



# Freedom Includes Equality

# Let Freedom Ring



Kentucky Commission on Human Rights

2016 ANNUAL REPORT

# Kentucky Commission on Human Rights

2016 Annual Report

## Contents

2016 Annual Report

July 1, 2015, to June 30, 2016

Greetings from the Executive Director and Chair . . . . . 3

The Commissioners . . . . . 4

About the Kentucky Commission on Human Rights . . . . . 5

The Kentucky Civil Rights Act . . . . . 6-7

Enforcement of Civil Rights Law--How It Works. . . . . 8

2016 Case Information . . . . . 9-17

Public Awareness Initiatives . . . . . 18-26

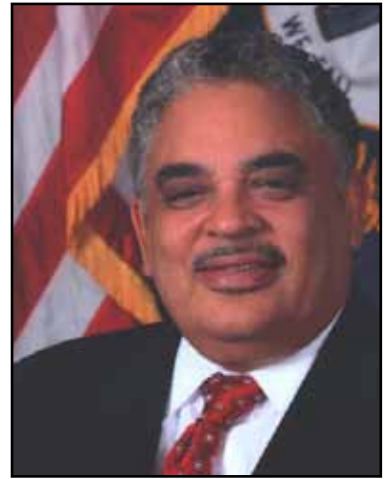
Commission Staff . . . . . 27

Freedom Includes Equality  
Let Freedom Ring

Kentucky Commission on Human Rights  
332 W Broadway, Suite 1400, Louisville, Kentucky 40202  
Phone: 502.595.4024 . Toll-free: 800.292.5566 . Fax: 502.595.4801  
Email: [kchr.mail@ky.gov](mailto:kchr.mail@ky.gov), Website: [kchr.ky.gov](http://kchr.ky.gov)



# Greetings



Dear Governor Matthew Bevin, Kentucky Legislators, and fellow Kentuckians:

The Kentucky Commission on Human Rights is pleased to commend to you its 2016 annual report. The enclosed information highlights activities during the state reporting period of July 1, 2015, to June 30, 2016. 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.

The commission this year reached people across Kentucky through enforcement, education, outreach, communications, leadership, and collaboration. The commission filed 264 discrimination complaints and closed 298 complaints. Allegations of discrimination claimed disability more often than any other basis; the basis of race was second and gender or sex was third. This is the first year in commission history that disability has accounted for the largest volume of complaints and the first time in 50 years that the basis of race was not the number one reason for complaints being made. The most complaints this year were in the area of employment, which has been the case each year since 1966; housing complaints were second and public accommodations complaints were third.

The commission produced public awareness initiatives to inform Kentuckians about everyone's rights to equality and about the obligation to comply with anti-discrimination laws. The commission proudly celebrated the 50<sup>th</sup> anniversary of The Kentucky Civil Rights Act with a large public awareness and educational event held at the University of Kentucky in January.

With a staff that has gone from 30 in 2007 to 19 in this reporting period due to state budget restrictions, we continue to work diligently and with the highest commitment to meet the mandates of the Kentucky Civil Rights Act and to serve the people of the great Commonwealth of Kentucky. We are very proud of our staff and their determination to carry out our critical duties during a challenging time. It is also a challenging time in the life of our nation with regard to upholding civil rights, and we remain vigilant.

The Kentucky Commission on Human Rights is essential to the state's commitment to eradicate discrimination through enforcement and increase knowledge of the importance of equal opportunity and treatment. Discrimination against others who are different from our individual selves in color, race, ethnicity, national origin, religion, gender, age, or disability, has no place nor any benefit to society. The commission is dedicated to the state's principles of equality, freedom, and good will.

The Kentucky Civil Rights Act states that the commission is to "secure the state against domestic strife and unrest which would menace its democratic institutions." We continue to work hard to carry out this function as well as our duty to "preserve the public safety, health, and general welfare, and to further the interest, rights, and privileges of individuals within the state (Kentucky Civil Rights Act)."

Sincerely,

*George W. Stinson*  
Chair

*John J. Johnson*  
Executive Director



# Kentucky Human Rights Board of Commissioners

---



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



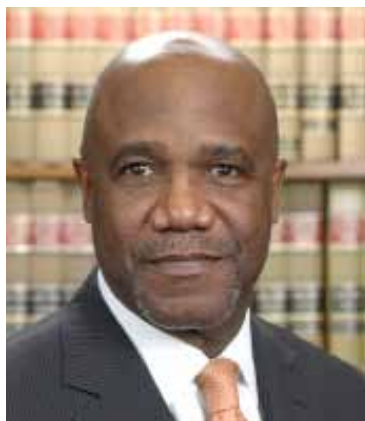
Richard E. Brown  
Owensboro  
2<sup>nd</sup> Supreme Court District



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, Ph.D.  
Richmond  
State At Large



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



Doris Clark Sarr, Ph.D.  
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

# About the Kentucky Commission on Human Rights

---

**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 56 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."

# The Kentucky 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.

# You have the right to freedom from discrimination in Kentucky

---

## 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.

**We protect people's  
civil rights for the  
Commonwealth of  
Kentucky**



# Enforcement of Civil Rights Law

## How it works

### 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 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. 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.



