



REPORT TO MAYOR LINDA GORTON

Human Rights Campaign Municipal Equality Index Background

Since 2012, the Human Rights Campaign (HRC) has evaluated the nation's largest cities in its support of equal treatment of lesbian, gay, bisexual, transgender, and queer (LGBTQ) residents. This study is called the Municipal Equality Index. According to HRC, "the MEI examines how inclusive municipal laws, policies, and services are of LGBTQ people who live and work there. Cities are rated based on non-discrimination laws, the municipality as an employer, municipal services, law enforcement, and leadership on LGBTQ equality."

Cities are selected based on the following criteria:

- 50 state capitals
- 200 largest cities in the nation
- 5 largest cities in each state
- 2 cities home to the state's largest universities
- 75 cities that have high proportions of same-sex couples
- 98 cities selected by HRC and Equality Federation state groups members and supporters

In 2012, there were 137 cities evaluated. In 2021, HRC evaluated 506 cities across the nation. When combined, the population of these 506 cities includes 94,237,171 individuals. Of those 506 cities, 110 received a HRC perfect score of 100.

Not only is the HRC MEI evaluation important for the protection of LGBTQ residents, it is also often used by employers to choose potential locations for businesses, by potential new residents, and by those looking to travel to locations that provide LGBTQ protections.

According to a study by Richard Florida, *The Geography of Tolerance*, research shows diversity and inclusivity is important to the economic growth of a municipality.

Lexington has been evaluated by HRC since 2013. Each year's score is recorded below:

- 2013 – 53
- 2014 – 65
- 2015 – 73
- 2016 – 71
- 2017 – 92
- 2018 – 89
- 2019 – 93
- 2020 – 95
- 2021 – 106

There are a total of 122 points available, when including standard and flex points. HRC considers a perfect score as receiving a combined total of 100 points. For the purpose of the efforts of this workgroup, the goal is 122 points to achieve an overall perfect score including all possible flex points.

In 2021, the national average score was 67 points, increasing three points from the previous evaluation. Lexington ranked as 50th of 506 municipalities, scoring within the top 10% of the nation.

There are currently eight Kentucky cities evaluated by HRC. Below are the 2021 MEI scores of those cities:

- Berea: 35 (35 standard / 0 flex)
- Bowling Green: 20 (20 standard / 0 flex)
- Covington: 96 (89 standard / 7 flex)
- Frankfort: 66 (66 standard / 0 flex)
- **Lexington: 106 (92 standard / 14 flex)**
- Louisville: 105 (96 standard / 9 flex)
- Morehead: 55 (55 standard / 0 flex)
- Owensboro: 18 (18 standard / 0 flex)

For the 2nd consecutive year, Lexington was recognized, along with Louisville and Covington, as an MEI All-Star. All-stars are locations that receive high scores, but are within states that do not have statewide LGBTQ-inclusive, non-discrimination laws. In Kentucky, 23 municipalities have passed local LGBTQ non-discrimination laws, known as Fairness Ordinances. There are approximately 1.22 million Kentucky residents living in these cities, accounting for approximately 27% of the state's population.

The Mayor's HRC MEI Workgroup Background

In 2019, Mayor Linda Gorton appointed a group of Lexington residents and LFUCG staff to review the HRC MEI scoresheet and explore ways the City could improve its evaluation. The workgroup, which produced this report, includes:

- Councilmember Susan Lamb, Fourth District
- Councilmember Liz Sheehan, Fifth District
- Lt. Matthew Brotherton, LFUCG Division of Police LGBTQ Liaison
- Tim Burcham, President, Burcham Solutions Group
- Craig Cammack, Mayor's Community Outreach Liaison/LGBTQ Liaison
- Arthur Lucas, LFUCG Diversity & Inclusion Officer
- Wanda McCants, President, Lexington Pride Center (formerly PCSO)
- Tuesday Meadows, Former Chair, Lexington Fairness
- Sherita Miller, LFUCG Minority Business Liaison
- Brandl Skirvin, President, JustFund Kentucky
- Carmen Wampler-Collins, Executive Director, Lexington Pride Center (formerly PCSO)
- JR Zerkowski, Diocese of Lexington LGBT Ministry

The charge of the working group was to discuss Lexington's HRC MEI scores since 2013, examine what has been done to make policies and ordinances better, and recommend options to help the city reach a perfect score.

