



PROTECTOR OF CIVIL RIGHTS
VOICE FOR EQUALITY
CATALYST FOR POSITIVE CHANGE



Changing the current Staying the course

2009 Annual Report





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Greetings

Dear Governor Steven Beshear, Kentucky General Assembly, and People of Kentucky:

On behalf of the Kentucky Commission on Human Rights, I am pleased to submit the annual report for the period of July 1, 2008 to June 30, 2009. This was a busy and challenging year as the staff endeavored to enforce the laws that prohibit discrimination and worked to strengthen relations of fairness throughout the commonwealth. We stayed the course.

As has been the case, historically, the agency received the most discrimination complaints in the area of race in employment. To address this distressing problem, the staff conducted civil rights compliance trainings for companies and their employees. We conducted fair housing workshops, police and community relations forums, and civil rights education workshops for immigrants. We introduced literature designed to meet the needs of our state's increasingly diverse population. It is a pleasure to report that we helped establish a new local human rights commission in Shelby County. This partner will provide a great assistance to our work.

The statewide budget woes affected our agency causing us to operate with staff shortages arrived at through attrition. Importantly, our enforcement unit was down and investigators carried high numbers of cases. Funding cuts meant a reduction in the print of informational reports and newsletters for people who do not have access to the internet.

We continued to present discussion panels, and pressed forward with holding occasional commission meetings in different regions so that people may learn of the commission's existence and its service to the public. Regardless of the crisis, we carried out our duties with determination, and every person who asked for help was given the best assistance and professional level of work.

It is with great anticipation that we prepare to celebrate the commission's 50th anniversary in 2010. As funding allows, we plan to use this opportunity to highlight the past, raise awareness and plot strategies for the continuing struggle.

Yours truly,

John J. Johnson

John J. Johnson
Executive Director



It is a privilege for the Kentucky Human Rights Commissioners to serve in our capacity to enforce The Kentucky Civil Rights Act and protect Kentuckians from discrimination. This has been an exciting year. We are witnesses to an important time in our nation, a time when a most significant color barrier has been broken with the election of the first African American United States president. It has been a time when Americans, including Kentuckians, are challenging other strongholds that keep us from equality. With each discussion, each debate, each battle, we come closer to achieving a society where every person has the freedom granted by equal opportunity.

Still, each month our commission board confronts significant numbers of discrimination complaints made within our boundaries. Often, the stories surrounding these complaints and their descriptions of allegations are incredible. It is difficult to believe that as far as we have traveled, in many ways, we are trapped by past prejudices and attitudes about people based on their age, color, disability, national origin, race, religion and sex.

The commission remains undaunted, and one case at a time, the Kentucky Commission on Human Rights is committed to completely wiping out discrimination in our land. We know that it is possible, and as people continue to learn through this commission's work that Kentucky does not tolerate discrimination and that equal opportunity and fair treatment are the law, our state will ultimately defeat the tired old foes of intolerance, ignorance and hatred.

We proudly submit to you this report on the work the commission achieved from July 1, 2008 to June 30, 2009, and we look forward to another year of success.

Sincerely,

George W. Stinson

George W. Stinson
Chair



Human Rights commissioners



Chair George W. Stinson, Louisville
4th Supreme Court District

Kentucky's Governor appoints the 11-member Kentucky Commission on Human Rights Board of Commissioners. The members represent the state-wide population

by the seven Supreme Court Districts. The quasi-judicial board hears and rules on all discrimination complaints with the authority of a court of law.



Robert Asseo, Florence
6th Supreme Court District



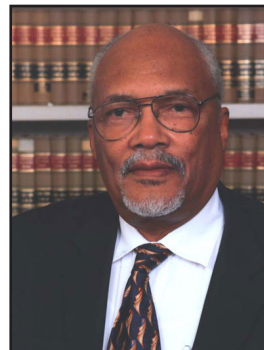
Duane Bonifer, Greensburg
3rd Supreme Court District



Virginia L. Burton, Lexington
State At Large



Samuel R. Coleman Jr., Middlesboro
State At Large



Henry Curtis, Frankfort
5th Supreme Court District



V. Ann Newman, Ashland
7th Supreme Court District



Milly Hudson Diehl
State At Large



Alma Randolph Patton, Owensboro
2nd Supreme Court District



George McDade Staples, Pineville
State At Large



Timothy W. Thomas, Madisonville
1st Supreme Court District

About the commission

Our Job

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.”

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.



Heading toward fifty

The Kentucky Commission on Human Rights is the state government agency created to ensure equality for all. Our primary purpose is to protect you from discrimination by enforcing and promoting the Kentucky Civil Rights Act and federal civil rights laws.

We are proud of our achievements in human rights, which as of next year, will stretch over the last half century. The first state human rights commission south of the Mason-Dixon Line will celebrate its golden anniversary on March 21, 2010.

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.

The Kentucky General Assembly 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, our role expanded with passage of the Kentucky Civil Rights Act (Kentucky Revised Statute Chapter 344). This law made discrimination illegal, and it gave the Kentucky Commission on Human Rights the statutory authority to enforce civil rights laws for the commonwealth.

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

The commission receives, initiates, investigates, conciliates and rules upon complaints alleging violations of the Kentucky Civil Rights Act. The Kentucky Commission on Human Rights also has authority from the US Department of Housing and Urban Development and the US Equal Employment Opportunity Commission to enforce federal civil rights laws.

The commission is mandated to educate the public about the laws against discrimination and the benefits of equality. We conduct a comprehensive program of education, training, research, outreach and partnership to vigorously carry out this task.