At left, Kentucky Commission on Human Rights Attorney Alteata McWilliams heads mediations for the commission. Here, Executive Director John J. Johnson presents her with a 20-year employee service award.



# Case Information

---



Kentucky Commission on Human Rights enforcement officers investigate discrimination complaints that come to the agency from anyone who believes he or she may have been a victim of unlawful discrimination in the state. At top, left, is Enforcement Officer Wanda Melvin. She has served the commission for 16 years.



Below is commission Chair George W. Stinson presenting Enforcement Officer Erin Spalding with a 10-year employee service award.

The Kentucky Commission on Human Rights conducted 335 intakes between July 1, 2015, and June 30, 2016. Each of these individuals contacted the commission because they believed they may have been victims of unlawful discrimination. In addition, the commission receives an average of approximately 2,000 calls each year from people seeking information about their civil rights and from groups asking for civil rights training. Intakes that met all of the jurisdictional requirements of the Kentucky and U.S. Civil Rights acts resulted in the commission filing 264 official discrimination complaints.

## 10-YEAR COMPARISON

## No. of Discrimination Complaints Filed

AREA	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Employment	297	343	320	228	262	229	212	260	213	147	144
Housing	30	37	47	47	25	53	41	45	55	47	87
Public Accommodations	56	43	54	47	42	51	33	56	47	41	33
Financial Transactions	0	0	0	0	0	0	0	0	0	0	0
Total	383	423	421	322	329	333	286	361	315	235	264

**264 complaints filed in 2016**

## 10-YEAR TOTAL

## No. of Discrimination Complaints Filed

**EMPLOYMENT = 2,655**

**HOUSING = 427**

**PUBLIC ACCOMMODATIONS = 503**

**FINANCIAL TRANSACTIONS = 0**

**TOTAL = 3,585**

## Complaints Filed by Basis 2006 to 2016

Basis	2006	2007	2008	2009	2010	2011
Race or Color	164	193	158	125	128	143
Sex	90	91	93	67	63	38
Age (40+)	56	47	38	34	38	35
Religion	7	4	9	9	9	9
Disability	85	86	99	73	68	94
National Origin	30	30	13	24	24	23
Retaliation	27	39	39	28	40	27
Familial Status	5	6	9	8	2	6
Smoking	0	0	9	1	1	0
Totals	464	496	467	369	373	375

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

Basis	2012	2013	2014	2015	2016	Totals
Race or Color	97	123	93	103	89	1416
Sex	119	65	53	57	61	797
Age (40+)	26	37	30	40	21	402
Religion	4	6	13	11	11	92
Disability	76	84	35	80	99	879
National Origin	17	17	16	33	38	265
Retaliation	29	42	35	58	24	388
Familial Status	11	5	0	3	4	59
Smoking	1	1	3	3		19
Totals	380	380	278	388	347	4317

# Cases Closed

---

## Mediation Settlements

The agency successfully closed 18 complaint cases through mediation. The process of mediation can help case parties to resolve complaints quickly and avoid investigation. The mediation monetary settlement amounts totaled \$40,250. There were other settlement terms, among which were transfer to new school with bus transportation and sensitivity training for bus drivers, teachers and administrators; a letter of apology; neutral references; no objection to unemployment; and the eligibility for rehire.

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 attorney. Settlement is voluntary in mediations, and mediation results, which are protected by privacy clauses, result in closure of a case.

## Private Settlements

Twenty-eight 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 28 settlements.

## Conciliation Agreements

The commission negotiated a total of 20 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.

Kentucky Commission on Human Rights commissioners may undergo legal training and certification according to law to act as hearing officers. A hearing officer is an official appointed by a government agency to conduct an investigation or administrative hearing so that the agency can exercise its statutory powers. Commissioners Duane Bonifer and Henry Curtis served in this capacity during the year.

## Probable Cause Conciliations

The agency negotiated conciliation agreements in 13 cases where it was determined that probable cause existed to believe discrimination may have occurred. The total compensation through these probable cause conciliations was \$72,238.

