

ACCESSING ABORTION CARE

The best person to make a decision about pregnancy is the pregnant person themselves. The government should never have the authority to force a person to remain pregnant against their will.

THE REAL EFFECTS:

Everyone needs access to safe and affordable abortion care. Nearly 25% of women have an abortion by 45 years of age, but restrictions and bans affect different Kentuckians in different ways.



PARENTS:

Almost 67% of Kentuckians who obtain an abortion have at least 1 child. Many are single parents burdened by poverty. Nearly 20% of these Kentucky families live in deep poverty, earning 50% or less than the federal poverty line.



HEALTH COMPLICATIONS:

Some people who want to be pregnant must end their pregnancy because of health complications. Arbitrary abortion restrictions put politicians between patients and their healthcare providers.



SURVIVORS OF VIOLENCE AND ASSAULT:

Pregnant people have an elevated risk of experiencing domestic violence. They should be free from interference to make the decisions that are best for themselves.



RURAL KENTUCKIANS:

There are only two clinics in Kentucky. Getting to the clinics in Louisville is a long drive from Eastern and Western Kentucky – pending clinics' legal ability to even provide care. Long distance travel requires additional resources to cover transportation costs, time off work, and childcare.



IMPROVING MATERNAL HEALTH

Kentucky is at the forefront of the global maternal mortality crisis, and this deadly trend is even worse for people of color – regardless of education level or income.

THE PROBLEM:

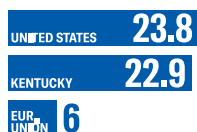
The United States has the highest maternal mortality rate among wealthy nations, and Kentucky has some of the worst birth outcomes in the U.S. We are the only wealthy country whose maternal mortality rate has increased in recent decades.

 **26%**

U.S. maternal mortality rate rose 26% from 2010 to 2014.



Maternal and infant mortality happens to pregnant people of color at all incomes and education levels.



The number of deaths per 100,000 births in the U.S. is nearly 4x higher than in the European Union.

2X
INFANT
MORTALITY

Black infants are 2x more likely to die before their 1st birthday than non-Hispanic white infants.



Pregnant people of color have 3x the maternal mortality rate of their white peers.

**STRUCTURAL
RACISM
IN HEALTHCARE**

Mortality rates are higher for all people of color – regardless of education and income – indicating structural racism in healthcare is behind this mortality crisis.

THE SOLUTION:

The health disparities between people of color and their white peers show that Kentucky must address structural racism and increase access to culturally-competent healthcare.



Cover doula services with Medicaid and cover those expenses for 12 months postpartum.



Address systemic racism in medicine by requiring anti-racism training for healthcare providers.

SYSTEMIC RACISM IN HEALTHCARE:

Systemic racism often shows up as implicit bias. This is an automatic, subconscious feeling or attitude about a certain group of people. It does not come from a place of negative intent, but results in unequal treatment. Anti-racism training teaches people how to identify these patterns of thinking and change them to eliminate discriminatory behaviors and produce better maternal and infant health outcomes.

INCREASED ACCESS TO DOULAS:

Doulas inform and advocate for pregnant people before, during, and after birth. Doulas provide individualized, culturally-specific pregnancy and childcare education, and ways to reduce stress and promote a healthy pregnancy. They visit patients at home and are present during delivery to ensure patients receive the care they need.

FREESTANDING BIRTH CENTERS:

Freestanding birth centers increase access to community-based services and reduce costs. Several studies show birth centers improve patient outcomes, reduce interventions like C-sections, and result in no maternal deaths.

PAID FAMILY LEAVE

All Kentucky workers need paid family and medical leave because no person should be forced to choose between keeping their job and caring for their children or family.

HEALTH & GENDER:



HEALTH AND PAID LEAVE:

- The American College of Obstetrics and Gynecologists endorses paid leave for its positive effect on postpartum care. For instance, parents with paid leave are more likely to breast feed, even after they return to work.
- Access to paid family leave reduces rates of infant mortality.



GENDER EQUALITY:

- A gender wage gap emerges after having a child, known as the Motherhood Penalty. This impacts an outsized number of Kentucky families because women are the breadwinners in many homes.
- Wage gaps mean significantly lower earning potential over the course of someone's career.

ECONOMIC IMPACTS:

Kentucky has lower rates of women's workforce participation than most other states. This has been exacerbated by the pandemic. Access to paid family leave increases women's participation and makes it more likely for a woman to return to work after giving birth, improving employee retention and saving businesses money from staff turnover.