Freedom from discrimination

The Kentucky Civil Rights Act makes it illegal to discriminate against any person. The Act 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:

- Age
- Color
- Disability
- Familial Status
- National Origin
- Race
- Religion
- Sex
- Tobacco-Smoking Status

The law grants protection from discrimination based on categorized areas. The following are protected areas under The Kentucky Civil Rights Act:

- Housing
- Employment
- Public Accommodations
- Financial Transactions

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

Protections under the law

Housing

It is against the law to discriminate against any person who seeks to rent or own housing. You have the right to fair housing regardless of your color, disability, familial status (whether you live 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. This is true regardless 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 color, disability, national origin, race, religion 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.



The commission gave away 300 copies of this large poster to promote Fair Housing Month in April 2009. HUD grant education and outreach funding paid for printing.

Enforcement process

Filing a Complaint

A person who believes he or she has been illegally discriminated against may contact our office by phone, mail, e-mail, via our 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, we undertake a thorough and impartial investigation. We conduct interviews and gather facts from the person making the complaint and those who have been charged with discrimination.

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. Staff 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.

Thurmond Coleman Sr. retired from his seat on the Board of Commissioners on Sept. 25, 2008. He served on the commission for 16 years, from 1992 to 2008, most recently as the 4th Supreme Court District representative. He is the longest-serving commissioner in the agency's history. The Kentucky Commission on Human Rights thanks and applauds Commissioner Coleman for his dedication and outstanding work.



Case information

The agency filed 322 discrimination complaints for people in Kentucky this year. We processed 2,372 intakes, communicating with people who were often concerned they may have been victims of illegal discrimination in Kentucky either in the areas of employment, housing, public accommodations, financial transactions, retaliation or private clubs.

Roughly one in seven of the intakes resulted in a new discrimination complaint. The Board of Commissioners met monthly to hear and rule on complaints.

Commission investigators processed 705 cases during the fiscal year of 2009. The average case age remained relatively the same as in 2008 in the areas of employment and public accommodations, about 219 days. In the area of housing, there was an increase in the average case age from 73 days in 2008, to 247 days in 2009 due to a shortage in housing enforcement staff. The agency

closed 406 cases this year.

Enforcement and legal staff negotiated 17 conciliation agreements, which resulted in \$55,620 compensation for complainants. Respondents agreed to comply with the laws against discrimination, undergo compliance training in many cases, and undergo compliance monitoring.

Six of the conciliation agreements totaling \$6,500 were reached after the commission found there was probable cause to believe discrimination had occurred, and the parties decided to conciliate for settlement rather than continue with litigation.

This was the second year for the agency mediation unit. The program resulted in the successful mediation of 27 cases with a total of \$106,746 in settlements.

Mediation is an informal and confidential process through which opposing parties meet face to face to negotiate a voluntary resolution of their

dispute with the help of a commission mediator. Settlement is voluntary and mediation results in closure of the case.

The agency maintains a successful federal government affiliation through partnerships with the U.S. Equal Opportunity Commission and the U.S. Department of Housing and Urban Development.



Paducah Television Channel Six aired this scene in February 2009 of Commission Managing Attorney Morgan Ransdell as he helped Paducah Police Officer Rene Long fill out a discrimination complaint against the police alleging Long was denied promotion to detective because of his race. Paducah television and newspapers drew attention to the complaint in stories that said Long has been an officer for 19 years and ranks third in departmental seniority. The commission conducts impartial and neutral investigations of all complaints.

Case statistics

Cases Filed

Type	Last Year 2008	This Year 2009
Employment	320	228
Housing	47	47
Public Accommodations	54	47
Total	421	322

Protected Class of Cases Filed

Basis	Employment	Housing	Public Accommodations	Financial Transaction	Totals
Race & Color	82	20	23	0	125
Sex	59	6	2	0	67
Age (40+)	34	0	0	0	34
Religion	9	0	0	0	9
Disability	35	18	20	0	73
National Origin	19	2	3	0	24
Retaliation	27	1	0	0	28
Familial Status	0	8	0	0	8
Smoking	1	0	0	0	1
*Totals	266	55	48	0	369

*Some complaints allege more than one basis of discrimination. Therefore, the total number of complaints filed does not equal the total number of bases for complaints filed.

Cases Closed

Type	Last Year 2008	This Year 2009
No Probable Cause	263	292
Conciliation	11	17
Withdrawal w/right to sue	60	38
Withdrawal w/Settlement	22	51
Finding of Discrimination	4	1
Probable Cause Conciliation	16	7
Total	376	406

American Legion case alleged whites-only policy

In September 2008, the Kentucky Commission on Human Rights conciliated a complex case involving American Legion Post 62 in Franklin, Ky. Under the agreement, the post compensated African American complainant Al Shadi with \$6,500.

The complaint by Shadi against the American Legion Post alleged discrimination based on race in the areas of both employment and public accommodations—violations of Title VII of the Civil Rights Act of 1964, The Kentucky Civil Rights Act and the Kentucky Revenue Code (141.010).

Shadi, an employee of Rent-A-Center, alleged he went to the post to service a television but a post representative would not allow him inside. Shadi's coworker said another white man on the premises who overheard the exchange said, "It's their rules."

Along with Shadi's complaint, then Commissioner Priscilla Johnson filed a commissioner-initiated complaint arising from the same incident. The plaintiffs alleged the post's whites-only policy constituted unlawful interference with Shadi's employment with Rent-A-Center. They alleged the American Legion post is a place of public accommodations and therefore prohibited from enforcing a whites-only policy.

