil Rights Act and the U.S. Americans with Disabilities Act.

Taylor alleged the gas station representative insisted that he leave because he had a service animal present to help him in the store. Taylor claimed: "I entered the facility with my guide dog. Upon entering the store, the person told me that I could not enter with my guide dog. I tried to explain that [the dog] is a guide dog and he is allowed to go where I go. The person said he did not care, and I had to leave."

Clark's Gas Station denied any violation of the law. It affirmed it does not and will not illegally discriminate. The business compensated Taylor in the sum of \$1,200.00 for humiliation and embarrassment. It agreed to undergo civil rights compliance training and submit to compliance monitoring by the commission.



**At left is a service dog in training, Here, he practices opening a refrigerator door. Service animals are allowed by law to accompany their owners who have disabilities into public accommodations such as stores, restaurants and businesses. Patterson visited the commission while he was being trained for certification as a service animal by Enforcement Officer Leslie Marlin, who volunteered with a local organization to help train the dog.**

**The U.S. Census Bureau reports that Kentucky has one of the highest numbers of people with disabilities in the nation. People with disabilities are protected under the law from discrimination in the areas of employment, housing, and public accommodations.**

**SPREADING  
THE WORD**

**This year we informed an estimated 300,000 people about civil rights and the commission’s work to protect people from discrimination.**



**Among YouTube videos the commission shared via social media and email were interviews with Kentucky Civil Rights Hall of Fame inductees. This oral history project is produced by the University of Kentucky Nunn Center in partnership with the commission.**

*In the above YouTube video photos left to right, top to bottom, Kentucky Civil Rights Hall of Fame inductees John J. Johnson, Edgardo Mansilla, Suzy Post, P.G. Peeples, and Delores Delahanty*



## Press and Publicizing



- Issued 55 press releases, official statements and opinion editorials covering the commission's services and civil rights
- Completed our line of brochures on covered areas (employment, housing, public accommodations, financial transactions) with a brochure on civil rights in the area of financial credit transactions
- Conducted radio campaign during U.S. Black History Month promoting Kentucky African American achievement and commission services
- Placed 25 print advertisements in newspapers and affiliated civil rights event program publications
- Received press coverage approximately 175 times through newspapers, television, radio, and internet

## Social Media

- Published commission news, civil rights and protected class news, and civil rights partner organization announcements on the commission Facebook and Twitter sites
- Promoted the commission YouTube video site with distribution of civil rights-related videos including the commission's public service announcements
- Produced a newly designed website, which is visited by readers approximately 20,000 time a month

# Communications



# Education Outreach Partnership Leadership

The Kentucky Commission on Human Rights produced several educational programs and public affairs initiatives during the 2015 reporting period. These were designed to target protected class members with information about commission enforcement services and civil rights protections. Along with potential discrimination victims, the commission strived on the same level to reach Kentuckians about the legal requirement to comply with anti-discrimination law and about the benefits of equality. The commission regularly met and collaborated with stakeholders throughout the year.

- 33 Civil Rights Workshops
- 14 Fair Housing Workshops
- 6 Sexual Harassment Workshops
- 14 Diversity Workshops
- 8 Local Human Rights Commission Trainings
- 3 Conciliation Agreement-Required Civil Rights Compliance Trainings
- The 2014 Kentucky Civil Rights Hall of Fame Program and Inductions, which was presented this year in Bowling Green, Ky.
- Gallery of Great Black Kentuckians Induction Ceremony in state capitol for U.S. and Ky. Black History Month
- Women's Advocacy Hearing, with an emphasis on fair housing
- The "Get on the Bus Tour, the Path toward Equal Housing Opportunities" Program and Tour guided participants through Shelbyville to study housing segregation history and promote fair housing
- 9<sup>th</sup> Annual Kentucky Hispanic, Immigrant and Refugee Networking Summit.
- The Annual Latino and African American Relations Summit
- The Annual LGBT College Fair Housing Forum
- The Fair Housing Outcomes Matter event provided communities, local commissions, and universities information about our fair housing program that was made possible through a partnership with the U.S. Dept. of Housing and Urban Development
- 15 Event Exhibits, reaching organizations and Kentucky communities