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 7 conciliation agreements while the complaints were still in the investigative phase, resulting in a total of \$11,300 for complainants.

## Final Orders

The commission ruled on three cases finding that unlawful discrimination had occurred. Monetary damages totaled \$53,825 for complainants.

The commission helped complainants receive approximately \$177,600 through conciliation agreements and mediation settlements. This does not include dollars complainants received in 28 private settlements.



# 10-YEAR COMPARISON

## Discrimination Complaint Closures

### 2006 to 2016

Rulings by Commission	2006	2007	2008	2009	2010
No Probable Cause	209	300	263	244	252
Conciliation during Investigation	45	6	11	19	10
Withdrawal w/Right to sue	38	65	60	26	39
Withdrawal w/Settlement	25	26	22	52	42
Final Ruling Judgement	2	1	4	0	2
Probable Cause & Pre-PC Conciliation	10	25	16	7	4
Successful Mediation	N/A	N/A	19	27	34
<b>Total</b>	<b>329</b>	<b>423</b>	<b>395</b>	<b>375</b>	<b>383</b>

### \*3,977 complaints closed 2006 to 2016

*\*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.*

### 298 complaints closed 2016

Rulings by Commission	2011	2012	2013	2014	2015	2016
No Probable Cause	337	186	209	203	187	176
Conciliation during Investigation	15	12	12	6	18	7
Withdrawal w/Right to sue	23	34	40	76	49	53
Withdrawal w/Settlement	37	32	44	43	42	28
Final Ruling Judgement	0	0	1	0	0	3
Probable Cause & Pre-PC Conciliation	10	14	16	9	10	13
Successful Mediation	17	28	23	25	16	18
<b>Total</b>	<b>439</b>	<b>306</b>	<b>345</b>	<b>362</b>	<b>322</b>	<b>298</b>

# Case Highlights

---



At left are Enforcement Officer Chad Stratton and Acting Enforcement Supervisor LiAndrea Goatley. The enforcement and legal units review discrimination complaint cases to determine if there is probable cause to believe unlawful discrimination may have occurred. If there is a probable cause determination, the parties may either reach a conciliation agreement or withdraw to negotiate a private settlement. If no agreement is reached, a hearing is held, and the board of commissioners issues a final order.

---

## Woman alleged employer refused to hire her because of age

Jackie Sanders complained to the commission in August 2015 that Lake Barkley Marina and AMB Govt. Services LLC in Cadiz, Ky., discriminated against her based on age, over 40 years-old, in the area of employment. This would be a violation of the Kentucky Civil Rights Act (KRS Chapter 344) and the U.S. Age Discrimination in Employment Act.

Sanders claimed she had worked as a seasonal employee at Lake Barkley during previous years, that when she reapplied for a seasonal position she was not rehired, and that the other people who were hired were under the age of 40. The respondents denied any violation of the law.

A commission investigation resulted in finding probable cause to believe discrimination may have occurred. Before proceeding to a final hearing, Sanders and the respondents agreed to resolve the complaint in March 2016 with a conciliation agreement. The respondents did not admit to any wrongdoing or violation of the law.

ABM Government Services agreed to compensate Sanders in the amount of \$25,000, to undergo employment civil rights law compliance training, and to submit to compliance monitoring by the commission for two years.

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., all of which are specifically denied. The parties acknowledge that the conciliation is a compromise of disputed claims.

# Employer who fired woman and said her pregnancy appeared “big” and “ugly” found guilty of sex discrimination

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

Hollis was pregnant when she was hired by the restaurant, but the employer fired her one month later when the owners found her pregnant stomach to be “big” and “ugly,” according to the hearing officer Findings of Fact. The document said she was chastised by one owner, Fiona Dong, for not wearing clothing that did not minimize the appearance of the pregnancy. The other owner, Harry Dong, said that if the complainant wore a black shirt she would appear thinner in the belly and this would be more appropriate. Ms. Dong instructed Hollis to go home to change clothes. According to testimony, Hollis left the restaurant weeping. She said was embarrassed that the comments were made in front of customers and other employees.

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

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



At left is commission Attorney Alysia Robben as she speaks about civil rights law to advocates. Robben litigates cases on behalf of the state for complainants.

At right, General Counsel Keith Duerr manages the legal unit, leads litigation of cases, and makes recommendations to the executive director and board of commissioners.