The post argued it is a private club and not subject to civil rights laws applicable to public accommodations.

However, a 2005 decision by the Kentucky Supreme Court held the commission could investigate discriminatory practices of private clubs based on the tax code. The decision in the case of the Kentucky Commission on Human Rights v. Pendennis Club Inc. et al said the revenue code provisions are applicable to private clubs and the state can use the code as an enforcement mechanism by denying tax deductions to members regarding their clubs that discriminate because of race, color, religion, national origin or sex.

American Legion Post 62 agreed to have personnel undergo civil rights compliance training as well as monitoring for compliance by the commission for three years. The American Legion denied any violation of the law. The conciliation agreement constitutes the compromise of disputed claims and does not constitute an admission by the post of any violation of the Kentucky Civil Rights Act.

Northern Kentucky city agrees to ADA modifications

The Kentucky Commission on Human Rights June 2009 rulings included a conciliation agreement between Michelle Carroll-Piver and the City of Fort Thomas in Northern Kentucky near Cincinnati, Ohio.

Carroll-Piver of Romeoville, Illinois, claimed the city discriminated against her at its West Southgate Park based on her minor son's disability. She said in her complaint, "Playground equipment is not accessible by wheelchair or walker, which is his means of mobility. I have to carry him to the various pieces of equipment." Carroll-Piver claimed the city was denying her child equal accessibility

to public accommodations, a violation of the Kentucky and U.S. Civil Rights acts.

The Kentucky Americans with Disabilities Act Coordinator Office found the park to be noncompliant with requirements for public accommodations listed in the U.S. Americans With Disabilities Act.

The city denied violating the law, but agreed to modifications to ensure accessibility to people with disabilities at its parks. In addition to compensating the complainant with \$1,000, Fort Thomas will make these changes at West Southgate Park:

- Provide handicap parking at West Southgate Avenue entrance
- Install accessible curb at Rosemont Avenue entrance
- Install new entrance gate or latch system for easier access
- Replace water fountain push button lever system
- Place additional concrete slope in playground
- Provide new picnic table with open ends
- Add new adaptive swing seat and safety belt

Case study

Unlawful discrimination against pregnant employee

The Kentucky Commission on Human Rights Board of Commissioners at a quasi-judicial hearing on July 17, 2008, ordered Arnold and Sandy Baize d/b/a Bluegrass Cafe in Beaver Dam, Ky., to cease and desist from unlawful discrimination and to pay \$5,000 in damages to a former employee for firing her in August 2005 because she was pregnant.

Sunnye Arnold made a complaint against the Baizes, alleging discrimination in violation of the Kentucky Civil Rights Act [KRS 344], which

makes it unlawful for an employer to discharge any individual because of that individual's sex, including an individual's pregnancy or any related medical condition.

Hearing Officer Deborah Kent said in her recommended order to the commission that the complainant proved the respondents discriminated against her based on her sex, causing her humiliation and embarrassment.

Conciliation agreements

Conciliation agreements are reached through commission negotiations between complainants and respondents in consideration for the full and complete resolution of all claims of alleged discrimination. The agreements do not represent an admission by any of the respondents of violations of the law. Furthermore, the respondents denied any violations of the law.

Most of the conciliation agreements below included clauses requiring the respondents to comply with civil rights laws, post notice of civil rights laws to potential clients or employees, undergo civil rights compliance training, and submit to compliance monitoring by the Kentucky Commission on Human Rights for periods of up to three years.

Lexington Fair Housing Council v. Ronnie Taylor in Glasgow: The Lexington Fair Housing Council alleged that Ronnie Taylor placed an advertisement that said, "No Children." The Kentucky Civil Rights Act prohibits real estate advertising that discriminates based on familial status against people who have children under the age of 18 living in the household. The respondent apologized for not knowing the law and agreed to donate \$500 to Kosair Children's Hospital in Louisville.

Ronald Perry v. The Marion County Board of Education in Lebanon: Perry alleged the Marion County High School discriminated against him based on his disability, a violation of the Kentucky Civil Rights Act. He alleged the school provided an inadequate number of handicapped parking spaces and inadequate seating for people

with disabilities in the gymnasium, therefore denying him equal access to school sporting events. During its investigation, the Kentucky Human Rights Commission found probable cause to support the complaint. The parties agreed to conciliate the matter rather than pursue litigation. The Marion County Board of Education denies any violation of the law. The school board agreed to provide the required number of accessible parking spaces and provide adequate seating in the gymnasium at the high school for people with disabilities. The board confirmed that it has already made these modifications. The board agreed to compensate Perry with \$2,000.

Teresa Grubb v. S & R Apartments and Frank and Raina Daoud in London: Grubb alleged sexual harassment in housing, a violation

of the Kentucky Civil Rights Act. She alleged her property owner asked her to perform a sex act in exchange for rent. When she refused, she alleged, he threatened to change her locks and gave her a notice to vacate. The respondent denied all allegations and asserted that he gave notice to Grubb because she did not pay her rent. Before the commission investigation was complete, the parties agreed to conciliate. The respondent agreed to pay the complainant \$1,000.

Angela Brouse v. Jim Mobley in Paducah: Brouse alleged her landlord would not allow her service animal to live in her home, a violation of the Kentucky Civil Rights Act. Mobley denied any violation of the law. The commission found probable cause to believe discrimination occurred and the parties agreed to conciliate

Conciliation agreements

rather than pursue legal action. The respondent agreed to compensate the complainant with \$500.