RACIAL DISPARITIES:

The enormous wealth gap between white and Black Americans denies Black Americans the resources to absorb a temporary loss of income when required to take time off work for family or medical leave. To make matters worse, Black Kentuckians have less access to both paid *and* unpaid family and medical leave.

4X
MATERNAL
MORTALITY

Maternal mortality rates for people of color are 3x higher than their white peers. They are 4x higher for Black people. Those trends occur regardless of income or education level. Paid time off would improve health outcomes.



The United States is the only wealthy country whose maternal mortality rate has increased in recent decades. It rose 26% from 2010 to 2014.

**LESS
ACCESS**

Black women have less access to paid family leave and are more likely to return to work sooner than they should following childbirth.

GOOD SAMARITAN LAWS AND PREVENTING OVERDOSES

Kentuckians living with a substance use disorder need access to non-judgmental harm reduction tools and treatment – not punishment and incarceration. Readily available fentanyl testing strips save lives, but they are currently considered drug paraphernalia.

A HEALTH ISSUE:

Kentucky is in the throes of the nationwide opioid epidemic and ranks second in the U.S. for overdose deaths. This crisis is affecting all Kentucky families, regardless of where they live, race, religion, income, or education.

Criminalizing drug use drives drug use underground, increasing the likelihood that people will engage in less safe practices such as sharing needles. It also decreases the likelihood people living with substance use disorder will seek recovery treatment or necessary medical attention in an emergency.

Sending people who have used drugs to jail and prison leads to higher rates of mortality. The leading cause of death for formerly incarcerated people immediately after release is drug overdose.

Those who make efforts to reduce overdose rates should not be punished for saving lives. While the end goal is treatment and long-term recovery, people currently living with substance use disorder deserve the opportunity to make it to the point where they can choose treatment.

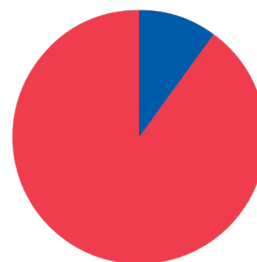
AN EQUITY ISSUE:

Many laws related to drug offenses stem from the failed war on drugs, which disproportionately polices, terrorizes, and incarcerates communities of color. These outdated laws also require outsized punishments for low-level drug offenses when people really need access to community-based treatment.

BY THE NUMBERS:

↑ **14.5%**

2,250 Kentuckians died from drug overdoses in 2021, up 14.5% from 2020.



90%

An opioid was involved in 90% of all overdose deaths in Kentucky.

PERSISTENT FELONY OFFENDER LAW

Kentucky's Persistent Felony Offender (PFO) law tips the scales against the people, forcing unfair sentences on Kentuckians, fueling mass incarceration, bypassing juries, and ignoring the true causes of crime.

Kentucky's Persistent Felony Offender (PFO) law tips the scales of justice against the people and toward the state. The PFO law empowers prosecutors to enhance a sentence – or threaten to enhance a sentence – if the accused person has been convicted of any felony offense and has completed their sentence within the past five years or is on probation or parole.

UNFAIR SENTENCING:

The PFO law gives prosecutors immense power to leverage plea agreements that are unfavorable to the accused and overly harsh in response to the alleged offense.

BYPASSING THE JURY:


The PFO law deprives the jury and community of their function to determine guilt and appropriate sentencing.

FUELING MASS INCARCERATION:

The PFO law increases the number of incarcerated people which separates Kentucky families, forces people to live and work in dangerous conditions, and wastes limited tax dollars.

IGNORING THE REAL ISSUES:

The mandatory minimums in the PFO law do not provide an opportunity to meet an individual's needs, such as accessing treatment for mental illness or substance use disorder, to truly rehabilitate people and make Kentucky communities safer, stronger, and healthier.



“One of the worst excesses of Kentucky’s tough-on-crime movement is a repeat offender statute...the persistent felony offender (PFO) law clearly heads the list of tough-on-crime measures that have filled prisons and jails beyond capacity, pushed the state’s corrections budget off the charts, and changed the balance of power over punishment in ways that **threaten the basic fairness of the justice system.”**

Robert G. Lawson, original drafter of Kentucky’s penal code and University of Kentucky College of Law professor.



REMOVING OBSTACLES TO TREATMENT

Kentucky is facing a crisis of substance use disorder and incarceration is not the answer.

While Kentucky saw a decrease in overdose deaths in 2018, rates climbed in 2019 and increased a staggering 57% in 2020. These increases have affected families in every single community, but overdose rates among Black Kentuckians have risen even more.

TREATMENT OVER INCARCERATION:



INCARCERATION:

Addressing this public health crisis with incarceration fuels incarceration rates, especially for Kentuckians of color.