- 121 presentations and participation at community, organization, university, government, and other events and meetings throughout Kentucky.
- 25 Civil Rights presentations, organizational and community activity leadership by the executive director and commissioners
- Worked with groups to provide information about the need for a statewide Uniform Residential Landlord Tenant Act (URLTA) and passed a resolution to the Legislature asking for establishment of such a law. Encouraged cities and counties to pass local URLTA laws. A statewide URLTA would standardize the terms of a lease, so tenants and landlords know what to expect, regardless of where they live in Kentucky. It would balance the property rights of landlords with the health, safety, and privacy rights of tenants. The U.S. Census Bureau statistics show that 31.3 percent of Kentucky housing properties are renter-occupied.
- Collaborated with partners to provide education about the U.S. Justice Dept. ruling that expands the definition of unlawful discrimination based on the protected class of sex (gender) in the 1964 U.S. Civil Rights Act to include gender identity. The U.S. is now able to bring legal claims on behalf of people who say they've been discriminated against by state and local public employers based on sex identity. We also provided groups with information about the U.S. Dept. of Housing and Urban Development ruling that prohibits discrimination based on sexual orientation and gender identity against people who apply for or receive HUD housing aid. The commission passed its third resolution since 2008 urging the state legislature to pass an amendment to the Kentucky Civil Rights Act that would prohibit discrimination against people based on sexual orientation and gender identity.
- Collaborated with partners to raise awareness about the problem of housing segregation. Kentucky remains one of the most segregated states in the nation, contributing to lower property values, increased crime, and obstacles to economic opportunities for minorities, women, children, families and communities. The commission worked with several entities in 2015 on a plan to decrease housing segregation by affirmatively furthering fair housing and healthy housing integration.

**We reached thousands of Kentuckians to raise awareness about civil and human rights in the Commonwealth of Kentucky.**

# KY Civil Rights Hall of Fame Inductions

The Kentucky Commission on Human Rights inducted 23 new members to its Kentucky Civil Rights Hall of Fame on Oct. 16, 2014, during the 2015 reporting year. The public ceremony and civil rights celebration were held at the Western Kentucky University Carroll-Knicely Center in Bowling Green, Ky. Established by the commission in 2000, inductees have worked for civil rights and to improve the lives of members of protected class members. Inductees may be living or deceased and represent contemporary and historical eras. They have worked in many areas of civil rights and in a variety of ways. The Hall of Fame is the largest civil rights education and public awareness program in the state.

## The Inductees



Roszaly Akins  
Lexington

Alan B. Anderson  
Bowling Green

Mervin Aubespain  
Louisville



Roger Cleveland  
Lexington

William Cofield Sr.  
Frankfort

Samuel Coleman Sr.  
(1929 – 2002),  
Middlesboro



Merlene Davis  
Lexington

Chester Grundy  
Lexington

Ed Hamilton  
Louisville



Edmond P. "Pete" Karem  
Louisville



Shelby Lanier Jr.  
Louisville



William F. McMurry  
Louisville



Linda McCray  
Bowling Green



Carolyn Miller-Cooper  
Louisville



V. Ann Newman  
Ashland



Woodford Porter Sr.  
(1918-2006)  
Louisville



Scottie Saltsman  
(1968-2013)  
Richmond



Frank L. Stanley Jr.  
(1937-2007)  
Louisville



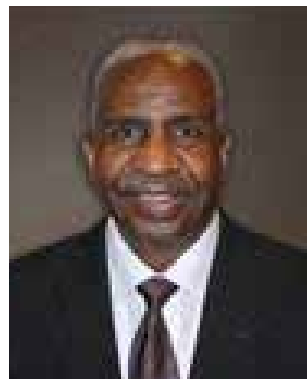
Pruitt Sweeney  
(1895-1960)  
Louisville