E. Scott Stovall v. C. J. Kassinger Properties in Owensboro: Stovall alleged the company discriminated against him based on disability in housing, a violation of the Kentucky Civil Rights Act. He alleged the rental company denied him a reasonable accommodation for his disability by not providing an accessible parking space. The respondent denied any violation of the law. The parties agreed to conciliate rather than continue the investigation. The respondent agreed to provide an accessible parking space.

Gracie Drake v. Edgewater Partners LLC in Morganfield: Drake alleged discrimination based on sex in housing, a violation of the Kentucky Civil Rights Act. She said employees of the property owner subjected her to unwanted sexual comments and that she vacated the premises because the behavior continued after she told them it was unwanted. The respondent denied any violation of the law and the parties agreed to conciliate rather than continue with investigation. The respondent agreed to compensate the complainant with \$750.

Cynthia and Raffael Hunter v. C. T. and Irene Nuckols in Bowling Green: The Hunters alleged the Nuckols discriminated against them based on race (interracial couple) and familial status (they have children under 18) in housing, a violation of the Kentucky Civil Rights Act. They said the respondents denied them the opportunity to rent property. The respondents denied any violation of the law and the parties agreed to conciliate rather than pursue the investigation. The respondent agreed to compensate the complainants with \$5,000 and undergo civil rights

compliance training and commission monitoring for one year.

Rhodesia Teasley v. Eagle Ridge Apartments in Erlanger: Teasley alleged discrimination based on race (African American) in housing, a violation of the Kentucky Civil Rights Act. She said she was treated differently than a white resident when she was asked to vacate her home for participating in an altercation on the apartment grounds while a white person in a similar situation was not asked to vacate. The respondent denied any violation of the law and the parties agreed to conciliate rather than pursue the investigation. The respondent agreed to allow the complainant to live on the property for an agreed amount of time.

Misty McKenzie and Carl Rodgers v. ML Properties d/b/a Ashgrove Apartments et. al, in Florence: McKenzie and Rodgers alleged discrimination based on disability in housing, a violation of the Kentucky Civil Rights Act. McKenzie, who is blind and uses a service dog, said that Ashgrove Apartments would not rent an apartment to her and her roommate Carl Rodgers because they prohibited all animals, including service animals. The law requires owners to make reasonable accommodations to afford disabled persons equal opportunity to use and enjoy housing accommodations. During case investigation, the commission found probable cause to believe discrimination occurred. The parties agreed to conciliate. The respondent agreed to change its policy to allow service animals.

Lynn Matthews v. Walnut Valley Apartments in Bowling Green: Matthews alleged that representatives of the apartment complex where she lives discriminated against her and her minor children because her family is African American.

These allegations, if proved, would constitute a violation of the Kentucky Civil Rights Act. Matthews claimed the maintenance man at Walnut Valley Apartments regularly yelled at and criticized her children, disallowing them from playing outside on the property and treating them differently than white children who exhibited similar behavior and who played on the property without comment. The apartment owner asserted this was not the case. Prior to a determination in the matter, the parties agreed to conciliate. Walnut Valley agreed to compensate Matthews with \$1,250.

Monica McClaine v. Kroger Limited Partnership I in Louisville: McClaine alleged that Kroger #327 at 2710 W Broadway discriminated against her based on disability in a public accommodations, a violation of the Kentucky Civil Rights Act. She alleged a manager ordered her off the premises because she had a service animal. The respondent denied discrimination and asserted the manager asked her to leave so that he could privately ask her if the dog was a service animal. Before the commission completed the investigation, the parties agreed to resolve the dispute. Kroger agreed that when it is necessary to make a limited inquiry to determine whether an animal is a bona fide ADA service animal, the manager will not ask the customer to first leave the store before making such an inquiry. Kroger agreed to compensate McClaine with \$1,000.

Richard Sanders and Deborah Lackey v. Robert Cheeseman and Ruby Ducker-Cheeseman in Florence: Sanders and Lackey alleged the respondents discriminated against them based on their race in the area of housing, a violation of the Kentucky Civil Rights Act. The interracial couple alleged that Sanders, who is white, signed a lease to rent a home from

Conciliation agreements

the respondents, but afterward, when he appeared with his African American fiancée, the respondents rescinded the lease and ordered them to vacate the rental house. The respondents denied any discrimination and asserted Sanders lied to them when he applied for the lease, stating on his application that one adult, not two, and two children would be living in the house. While the case was still under investigation, the parties agreed to resolve the dispute. The respondents agreed to compensate Sanders and Lackey with \$1,000.

John Ashbrook v. Western Pulaski Water District in Somerset: Ashbrook alleged the water district discriminated against him based on his age, which is over 40 years old, in the area of employment, a violation of the Kentucky Civil Rights Act. He alleged that in December 2007, his employer said in a meeting that Ashbrook did not need a raise because he was old enough to draw social security. In January, the same person said in a meeting that Sanders might be too old to handle the pressure of his position and that he should retire. In May 2008, Sanders says the respondent terminated his job when Sanders had a satisfactory performance record to his knowledge. Western Pulaski Water District denied any discrimination and asserted the company terminated Sanders because of unsatisfactory performance. Before the commission made a determination, the parties agreed to resolve the dispute. The water district agreed to compensate Sanders with \$20,000.

Bobby Brown v. Jewish Hospital and St. Mary's Healthcare in Louisville: Brown alleged the hospitals discriminated against him based on disability in a public accommodation, a violation of the Kentucky Civil Rights Act. He alleged the facilities' denied him an interpreter. The respondents denied any violations of the law, and the parties agreed to conciliate. The respondents agreed to compensate Brown with \$2,500.