## Case Highlights

---

# Doctor refused sign language interpreter to patient's power of attorney, ordered to cease employment discrimination

The Kentucky Commission on Human Rights issued a default order in June 2016, requiring Rosenberg Reyes, M.D., doing business as Family Practice Health Center in Louisville, Ky., to cease and desist from the unlawful practice of employment discrimination on the basis of disability. The medical practice was ordered to compensate complainant Viola Baker in the sum of \$20,400.

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

The doctor's office informed Baker that Family Practice Health Center would not provide her an interpreter, according to the commission final order on the matter. Afterward, she visited the office to make an in-person request for an interpreter for the appointment, using hand-written notes to communicate with office personnel. Again, she was told that Dr. Reyes's medical practice would not provide an interpreter. When she and the patient came to the appointment, she was informed the doctor had not provided an interpreter and would not pay for an interpreter for Baker because she was not the patient. Because she felt it necessary to be able to communicate in order to fulfill her role of directing the patient's medical decisions, she rescheduled the appointment to allow time to arrange for an interpreter to accompany her. She later brought an interpreter for the rescheduled appointment. For unknown reasons, she and the patient were made to wait several hours before seeing the doctor. In total, she paid the American Sign Language Interpreter for five and a half hours of service at \$220.00. At another visit, she went through a similar experience. She tried unsuccessfully to reach the doctor by telephone relay service more than once to ask him to participate in the matter.

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

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



# African American woman alleged landlords falsely said apartment was unavailable

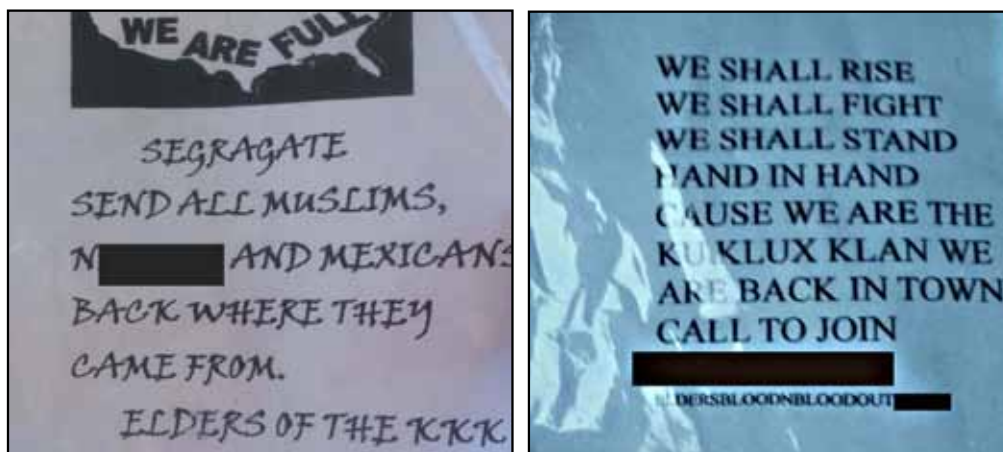
Latonia Thompson complained to the commission that VINT Properties LLC and Jaymes Shive discriminated against her based on race in housing. This would be a violation of the Kentucky Civil Rights Act (KRS Chapter 344) and the U.S. Fair Housing Act.

Thompson claimed she telephoned the respondents to ask about a property for rent on Jackson Street in Louisville, Ky. She said they told her the rental was no longer available. She said she later discovered they told another person the residence was still for rent.

The commission investigated the complaint and determined that it would issue a probable cause finding, indicating there was enough evidence to believe unlawful discrimination may have occurred. Before the probable cause finding was issued, Thompson and the respondents chose to resolve the complaint in May 2016 with a conciliation agreement negotiated by the commission. The respondents admitted no wrongdoing and denied any violation of the law. They affirmed they do and will comply with civil rights law including fair housing law.

VINT Properties and Shive agreed to adopt and implement a written fair housing policy that complies with the law. They compensated Thompson in the amount of \$8,000. The agreement required the landlords to undergo fair housing training and submit for three years to compliance monitoring by the commission.

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 the conciliation is a compromise of disputed claims.



These are samples of hate group fliers left in people's driveways and yards during the night in December 2015 (during the reporting period). The papers were discovered by residents in Campbellsville of Taylor County, Columbia of Adair County, and parts of Green County.

# Public Awareness

Education

Outreach

Communications

Partnership

Leadership

The Kentucky Commission on Human Rights produces as many public awareness initiatives as funding allows. We publicize our services and civil rights through media in creative ways throughout the year. We inform civil rights protected class members about their rights and about our enforcement duties. We inform the public of the legal requirement to comply with anti-discrimination law and about the benefits of equality. We collaborate with stakeholders and advocates to expand public awareness.

