

# Proposal: A broader covenant for Covington

*Kentucky city wants to broaden civil rights categories to include more vulnerable people*

COVINGTON, KY — The Covington Human Rights Commission will consider a proposal to expand anti-discrimination protection to gays, lesbians, bisexuals and transgender people. The proposal also would include place of birth, along with familial, marital and parental status as protected categories — imposing tougher penalties for violations.

Covington Mayor Butch Callery has said he will call for a public hearing before voting on the proposed changes.

The timing of the proposal was intended to keep gay rights controversies seen in other towns from affecting elections in Covington, supporters say. Last year, in the Western Kentucky town of Henderson, city council repealed a year-old ordinance protecting gays and lesbians.

"The idea was to get this in place as far from the (next) election as possible so people could get used to it and see the benefits of it," said Rev. James Smith, pastor of Community of Faith Presbyterian Church in Covington. "I didn't want to be like Henderson and have (the proposed changes) in effect for just a year."

Aside from helping groups that are not currently protected from discrimination in Northern Kentucky's largest city, supporters say the proposed changes would benefit the region economically.

Across the Ohio River in Cincinnati, Rev. Hal Porter, of Mt. Auburn Presbyterian Church, agreed.

In 1993, Cincinnati voters repealed an ordinance providing legal protection for homosexuals by a vote of 62 percent to 38 percent. The

city then adopted *Article 12*, a charter amendment barring "preferential treatment" to gays, lesbians and bisexuals.

In the past nine years, Cincinnati has lost about \$64 million in convention business when various groups opposed to *Article 12*, went elsewhere.

"Cincinnati is the only city in the country with an ordinance in its city charter prohibiting the city from passing laws to protect gay, lesbian and bisexual persons from discrimination," Rev. Porter said.

### More complaint categories needed

Rev. Smith said the five members of the Covington Human Rights Commission decided the city's human rights ordinance needed to be broadened after receiving only two complaints since the commission was formed in July 1998.

In April 2000, records showed the local human rights commission reviewed a complaint someone had handed out racist fliers at a housing complex.

In August 1999, a resident complained about police towing her car after she got into a dispute with neighbors over parking, state records showed.

Rev. Smith said members of the human rights commission were concerned the lack of complaints meant there were too few protected categories, so they sought to broaden the ordinance.

"A lot of people think there's no reason to complain, because they're not even covered" under Covington's human rights ordinance, said Charles D. King, a commission member.

### Gay Community complaints

Mr. King, who's also a member of the Northern Kentucky Fairness Alliance's steering committee, said he has gotten five phone calls

in the past year from gay people who have had their houses vandalized or who have suffered from "in-your-face name calling," but have nowhere to turn for help.

Covington's current human rights ordinance also carries no penalties, so there's no incentive for offenders to correct an unfair situation, said John CK Fisher, local field office supervisor for the Kentucky Human Rights Commission.

The amended ordinance would correct that, Rev. Smith said, possibly through fines or the suspension or revocation of business or rental licenses of any Covington business or landlord who discriminates.

Nationwide, 240 governments — none of which are in the Tri-state — ban discrimination on the basis of sexual orientation or gender identity, said Andrea Hildebran, executive director of the Kentucky Fairness Alliance.

Because there are no protections in place, there is no way to accurately measure the extent of the problem. However, Hildebran of the Alliance routinely hears about "many, many instances of employment discrimination" of gays and lesbians. Complaints include being passed over for a promotion or getting fired if they come out on the job, or if a co-worker discovers and reports them to the employer.

### Neighboring city set bad examples

Across the Ohio River, gay rights activists say they hope that Covington's efforts will prompt Cincinnati officials to review controversial legislation there.

The Rev. Porter, who serves as co-chairman of Citizens to Restore Fairness, said that committee plans to develop and publicize a campaign to repeal *Article 12* "within the next year or so."

"I commend (supporters of an expanded

Covington human rights ordinance) for their efforts and I hope they will prevail," the Rev. Porter said. "I hope they will shame Cincinnati into doing the same."

### Proposed changes

Proposed changes to Covington's human rights ordinance, expected to be presented to the Covington City Commission in January:

**Current ordinance:** Protects people from discrimination in "housing, employment and public accommodations based on race, color, religion, national origin, sex or age."

**Proposed ordinance:** Adds sexual orientation or gender identity, family status, marital and/or parental status, and place of birth as protective categories to make it a more universal ordinance.

Definitions of sexual orientation and gender identity are being modeled after human rights ordinances in Lexington and Louisville, which have adopted similar legislation. Under sexual orientation, those ordinances protect someone "based upon his or her imputed heterosexuality, homosexuality or bisexuality." Gender identity refers to protections for someone who has "a gender identity as a result of a sex change, surgery or manifesting, for reasons other than dress, an identity not traditionally associated with one's biological maleness or femaleness."

**New "place of birth" protection:** Would cover groups such as people of Appalachian (mountain) descent, who might be harassed or discriminated against.

**New enforcement proposal:** The revised ordinance would require complaints of human rights violations go directly to Covington's Human Rights Commission, not the city manager. Penalties also would be added to give the commission enforcement powers.



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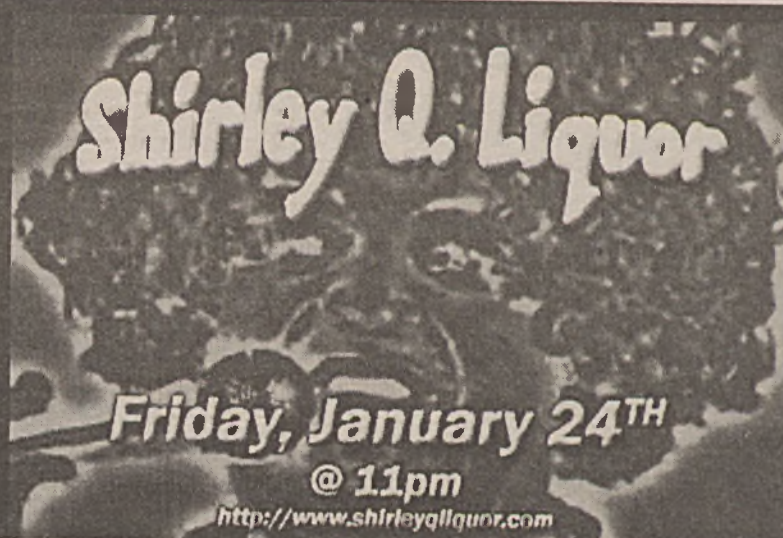
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