Tamir Blay v. Securitas Security Services USA, provider of Town Square Mall Security in Owensboro: Blay alleged the company discriminated against him based on his race, African American, in a public accommodation, a violation of the Kentucky Civil Rights Act. He claimed a mall security guard asked him for identification but did not ask Blay's white friend who was shopping at the mall with him. He said a group of security guards escorted him off the mall premises and told him not to return. He claimed he was harassed and forced to leave because he is black. The company denied any violations of the law, and the parties agreed to conciliate. The respondent agreed to compensate Brown with \$3,000.

Sang Huynh v. Family Dollar Store at 5320 S. Third Street in Louisville: Huynh alleged the store discriminated him based on his national origin, Vietnamese, in a public accommodation, a violation of the Kentucky Civil Rights Act. He claimed he attempted to pay the cashier for his purchase but the person refused to accept payment

saying she would not take change. However, the cashier just afterward accepted change from Huynh's friend, a white American, Huynh and his friend alleged. The Family Dollar Store denied any violations of the law, and the parties agreed to conciliate the matter. The respondent agreed to compensate Huynh with \$100.

Education and outreach showcase

The Kentucky Commission on Human Rights offers a variety of educational programs to raise public awareness about civil rights and the obligation to comply with civil rights laws. From July 1, 2008, to June 30, 2009, we produced:

- 35 civil rights workshops and trainings
- 74 Fair Housing workshops
- 19 local human rights commission trainings
- 2 police community relations forums
- 9 Citizens Advocacy Hearing discussion panels
- 1 Immigrant Outreach Summit
- 1 Latino and African American Relations Summit
- 2 research reports
- 4 brochures in a new literature line, two in seven languages
- 3 Human Rights Report newsletters
- 1 Know Your Fair Housing Rights CD in Spanish
- 66 press releases, editorials and letters to the editor
- 3 panel discussions on NPR Radio reaching 69,600 listeners
- 394 Fair Housing radio commercials reaching over 80,000 immigrants and refugees
- 43 Fair Housing print ads reaching over 100,000 readers
- 162,769 visits to the www.kchr.ky.gov website
- 85 news stories — print, broadcast and radio — raising awareness of the Kentucky Commission on Human Rights

Fair Housing

The commission completed its education and outreach efforts under the U.S. HUD Fair Housing Initiative Program. The \$100,000, one-year grant allowed us to intensify our ongoing efforts to raise awareness of Fair Housing rights. HUD asked us to focus our efforts on people with disabilities, housing providers, and foreign-born populations in the regions of northern, south central and eastern Kentucky, protected classes and regions where a need was identified. We gave workshops in English and Spanish and produced brochures in English plus six languages that local translation experts recommended as having significant populations in the state: Bosnian, Karen, Russian, Somali, Spanish, and Vietnamese. We aired radio commercials through Clear Channel Network and individual stations and published Fair Housing ads in several newspapers. (See more details in above highlights.)



The commission on August 12, 2008, hosted a memorial service in the state capitol (Frankfort, Ky.) in memory of the late Rev. Louis Coleman, where Gov. Steven Beshear spoke to more than 100 attendees. The social justice advocate from Louisville, Ky., died on July 5, 2008, at the age of 64.

At right, Exec. Dir. John Johnson received the 2009 Charles Anderson Laureate Award, the Personnel Cabinet's recognition for outstanding achievement in justice and equality. In this photo, he is seen speaking at Campbellsville (Kentucky) University in February 2009.



Education and outreach showcase

Research

Status of African Americans in Kentucky

The Kentucky Commission on Human Rights released this report at the February 2009 Black History Month event in the Capitol Rotunda in Frankfort, Ky. The paper encapsulates statistics from various sources. 15% of white Kentuckians live in poverty compared to 30% of black Kentuckians; 67% of white Kentucky families own homes compared to 43.16% who are black Kentucky homeowners; While African Americans make up approximately 7.5% of the state population, African American children account for 43% of children on public assistance; In the Louisville area, alone, African Americans die from stroke 66% more often than do whites, 29% more often from heart disease, and 25% more often from cancer.

Overview of Women in Kentucky

In recognition of Women's History Month in March 2009, the commission released this report compiled from a number of studies and census statistics. Women in the US make 77 cents for every dollar that men make, but in Kentucky, the average is 4 cents less with women making 74 cents to the male dollar. In Kentucky, men with bachelor's degrees make 51 percent more than women with the same degree. Women account for 60 percent of Kentuckians, aged 25 and up, who live in poverty. Kentucky is ranked 47th in the nation regarding women's economic progress. See both reports on our website at www.kchr.ky.gov.

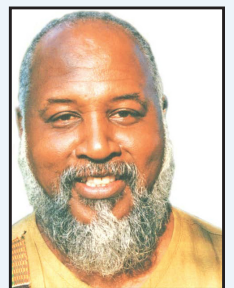
Gallery of Great Black Kentuckians

The commission unveiled three posters in its Gallery of Great Black Kentuckians series. Schools and libraries use the colorful, biographical pieces as teaching tools. The series recognizes the achievements of Kentucky African Americans.

The 44th gallery member, Curlee Brown Sr., won a lawsuit to integrate Paducah Junior College where his son later became the first black graduate. Governor Beshear unveiled the late member's poster in the capitol on Feb. 18, 2009. Over 100 people attended. Brown photo, top right.