- 61 Civil Rights Workshops
- 11 Fair Housing Workshops
- 4 Sexual Harassment Workshops
- 10 Immigrant Outreach Workshops
- 2 Police Department and Community Relations workshops
- 2 Local Human Rights Commission Trainings
- 3 Conciliation Agreement-Required Civil Rights Compliance Trainings
- The Kentucky Civil Rights Act 50<sup>th</sup> Anniversary Law Symposium
- 10<sup>th</sup> Annual Kentucky Hispanic, Immigrant and Refugee Networking Summit
- The Annual Latino and African American Relations Summit
- Assisted in organizing the Northern Kentucky Commemorative March Across the Suspension Bridge to the Freedom Center in Cincinnati, Ohio
- Assisted in organizing the Northern Kentucky Restorative Justice Coalition
- 10 Event Exhibits, reaching organizations and Kentucky communities
- 50 Press Releases informing the public of rulings, activities, and civil rights issues
- 15 Opinion Editorials and Statements in Kentucky newspapers promoting civil rights and discouraging discrimination
- Received press coverage approximately 175 times through newspapers, television, radio, and internet
- Reached people in and outside the state through social media, including the agency website, Facebook, Twitter and YouTube sites, and mass email distribution
- Civil Rights Publications such as the Kentucky Human Rights Newsletter, the 50-Year Case History Highlight Booklet, Gallery of Great Black Kentuckians Posters and Bookmarks, and the About the Kentucky Commission on Human Rights, Fair Housing, Employment, Public Accommodations, Financial Credit Transactions, and Mediation civil rights brochures

- Advertisements in minority newspapers and event programs to promote fair housing and services of the Kentucky Commission on Human Rights
- Throughout the year, staff gave presentations and participated in community, organization, university, state and local government, and advocacy events and meetings.
- The executive director and commissioners acted as guest speakers, members of committees and leadership participants throughout the year
- Created the Sen. Georgia Davis Powers Legacy Award
- Created the Keeper of the Flame Award
- The Board of Commissioners issued resolutions to: 1. Urge the state legislature to restore voting rights to former convicted, non-violent felons who completed their sentences; 2. Ask for an amendment to The Kentucky Civil Rights Act that would prohibit employers from considering criminal history as part of the initial job interview; 3. Urge the legislature to establish a statewide Uniform Residential Landlord Tenant Act (URLTA) that would standardize and balance property rights of landlords with those of tenants in order to support fair housing rights; 5. Ask for support of the removal of the Jefferson Davis memorial statue from the state capitol Rotunda; 6. Ask state and local governments and other organizations to erect public memorial sculptures that would increase the recognition of historical women leaders in Kentucky; 7. And, Urge a public vote to decide whether to remove from the Kentucky Constitution the term 'slavery' as a method to punish criminals.

## Let Freedom Ring

This year we reached an estimated 200,000 people about civil rights and the commission's work to protect people from discrimination.

# Kentucky Civil Rights Act 50<sup>th</sup> Anniversary Law Symposium

---

The Kentucky Commission on Human Rights and the University of Kentucky College of Law on Jan. 27, 2016, was pleased to present the Kentucky Civil Rights Law Symposium in Commemoration of the 50<sup>th</sup> Anniversary of the Kentucky Civil Rights Act. The day-long event was held at the University of Kentucky College of Law in Lexington, Ky., and was attended by approximately 200 people.

Guest speakers included: Kentucky Lt. Gov. Jenean Hampton, Kentucky Attorney General Andy Beshear, Kentucky Supreme Court Chief Justice John D. Minton Jr., Kentucky Bar Association President Douglass Farnsley, Jefferson District Court Judge David L. Holton II, and keynote speaker U.S. Commission on Civil Rights Vice Chair Patricia Timmons-Goodson. Several more respected speakers, judges, lawyers and activists prominent in the civil rights arena spoke and were members of discussion panels. Kentucky Human Rights Commission Executive Director John J. Johnson, presiding, made welcoming remarks, as did Ky. Human Rights Commission Chair George W. Stinson, and University of Kentucky College of Law hosts Dean David Brennen and University of Kentucky President Eli Capilouto.

The Kentucky Civil Rights Act was the first state civil rights law passed in the South and was signed by Gov. Edward T. Breathitt in 1966. Rev. Martin Luther King Jr. said it was “the strongest and most comprehensive civil rights bill passed by a southern state.” The symposium addressed issues of civil rights including racial segregation, the refugee crisis and discrimination because of disability and gender.

Lt. Governor Hampton, the first African American elected to a statewide office in Kentucky history told the audience: “To be standing here on the 50<sup>th</sup> anniversary of Kentucky’s Civil Rights Act is phenomenal to me. Really, I can’t tell you how much this law means to me...”