Gloria Watkins  
(bell hooks)  
Berea



Judy West  
Lakeside Park

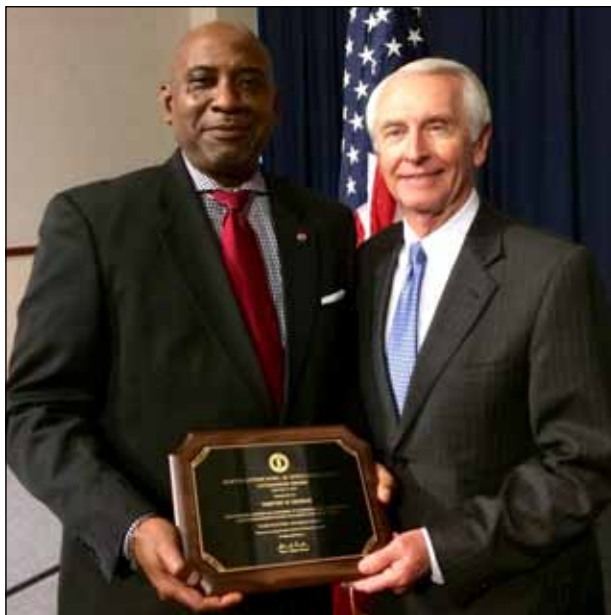


Abraham Williams  
Bowling Green



Harrison Wilson Jr.  
Pendleton

# Education and Outreach







Photographs on left page, left to right

1. Ky. Human Rights Commission Executive Director John Johnson was guest speaker for the FBI Louisville Branch at its February Black History Month program. To his right is FBI Division Director Harry Hibbs.
2. St. Francis High School in Louisville students visited the commission headquarters during the year to learn about civil rights enforcement work.
3. Our Immigrant and Refugee Education and Outreach Specialist Juan Peña welcomed visitors to the commission Fair Housing Exhibit at the Kentucky State Fair in August 2014, during the 2015 reporting year.
4. Commission Immigrant Outreach Fair Housing workshop held in February in Danville, Ky.
5. Ky. Human Rights Commissioner Timothy Thomas (left) in January 2015 received the annual Kentucky Martin Luther King Citizenship Award. Gov. Steve Beshear (right) presented him the award for the Ky. Martin Luther King Jr. Commission.
6. Ky. Human Rights Commissioner Sandra Moore spoke at the annual Black History Month event held in the state capitol

by the Kentucky Legislative Black Caucus.

7. Ky. Human Rights Commissioner Robert Asseo (right) was recipient of the Northern Ky. Police Chiefs' Association Citizen of the Year Award in January.

Photographs on this page, left to right

1. A session of the 9<sup>th</sup> Annual Kentucky Hispanic, Immigrant and Refugee Networking Summit held in Shelbyville, Ky., in October 2014
2. Ky. Human Rights Commission Chair George Stinson unveiled Rev. Kevin Cosby's Gallery of Great Black Kentuckians poster in a ceremony in the state capitol. At right are Rev. and Mrs. Cosby.
3. The Get on the Bus Housing Segregation History Tour in Shelbyville, Ky.
4. Lexington Fair Housing Council Assistant Director Shayla Johnson spoke at the Women's Advocacy Hearing in March. On the panel, from left to right are Dolores Delahanty, Priscilla Johnson, Ky. Human Rights commissioners Doris Clark Sarr and Carol Jackson, and Louisville Metro Human Relations Commission Compliance Officer Linda Holland.

# Local Human Rights Commission Partners

- Adair County Human Rights Commission
- Ashland Human Rights Commission
- Bardstown - Nelson County Human Rights Commission
- Berea Human Rights Commission
- Bowling Green Human Rights Commission
- Covington Human Rights Commission
- Danville-Boyle County Human Rights Commission
- Frankfort Human Rights Commission
- Franklin-Simpson County Human Rights Commission
- Hazard Human Rights Board
- Henderson County Human Rights Commission
- Hopkinsville Human Relations Commission
- Lebanon Human Rights Commission
- Lexington-Fayette Urban County Human Rights Commission
- Louisville-Jefferson County Metro Human Relations Commission
- Mayfield Human Rights Commission
- Maysville Human Rights Commission
- Mercer County Human Rights Commission
- Midway-Versailles-Woodford County Human Rights Commission
- Murray Human Rights Commission
- Owensboro Human Relations Commission
- Paducah Human Rights Commission
- Paris Human Rights Commission
- Richmond Human Rights Commission
- Russellville-Logan County Human Rights Commission
- Shelby County Human Rights Commission