On April 24, 2009, the late Elder Diggs became the 45th member. His poster was unveiled in Louisville at a meeting of the historic African American fraternity he helped found in 1911, Kappa Alpha Psi. Over 100 people attended. Diggs photo at right, second from top.

The late Morris Jeff Jr.'s poster was unveiled on April 10, 2009, during the annual conference of the National Association of Black Social Workers, in Louisville. Over 200 people attended. The 46th gallery member was a social worker who used an African philosophical approach. Jeff photo at right, third from top.



Left: Iran delegation visits commission on May 27, 2009, to learn about civil rights in Kentucky. We have hosted delegations from 12 countries through the World Affairs Council of Kentucky & Southern Indiana: Azerbaijan, Bangladesh, Hong Kong, Iran, Malaysia, Philippines, Russia, Tajikistan, Thailand, Uzbekistan, and Venezuela.

Right: Curlee Brown family members, Chair George Stinson, and Gov. Steven Beshear in the state capitol for Brown's Great Black Kentuckian poster unveiling.



Education and outreach showcase

Advocacy Hearings



Photos starting from top: 1. Panel on human trafficking broadcasting on NPR State of Affairs. 2. Panel on Aging Kentuckians underway in Paducah, Ky. 3. Commission Chair George Stinson speaking in state capitol about fairness and adoption. Below, left to right: 1. NPR live studio radio audience. 2. Audience for disability panel. 3. Panel on disability rights.

The commission held nine Citizen Advocacy Hearings. These are discussion panels designed to assist people who are members of protected classes or who are interested in becoming protected classes of the U.S. and Kentucky Civil Rights acts.

In recognition of the 18th anniversary of the Americans with Disabilities Act, the July 17, 2008 topic was disability rights. Panelists were Sharon Fields, Kentucky Disabilities Coalition executive director, Cass Irvin, disability rights activist, Marcellus Mayes, Metro Disability Coalition (Louisville) president, David Holton, 30th District Court judge and Kentucky's first blind judge, and Timothy Owens, American Sign Language educator.

On August 8, 2008, the commission was in Paducah, Ky., for a panel to assess equal opportunity for aging Kentuckians. Panelists were Leslie Peters, elder law and probate attorney, Jim Kimbrough, AARP long-term care specialist, Len Ogden Jr., attorney, and Randa Ramsey, social worker. Afterward, the commission participated in the city's Emancipation Celebration activities, including a parade on Aug. 9. The event celebrated the freeing of African Americans after 246 years of slavery.

On Sept. 18, 2008, a panel discussed human trafficking in Kentucky on the State of Affairs listener call in radio show on WFPL. Speakers were Julie Arostegui, human rights and anti-slavery advocate, Marissa Castellanos, Kentucky Rescue and Restore Victims of Human Trafficking manager, Catholic Charities of Louisville, Dr. TK Logan, Behavioral Science professor, University of Kentucky, and author of "Human Trafficking in Kentucky."

On Oct. 16, 2008, at the Americana Community Center in Louisville, the topic was "I, too, sing Kentucky, Kentucky's Foreign Born People." Panelists were Carolyn

Miller-Cooper, Louisville Human Relations Commission executive director, Cori Hash, immigration attorney, Robert McBride, assistant US attorney in Eastern Kentucky, Marco Antonio Velasquez Navarrete, Mexican Action Network on Free Trade, and Edgardo Mansilla, Americana Community Center executive director.

A panel discussed religious discrimination on the State of Affairs radio show on Nov. 20, 2008. Speakers were Nancy Harris, Baha'i community, Rabbi Stanley Miles, Louisville Hebrew School, Dr. Ghouse Shareef, Center for Interfaith Relations, and Dr. Paul Simmons, Baptist minister and University of Louisville School of Medicine ethics professor.

On March 18, 2009, a panel discussed the needs of Kentucky women. Held at United Way in Louisville, panelists were Eleanor Jordon, Kentucky Commission on Women, Joy Hoskins, Kentucky Department for Public Health, and Carol Young, Kentucky Refugee Ministries.

Fair Housing was the topic on April 15, 2009, at the Green River Area Development District Office in Owensboro, Ky. Panelists were Cheryl Cureton, Kentucky Legal Aid managing attorney in Owensboro, and Keith Free, Owensboro Community Development Department director.

Historic Camp Nelson in Nicholasville, Ky., was the topic on May 20, 2009 held at the park. Advocates sought support for funding to help the Civil War training ground emphasize its significant role in Kentucky African American history.

In Richmond, Ky., on June 17, 2009, the topic was Fairness. Panelists were Teresa Isaac, former Lexington mayor, and Kentucky Fairness advocates Jody Cofer of Murray, Jennifer Crossen of Lexington, Rev. Don Smith of Covington, and Carla Wallace of Louisville.



Local Human Rights Commissions

- Ashland Human Rights Commission
- Bardstown - Nelson County Human Rights Commission
- Bowling Green Human Rights Commission
- Covington Human Rights Commission
- Danville-Boyle County 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
- 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

Shelby County establishes a local commission

The 22 local human rights commissions in Kentucky are essential partners of the state commission. Without their efforts, we would have a daunting challenge in trying to reach the 120 counties to promote and enforce civil rights. The state commission assisted the local commissions throughout the year, providing technical support and training, and working with them to produce civil rights workshops and events for the public in their regions.

We are proud to welcome a new Kentucky local commission, The Shelby County Human Rights Commission serving Shelbyville, Simpsonville and Shelby

County. Our commission helped establish the Shelby commission during the spring of 2009. The Shelby County ordinance that established the commission states that the body's objective is to inform, educate and offer assistance in resolving inquiries of discrimination in employment, housing and public accommodations, as they relate to the protected classes of race, color, religion, national origin, sex, age and familial status. This local commission may receive inquiries and conduct studies to help carry out its mission. It will pass inquiries to the Kentucky Commission on Human Rights for formal investigation and legal procedures.