One Woodford County High School student later in the day asked a question during a panel discussion: “How do I respond to my fellow brothers and sisters who label me as an Uncle Tom if I want to be more educated and sometimes hang out with predominantly white individuals?”

Lt. Gov. Hampton answered: “That was my experience in Detroit growing up. My choices were questioned. I was belittled for getting good grades. I was belittled for reading all the time. People questioned if I listened to artists who were not black, and I had to make a choice.”

She said her mother’s dedication to her education and the desire to be successful pushed her to overcome the racial pressure from others: “You may have to walk away, you may be swimming upstream, because I spent a lifetime swimming upstream because I’m conservative, but I had a mom who cared and God’s hand was in my life and that is all that matters,

The Kentucky Senate and the Kentucky House of Representatives both passed resolutions recognizing the Kentucky Civil Rights Act 50<sup>th</sup> Anniversary. The resolutions of both chambers also said: “[we] stand united in commending the diligent work of the Kentucky Commission on Human Rights to enforce the Kentucky Civil Rights Act, thereby promoting civil rights, providing a great service to all citizens of the Commonwealth.”



so I stand today as the lieutenant governor of the state of Kentucky, the first African-American elected statewide.”

Kentucky Attorney General Andy Beshear told the audience, “I believe, as those who have come before me, that our strength lies in our differences, that we as a state become culturally and economically richer as we become more diverse.”

Keynote speaker Patricia Timmons-Goodson, vice-chair of the U.S. Commission on Human Rights and former associate justice of the North Carolina Supreme Court, said the Civil Rights Movement is something that must be carried forward. She said: “Today, we celebrate, but we should not be content. We’ve made considerable gains in the fight for social justice and equality, but the truth is that we are only beginning.”

Discussion panels were held at the event. One was about the role of law schools to encourage law students to pursue the practice and advancement of civil rights law, according to the UK College of Law website article on the event. The deans of Kentucky’s three law schools discussed policies, programs and practices that would expose students to the challenges and rewards of civil rights law, the website said.

The Kentucky School for the Deaf Signing Choir, of Danville, Ky., performed at the symposium. Other students attended from Fayette County Public School’s Carter G. Woodson Academy, Covington Holmes High School, Woodford County High School and Newport Middle School. Many participated in discussions led by panelists.

The commission presented its first Senator Georgia Davis Powers Legacy Award to the retired state senator, herself. She was in Hospice care that day, and the award was accepted on her behalf by Kentucky Conference of NAACP Branches President Raoul Cunningham, who also spoke; he was a friend of Senator Powers and her first campaign manager. She died on Jan. 30.

The commission presented its first Keeper of the Flame awards, naming as recipients, all former chairs of the Kentucky Commission on Human Rights Board of Commissioners.



Members of the audience listen as guests speak in honor of the Kentucky Civil Rights Act 50<sup>th</sup> Anniversary. The University of Kentucky College of Law hosted the anniversary symposium on Jan. 27 at the university in Lexington.

# Kentucky Civil Rights Act 50<sup>th</sup> Anniversary Law Symposium

---





Law Symposium Event Photographs on left page, left to right

1. Keynote speaker U.S. Commission on Civil Rights Vice Chair Patricia Timmons-Goodson
2. Kentucky Lt. Gov. Jenean Hampton
3. Kentucky Supreme Court Chief Justice John D. Minton Jr.
4. Kentucky Conference of NAACP Branches President Raoul Cunningham

5. Jefferson District Court Judge David L. Holton II

6. Kentucky Attorney General Andy Beshear

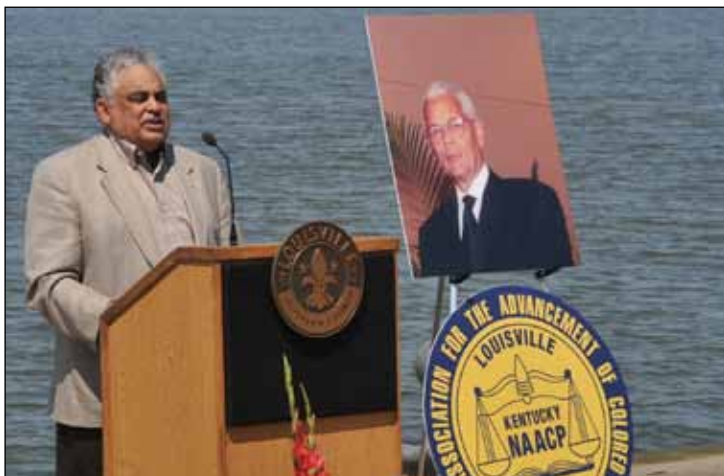
Law Symposium Event Photographs above, left to right

1. Louisville Metro Council Member and University of Louisville Archivist of Regional History Tom Owen speaking. To his right is a Ky. Civil Rights Hall of Fame inductee and former Ashland, Ky., mayor, David Welch.
2. The Kentucky School for the Deaf Signing Choir gave a wonderful performance at the symposium to the delight of the audience. The school is located in Danville, Ky.