The workgroup met in-person in 2020 immediately prior to the COVID-19 pandemic. Additional meetings took place virtually. To best review the scoresheet (**Addendum A**) and scoring guidelines (**Addendum B**), the workgroup split into smaller subgroups. Each subgroup evaluated a section of the scoresheet.

The subgroups included:

- Non-Discrimination Laws
 - Councilmember Susan Lamb
 - Councilmember Liz Sheehan
 - Carmen Wampler-Collins
 - Wanda McCants
 - Craig Cammack
- Municipality as Employer
 - Arthur Lucas
 - Sherita Miller
 - Tuesday Meadows
 - Craig Cammack
- Municipal Services
 - Councilmember Susan Lamb
 - Tim Burcham
 - Brandl Skirvin
 - Craig Cammack
- Law Enforcement
 - Councilmember Liz Sheehan
 - Lt. Matthew Brotherton
 - JR Zerkowski
 - Craig Cammack
- Leadership on LGBTQ Equality
 - Wanda McCants
 - Craig Cammack

Subgroups met via Zoom to discuss options for increasing the support for our LGBTQ community.

The following were recommendations made by the subgroups, and approved by the appointed workgroup.

Recommended Actions (items listed with have been completed; underlined items are to be considered for future action)

Part I: Non-Discrimination Laws

Total Points Available: 34 (30 standard / 4 flex)

Received in 2021: 31 (28 standard / 3 flex)

- Investigate whether other Kentucky Fairness Ordinances include religious exemptions, and if this is an option for Lexington**
 - i. Currently, religious exemptions are included in all local fairness ordinances in Kentucky. Due to state laws regarding religious protection, it is not believed these exemptions could be removed.

- City policy making City-owned single-occupancy restrooms gender neutral**
 - ii. CAO Policy 58 was put into effect, requiring city-owned facilities to be open to all genders. This made single-occupancy facilities gender neutral, allowing anyone to feel comfortable using a private restroom, but also alleviating lines during times of increased usage.
 - iii. Additional points are available if City requires all bathrooms and changing facilities to be all-gender (beyond city-owned facilities).

- Pass Conversion Therapy Ban Ordinance**
 - iv. The City passed the LGBTQ Mental Health Protection Ordinance, banning conversion therapy by licensed mental health professionals. Conversion therapy has been recognized as a harmful practice, specifically when used on LGBTQ youth. Passage of the ordinance helps protect LGBTQ youth.

Part II: Municipality as Employer

Total Points Available: 29 (28 standard / 1 flex)

Received in 2021: 23 (22 standard / 1 flex)

- 1. **Include explanation of transgender medical care benefits in the City's health benefits policy and guidelines**
 - i. Transgender-inclusive healthcare benefits is important to Lexington. After review, the City's HR Department, in communication with healthcare contractor and Anthem, note these medical services are covered. However, it is not explicitly noted in the City's health insurance plan book. It is encouraged to make the edits to include explicit details of coverage for transgender healthcare needs.

- Include additional non-discrimination language in contract agreements with City Contractors**
 - ii. The City included additional non-discrimination language in PSA and contract agreements, requiring all contractors to provide equal opportunity in employment.