State and local commissions meet at roundtable

The Kentucky Commission on Human Rights on July 29, 2008, organized a local commission roundtable at the Lincoln Trail Area Development District in Elizabethtown. A variety of issues were discussed, including access for people with disabilities to public and private buildings, human trafficking and modern-day slavery, gender equality and closing the education gap for minorities.

Leaders from more than a half-dozen local human rights commissions attended the session. Local commission leaders like Linda McCray, executive director of the Bowling Green Human Rights Commission, said they

were concerned about the lack of minority teachers and administrators in their local school districts. McCray said her agency is working with the Bowling Green Housing Authority on a program to encourage students to achieve and graduate.

One local leader said minorities should become members of their local site-based decision making councils, which make recommendations on hiring and education in schools.

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

heat and toilets.

Henry Blythe, a leader of the Mayfield Human Rights Commission and former state commissioner, said local commissions should call the agencies on behalf of the residents. William Wharton, executive director of the Lexington-Fayette Urban County Human Rights Commission, said local commissioners may have to check housing, themselves, and call housing authorities for help.

Training

The commission conducted 128 training sessions for groups, businesses, organizations and the general public throughout the year.

Fair Housing

Sessions designed for housing providers, realtors, financial lenders, advertisers, media, community groups and the public to outline Fair Housing rights and how to comply with the law.

Cultural diversity

This training is designed to share information with employers and employees or community groups about the benefits and challenges of cultural diversity. Topics discussed include “Why diversity is important,” “How our views are formed” and “Fostering open communication.” Participants are encouraged to participate in open discussion. The course is aimed at increasing work productivity and a positive work environment or enhancing and improving community relations.

Building Culturally Sensitive Teams

This workshop uses the principles of the Cultural Diversity training to encourage building work teams that are positive and productive. It provides skills to help members fully utilize one another’s abilities and talents for group success.

Sexual Harassment

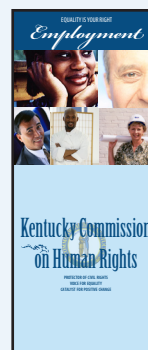
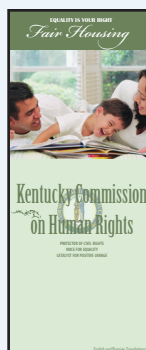
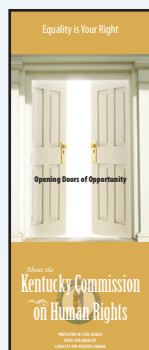
This workshop teaches participants how to comply with sexual harassment law and demonstrates how they are protected by the law. It is designed to protect employers and employees. It provides tips on how to foster and ensure sexual harassment-free environments in the workplace.

The Kentucky Civil Rights Act (KRS 344)

This workshop teaches participants how to comply with and how they are protected by Kentucky’s law against discrimination. It tackles general topics about the commission, how we enforce the law, how to file a complaint, what to do if you are served with a complaint, and other information found in our state statute, KRS 344, also known as the Kentucky Civil Rights Act.

Custom Training

Education sessions or workshops can be created to fit the needs of any community, business or group. They can include any of the above topics, as well as other civil rights issues, such as how to start a local commission in a city, county or region. Those requesting training may call our agency with a “wish list,” and we will work with them to create the perfect workshop for their needs.



Brochures in the new commission literature series.