Published in the U.S. Congressional Record on Feb. 1, 2016, was a statement from U.S. Congressman from Kentucky John Yarmuth to the U.S. Speaker of the House of Representatives: "Mr. Speaker, I rise today to recognize the 50<sup>th</sup> anniversary of the Kentucky Civil Rights Act of 1966, signed into law by Kentucky Governor Edward T. Breathitt on January 27, 1966. This pioneering legislation prohibited discrimination in employment and public accommodations based on race, color, national origin or religion, and I commend the Kentucky Commission on Human Rights for its steadfast work in enforcing it.... Since then, the Commission successfully expanded the law to prohibit discrimination in employment, public accommodations, housing, and credit transactions based on race, color, national origin, religion, age, sex, familial status, disability and smoking status. And in the 50 years since the passage of the Kentucky Civil Rights Act, the Kentucky Commission on Human Rights has filed, investigated, and adjudicated more than eleven thousand complaints on discrimination on behalf of the citizens of Kentucky."



# Public Awareness Highlights



**GEORGIA DAVIS POWERS**  
(1923-2016)

Georgia Montgomery Davis Powers was an American Civil rights leader, and she was the first African American and the first woman elected to the Kentucky State Senate. She served as a senator representing the 33rd District in Louisville, Ky., for 21 years, from January 1989 until her retirement in January 1990.

Georgia Lee Montgomery was born to Ben Gore and Frances Walker Montgomery on October 26, 1923, in Springfield, Ky. The family moved to Louisville when she was 17 months old, after a tornado destroyed their home. She grew up in West Louisville on Grand Avenue with eight brothers. Georgia was the only girl. She attended Mary B. Tebbel School, Virginia Avenue Elementary, Madison Junior High, Central Colored High School and Louisville Municipal College.

She became one of the organizers of the Allied Organizations for Civil Rights, a coalition that planned the 1964 March on Frankfurt, Tenn. An estimated 12,000 marchers packed for a state civil rights rally, which passed the following year. She helped organize the Kentucky Christian Leadership Conference.

During her tenure in the senate, she authored more than 100 bills, including statutes for housing legislation and increased job training, employment, sex and age discrimination. Senator Powers also supported legislation to improve education for the physically and mentally disabled.

"She was the author of four books, including her autobiography, 'I Shared the Dream,' and, 'Cala's Land,' a biography of her grandmother. She received hundreds of awards and honors, including five honorary doctorate degrees from University of Kentucky, University of Louisville, Kentucky State University, Spalding University, and Eastern College of Kentucky. At the age of 81, she was elected First Vice President of the Louisville Branch NAACP and served for 10 years. She created the Friends of Housing Home Bankers, a group of faith-based volunteers to visit local nursing homes.

She was among the women of distinction included in a 1999 national photograph exhibit at the Corcoran Gallery in Washington, D.C., called, Portraits of Black Women Who Changed America. The 2010 Kentucky Legislature named a portion of Interstate 264 the Georgia Davis Powers Expressway. The University of Kentucky endowed a chair in her name as part of its Center for Research on Violence against Women. She was an inaugural inductee in 2006 to the Kentucky Commission on Human Rights. Kentucky Civil Rights Hall of Fame. She died on January 26, 2016, at the age of 92.

*Gallery of Great Black Kentuckians*  
No. 18

**Kentucky Commission on Human Rights**

Kentucky Commission on Human Rights Building First Meeting and Civil Rights in Kentucky

Portrait with permission from the U.S. Dept. of Housing and Urban Development







#### Photographs on left page, left to right

1. Commission Executive Director John Johnson carried out the solemn duty of participating in the Riverside Memorial on the Banks of the Ohio River for Horace Julian Bond. The former NAACP Board president died on Aug. 15, 2015, and the memorial service, held simultaneously with others throughout the nation, was on Aug. 22. Kentucky NAACP Pres. Raoul Cunningham organized the service. "Today, we remember one of the world's most dedicated human rights soldiers," Mr. Johnson said.