- Send LFUCG Job Openings to LGBTQ organizations**
 - iii. To encourage increased diversity of employees, including LGBTQ employees, the City started sharing job openings with LGBTQ organizations, such as Lexington Pride Center (formerly PCSO).
- 4. **Sponsor a LFUCG booth at the Pride Festival to improve outreach and increasing diverse job applicants**
 - i. Having a presence at the annual Pride Festival will show the City's commitment to the LGBTQ community. Additionally, having programming and service information available could encourage greater community involvement and potential increase in employment diversity.
- 5. **Add LGBTQ-specific module to LFUCG employee diversity and inclusion training**
 - i. The City should provide LGBTQ-specific training to its employees. This should be a part of required diversity and inclusion training of all employees.

Part III: Municipal Services

Total Points Available: 24 (12 standard / 12 flex)

Received in 2021: 20 (12 standard / 8 flex)

- 1. **Passage of a citywide Youth Bullying policy for City services**
 - i. Although there are some bullying prevention policies in City divisions, such as Parks and Recreation, it is recommended to have an over-arching Youth Bullying Prevention policy to encompass all City services, programs, and interaction with youth. This should include any entities that run such services and programs on behalf of the City, or on City property.
- 2. **Appoint a Youth Bullying Prevention Task Force**
 - i. Bullying is an issue affecting many LGBTQ youth. The formation of a task force would enable the City to not only shine attention on this issue, but also provide an opportunity for community stakeholders to come together and find opportunities to help these youth.
- 3. **Ask Arbor Youth Services to provide information regarding programming for both LGBTQ youth and LGBTQ homelessness**
 - i. The City provides financial support to Arbor Youth Services. In order to receive appropriate credit, there needs to be promotional materials or webpage language stating Arbor Youth Services supports both LGBTQ Youth and LGBTQ Homeless individuals.
- 4. **City support of Lexington Pride Center programming**
 - i. Lexington Pride Center, formerly known as Pride Community Services Organization (PCSO), provides a physical location for individuals and organizations to gather and meet. The Lexington Pride Center is home to a LGBTQ library as well. For the first time, the City included funding in the FY22 budget for the organization. However, funds had not been distributed prior to the HRC MEI scoring deadline. Continue providing financial

support for the Lexington Pride Center, specifically the Lexington GSA and TransKentucky groups.

5. **Identify an LGBTQ Liaison at the Lexington Senior Center**
 - i. To help alleviate concerns of LGBTQ seniors who don't feel welcome or comfortable at the Lexington Senior Center, it is recommended to have a staff person recognized as a LGBTQ Liaison. This person could be a contact person for any expressed concerns, but also work with seniors, and organizations serving LGBTQ seniors, to provide support services.
6. **Allow LGBTQ organizations focused on seniors to hold meetings at the Senior Center, or to provide LGBTQ-focused programming, services, and events at the facility.**
7. **To better serve the LGBTQ senior community, survey members of SAGE of the Bluegrass and similar organizations to see what needs there are that aren't being met.**

Part IV: Law Enforcement

Total Points Available: 22 (22 standard / 0 flex)

Received in 2021: 22 (22 standard / 0 flex)

1. **Consider more training and/or continuing education for Police on LGBTQ related issues and concerns**
 - i. Even though Lexington has received all points possible within this category, the workgroup believes there is more that can be done. This suggestion includes more training and continuing education for Police is important to the community. This is especially important when considering transgender-inclusive training, perceived gender, and more.
2. **Hold monthly encounters where Police personnel can meet and hear from LGBTQ individuals regarding concerns and need for protection.**
3. **Start a Lexington Police Department Safe Harbor program, much like is available in Louisville, to publicly identify locations supporting safe and secure places for victims of anti-LGBTQ related crimes and harassment.**

When victims arrive at these locations, 911 can be called and the victim can safely wait for police to respond.

Part V: Leadership on LGBTQ Equality

Total Points Available: 13 (8 standard / 5 flex)

Received in 2021: 10 (8 standard / 2 flex)

1. **Continue to encourage diversity and inclusion among City leadership**
 - i. Help fill gaps in accessibility and representation of the community, especially among our LGBTQ African American, Hispanic/LatinX, and Transgender communities.