Human rights organization partners

AARP Kentucky Chapter	Jefferson County Community Action Committee	Louisville Urban League
ACLU of Kentucky	Jefferson County Police Department	Mantle Rock Center
African American Catholic Ministries	Jefferson County Public Schools/Everyone Reads	Martin Luther King Jr. State Commission
Al Dia en America	Jefferson County Public Schools/Making the Connection	Maxwell Street Legal Clinic
American Baptist Newspaper of KY	Jewish Community Federation of Louisville	Metro Disability Coalition
American Cancer Society	Jewish Family and Vocational Services	Metropolitan Housing Coalition Predatory Lending Panel
Anne Braden Institute for Social Justice Research	Jobs with Justice Kentucky	Mexican Consulate in Indianapolis, Indiana
Appalachian Research and Defense Fund	Just Fund Kentucky	Migrant Network Coalition
Arabic American Anti-Discrimination Committee	Justice Resource Center of Louisville	Mujeres Unidas in Richmond
Arch Diocese of Louisville	Justice Resource Center of Mayfield	NAACP Danville
Archives and Records Management Advisory Committee,	Kentuckiana Interfaith Community	NAACP Erlanger
Kentucky Department of Libraries and Archives	Kentuckiana Metroversity	NAACP Frankfort
Ashland NAACP	Kentucky Abraham Lincoln Bicentennial Commission	NAACP Georgetown
Bardstown NAACP	Kentucky Alliance against Racism and Political Repression	NAACP Henderson
Bluegrass Community & Technical College	Kentucky Black Caucus of Local Elected Officials	NAACP Hopkinsville
Bluegrass Farm Chaplaincy Inc.	Kentucky Coalition for Immigrant & Refugee Rights	NAACP Irvington
Bluegrass Farm Workers Health Center	Kentucky Commission on Human Rights Education Foundation	NAACP Kentucky
Boat People S.O.S.	Kentucky Commission on Women	NAACP Kentucky Conference
Bowling Green NAACP	KY Council on Post-Secondary Education Committee on Equal	NAACP LaGrange
Business and Professional Women River City	Opportunity	NAACP Louisville
Cabinet for Health and Family Services	Kentucky Department of Education	NAACP Madisonville
Campbellsville University	Kentucky Disabilities Coalition	NAACP Maysville/Mason County
Cathedral Heritage Foundation	Kentucky Equality Federation	NAACP Northern Kentucky
Catholic Charities of Louisville	Kentucky Fairness Alliance	NAACP Owensboro
Catholic Diocese of Kentucky	Kentucky Hate Crimes Task Force	NAACP Paris
Catholic Diocese of Lexington	Kentucky Historical Society	NAACP Providence
Center for Accessible Living	Kentucky Housing Corporation	NAACP Russellville
Center for Women and Families	Kentucky Labor Cabinet	National Association of Human Rights Workers
Centro del Immigrante in Paducah	Kentucky Legal Aid	National Coalition Building Institute Louisville
Centro Latino in Danville	Kentucky Mexican American Relations	National Conference for Community and Justice
Centro Latino Owensboro	Kentucky Migrant Legal Services	National Council of Jewish Women Louisville
Centro Latino Shelbyville	Kentucky Migrant Network Coalition	National Council of Negro Women Lexington
Children's Law Center	Kentucky Rainbow Coalition	National Council of Negro Women Louisville
Church Women United of the Louisville Area	Kentucky Real Estate Commission	National Fair Housing Alliance
Clear Channel	Kentucky Refugee Ministries	Northern Kentucky African American Heritage Task Force
Coalition for the Homeless	Kentucky River Foothills	Northern Kentucky University Office of Latino Student Affairs
Community Action Agency	Kentucky Youth Advocates	One Louisville
Covington Hispanic Resource Center	Kettering Foundation	P.R.I.D.E. (George Burney)
Covington Police Department	La Americana Community Center	Peace Education Program
Department of Juvenile Justice C.A.S.A.	La Amistad in Covington	Peace Presbyterian Men of Peace Project
Department of Local Government	La Caliente Radio	Planned Parenthood of Kentucky, Inc
Department of Protection and Advocacy	La Voz de Kentucky	Racial Fairness Committee Jefferson County AOC
Eastern Community Ministries in Louisville	Labor Union UFCW 227	Radio Vida
Education Equity Task Force	Latino Club of Louisville	Saint Susana Catholic Church in Elkton
Equal Employment Opportunity Commission	Latinos Magazine	Sieto Dias Radio
Fair Housing Coalition, Jefferson County	Legal Aid of the Bluegrass	Southern Transportation Civil Rights Conference
Fairness Campaign of Louisville	Legal Aid Society of Louisville	St. Rita/Hispanic Center in Louisville
Federal Bureau of Investigation	Lexington Cardinal Valley Center	Subcommittee for Equity and Justice for All Youth
Fellowship of Reconciliation	Lexington Fair Housing Council	U.S. Commission on Civil Rights/Kentucky Advisory Committee
Fifth Third Bank in Lexington	Lexington Fairness	University of Kentucky Cooperative Extension Office in Shelbyville
Franklin County Latino Coalition	Lexington Hispanic Association	University of Louisville Carter G. Woodson Kentucky Remembers! Project
Fund for Women	Lexington Urban League	University of Louisville Office for LGBT Services
Girl Scouts of America	Lincoln Foundation	WFPL National Public Radio Louisville
Governor's Child Labor Committee	Louisville Defender Newspaper	World Affairs Council of Kentucky & Southern Indiana
Governor's Office of Minority Empowerment	Louisville Hispanic Latino Business Council	
Greater Campbellsville United	Louisville Hispanic/Latino Coalition	
Hispanic Ministry of Lexington Catholic Diocese Institute	Louisville Office for International Affairs	
Housing Partnership Incorporated	Louisville Tenants Association	
Intergovernmental Black History Committee		

The commission team

Administration

John J. Johnson, Executive Director
Karen Crooks-Davis, Executive Secretary
Cynthia Fox, Deputy Executive Director
Art Kaufman, Fiscal Manager
Vickie Rodgers, Finance Specialist
Sandra Coffey, Finance and Personnel Specialist
Gary Wathen, IT Network Manager

Communications

Victoria Dempsey, Communications Director and Legislative Liaison
Talal Abugabal, Research Specialist

Enforcement Branch

Sherita Davis, Enforcement Manager
LiAndrea Goatley, Housing Enforcement Investigator
Patricia Nipper, Intake Officer
Kim Wiley, Intake Officer
Aneeka Ferrell, Employment and Public Accommodations 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
Chad Stratton, Employment and Public Accommodations Enforcement Investigator
Addie Williams, Employment and Public Accommodations Enforcement Investigator

Education and Outreach

Mary Ann Taylor, Education and Outreach Supervisor
Juan Peña, Immigrant Outreach Supervisor
John C. K. Fisher, Northern Kentucky Field Office Supervisor
Glenda Green, Program Coordinator

Legal

Morgan Ransdell, General Counsel
Erin Spalding, Paralegal
Mark Cambron, Attorney

Mediation

Alteata McWilliams, Mediation Attorney



Kentucky Commission on Human Rights
332 W Broadway, Suite 700, Louisville, Kentucky 40202
Phone: 502.595.4024 . Toll-free: 800.292.5566 . TDD: 502.595.4084 . Fax: 502.595.4801
E-mail: kchr.mail@ky.gov . Website: <http://kchr.ky.gov>