2. Bowling Green Local Human Rights Commission Executive Director Alice Waddell, Lt Gov. Jenean Hampton, and Kentucky Human Rights Commissioner Timothy W. Thomas stood at the Bowling Green Human Rights Commission 24<sup>th</sup> Annual Women of Achievement Banquet on March 19, 2016. Ms. Waddell presented Lt. Gov. Hampton with a Women First Award for being the first African American statewide elected official. Commissioner Thomas spoke at the event held in the 1<sup>st</sup> Supreme Court District, which he represents on the Kentucky Commission on Human Rights Board of Commissioners.

3. Education and Outreach Director Mary Ann Taylor spoke on April 20, 2016, at the Henderson-Henderson County Human Rights Commission Fair Housing Month Luncheon. The audience included housing administrators, landlords, city officials, social service agencies and others.

4. The Kentucky Commission on Human Rights revised and printed several of its Gallery of Great Black Kentuckians posters and bookmarks through grant funding this period. This poster honors one of Kentucky's great civil rights leaders, the late Retired Ky. Senator Georgia Davis Powers, who died on Jan. 30, 2016. The state mourned the loss of

other Great Black Kentuckian inductees this year, including the Honorable Retired Judge Benjamin Shobe, the first African American in Kentucky to serve on a circuit court bench.

5. The commission participated in memorial recognition of the late international icon, former World Heavy Weight Boxing Champion and human rights advocate, Muhammad Ali. He died on June 3, 2016. He was a commission Great Black Kentuckian inductee. Agency members stood on Broadway in downtown Louisville to join a vast number of people who lined the streets throughout Ali's hometown of Louisville to say farewell to a beloved Kentucky son.

6. Field Supervisor Juan Peña conducted immigrant outreach civil rights workshops throughout the year.

#### Photographs above on this page

1. "Get on the Bus: The Path Toward Equal Housing Opportunities," on April 22, 2016, started at the Owensboro Museum of Science and History and took tourists on a housing segregation history tour to recognize the Kentucky Fair Housing Month of April. Kentucky Human Rights Commissioner Richard Brown of the 2<sup>nd</sup> Supreme Court District spoke at the event and helped make it possible. He is shown in the inset photo, above on the left.

2. Kentucky Human Rights Commissioner Robert Asseo on April 15, 2016, traveled to Washington D.C. to receive an FBI Director's Leadership Award at FBI Headquarters for his community service in Northern Kentucky where he represents the Kentucky Human Rights Commission. Commissioner Asseo in 2006 became the first Hispanic Kentuckian to serve on the board of commissioners.

# Public Awareness Highlights

Governor Matthew Bevin proclaimed the 48<sup>th</sup> Annual Fair Housing Month of April, stating that the Kentucky Commission on Human Rights continues to address housing discrimination.



# Commission Staff

John J. Johnson, Executive Director

## Administration

Talal Abugabal, IT Network Manager and Webmaster

Cynthia Fox, Executive Staff Assistant

Art Kaufman, Fiscal Manager

Victoria Stephens, Communications Director

## 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

LiAndrea Goatley, Acting Enforcement Supervisor and Housing 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

Freedom Includes Equality  
Let Freedom Ring



## WHEN WE EMBRACE DIVERSITY, WE BUILD **STRONGER COMMUNITIES.**

Studies show that diversity helps broaden children's social networks by creating opportunities for interaction across racial and ethnic lines. And that in turn contributes to greater tolerance, fair-mindedness and openness. Housing discrimination deters the creation of diverse communities. The federal Fair Housing Act prohibits discrimination because of race, color, religion, national origin, sex, familial status or disability. To file a discrimination complaint or to learn more about fair housing and diverse communities, contact HUD or your local fair housing center.

Visit [hud.gov/fairhousing](http://hud.gov/fairhousing) or call  
the HUD Hotline **1-800-669-9777** (English/Español)

**FAIR HOUSING IS YOUR RIGHT. USE IT!**



**In Kentucky, you may call  
The Kentucky Commission  
on Human Rights  
at 1.800.292.5566**

**NFHA**  
National Fair Housing Alliance



SCAN HERE FOR  
MORE INFO

A public service message from the U.S. Department of Housing and Urban Development in partnership with the National Fair Housing Alliance.

## Kentucky Commission on Human Rights

332 W Broadway, Suite 1400, Louisville, Kentucky 40202

Phone: 502.595.4024 . Toll-free: 800.292.5566 . Fax: 502.595.4801

Email: [kchr.mail@ky.gov](mailto:kchr.mail@ky.gov), Website: [kchr.ky.gov](http://kchr.ky.gov)