## Welcome, Adair County Human Rights Commission

There are now 26 local human rights commissions in Kentucky. The Kentucky Commission is pleased to announce that Adair County, Ky., in South Central Kentucky, established a local commission during 2015. The new partner was greatly assisted by Kentucky Commission on Human Rights Commissioner Duane Bonifer, who represents the area on the board and is communications director of Lindsey Wilson College in nearby Columbia. He held a work-study program at the school that helped result in formation of the new commission.

One of the functions of the Kentucky Commission on Human Rights as mandated by its governing law, KRS Chapter 344 (the Kentucky Civil Rights Act), is to work with local governments to form local human rights commissions.

All members of the Kentucky Human Rights Commission Board and the commission staff are committed to helping local commissions and related agencies thrive.

The Kentucky Human Rights Commission works with local commission throughout the year. It helps establish them, trains local commission members, meets with them to assist with issues, and attends local commission meetings to provide support and information.

## How Local Commissions work

Kentucky has a growing network of local human rights commissions. These partners promote civil rights, mutual respect, understanding, and quality of life in their regions. When necessary they forward complaints to our agency. They are vital

to Kentucky and to work of the state commission. Because of budget constraints and our limited resources, their assistance in giving the state human rights commission a community presence in Kentucky's 120 counties is important.

They provide this local presence and the face-to-face contact so necessary to people across the state in order to uphold security in an increasingly diverse and growing commonwealth.

Some local commissions, such as Lexington and Louisville, have their own staff and conduct their own discrimination investigations. Most refer discrimination cases to the Kentucky Human Rights Commission because they don't have full-time staff and are mostly volunteer agencies.

Cities and counties are allowed to adopt ordinances to enforce all of the civil rights laws that the Kentucky Human Rights Commission enforces. In fact, local commissions may enforce by city or local government ordinances protected classes not protected by the Kentucky Civil Rights Act and the U.S. Civil Rights Act.

Local human rights commissions may use their authority to promote equality, diversity and sensitivity toward others in their communities in a variety of ways. Several of the commissions partner each year with the Kentucky Commission on Human Rights to provide fair housing trainings and fair housing educational workshops.

Local human rights commissions collaborate with the Kentucky Commission on Human Rights to provide educational programs on a variety of issues.

John J. Johnson, Executive Director

#### Administration

Cynthia Fox, Executive Staff Assistant

Art Kaufman, Fiscal Manager

Janet Pinkston, Aide to the Executive Director

#### Communications

Victoria Stephens, Communications Director

Talal Abugabal, IT Network Manager and Webmaster

#### Education and Outreach

Mary Ann Taylor, Education and Outreach Director

John C. K. Fisher, Northern Kentucky Field Office Human Rights Specialist

Glenda Green, Human Rights Specialist

Juan Peña, Immigrant and Refugee Human Rights Specialist

#### Enforcement

Sherita Davis, Enforcement Unit Manager

LiAndrea Goatley, Housing Enforcement Investigator

Peter Lendh, Employment and Public Accommodations Enforcement Investigator

Leslie Marlin, Employment and Public Accommodations Enforcement Investigator

Wanda Melvin, Employment and Public Accommodations Enforcement Investigator

Erin Spalding, Employment and Public Accommodations Enforcement Investigator

Chad Stratton, Employment and Public Accommodations Enforcement Investigator

Addie Williams, Employment and Public Accommodations Enforcement Investigator

#### Legal

Keith Duerr, Managing Attorney

Alysia Robben, Attorney

Lisa Spencer, Paralegal

#### Mediation

Alteata McWilliams, Attorney





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