FAMILIES:

Kentucky has among the highest rate of children living in foster care or with a caregiver other than their biological parent. Treating substance use disorder will keep families healthy and together, and will reduce strain on foster care.



TREATMENT:

Alternatives to incarceration that focus on treatment yield better results. There is little to no evidence that incarceration treats substance use disorder. Treatment is effective and less expensive.



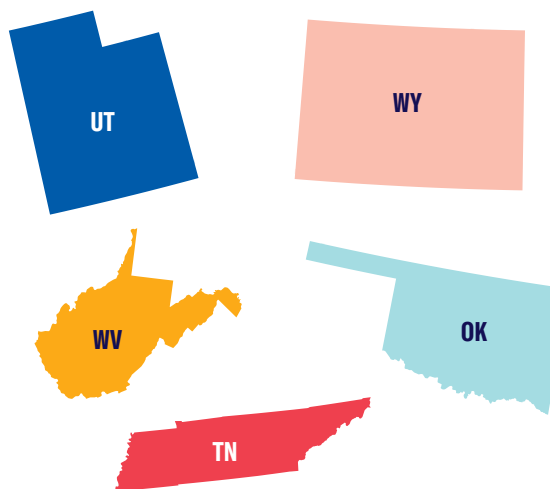
ECONOMIES:

Ignoring the root causes of substance use disorder harms our state and local economies. Senseless incarceration wastes tax dollars and keeps people from accessing the treatment they need to be productive community members.

ADDRESSING ROOT CAUSES:

IN GOOD COMPANY:

Kentucky should join other states – from across the political spectrum – and treat possession as a misdemeanor.



Tennessee, Wyoming, Oklahoma, Utah, and West Virginia all treat possession as a misdemeanor.

COMMUNITY-BASED TREATMENT:

People with substance use disorder need access to community-based treatment. They should have the opportunity to seek treatment without the threat or burden of incarceration.

REDUCING MASS INCARCERATION:

Prioritizing treatment will reduce incarceration rates on the front end and in the long term. People who access treatment are less likely to wind up back in the criminal legal system.

CLEAN SLATE AND EXPUNGEMENT

We all make mistakes, and no person should have to carry the burden of unfair consequences for the rest of their life. Everyone deserves a fair opportunity to pay their debts and restart with a clean slate.

A CRISIS OF MASS INCARCERATION:

If Kentucky were its own country, it would have a higher incarceration rate than any other democracy on earth, including the U.S. This is driven largely by the failed war on drugs, with 30,000 Kentuckians behind bars. Additionally, as of November 2022, there were just under 20,000 Kentuckians incarcerated for a felony conviction and another 61,000 under state supervision.



A COMMUNITY ISSUE:

Having a past conviction can make people ineligible for job opportunities, professional licenses, housing assistance, education, volunteering with their children's activities, and more. Expungement lowers rates of recidivism by offering people a clean slate and opportunity to move forward as full members of their communities.



AN ECONOMIC ISSUE:

Past convictions can prevent people from contributing to the workforce and, by extension, contributing to the state's tax base. Kentucky is in the bottom 10 states for workforce participation and the unemployment rate for formerly incarcerated people is 27%.



AN EQUITY ISSUE:

Black Kentuckians make up 12% of our state's population, but a staggering 22% of Kentucky's incarcerated population. Unjust Kentucky laws and overpolicing of Black and Brown communities disproportionately and unfairly harm Black and Brown families.

CLEAN SLATE LEGISLATION AND EXPUNGEMENT:

Clean Slate legislation would increase access to expungement by implementing an automated process that would eliminate fees, relieving people of the burdens of requesting and paying for expungement. The legal system should never treat people differently based on their wealth.

#3

KY has the 3rd-highest women's incarceration rate.

#2

KY has 2nd-highest rate of children with an incarcerated parent.

2X

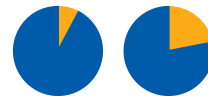
Black women are incarcerated at 2x the rate of white women nationally.

300,000

Kentuckians have been convicted of a felony and are burdened with lifelong consequences that harm them, their families, their communities, and our economy.

243,000

Kentuckians with a past felony conviction have completed their entire sentence, probation, and parole. They deserve a fair shot at getting back on their feet and contributing to their communities.



Only 8% of Kentuckians are Black, yet Black people make up 22% of Kentucky's incarcerated population.

SUPPORTING KENTUCKY KIDS

Kentucky's kids need more access to counselors, therapists, after school programs, violence intervention, and more – not more incarceration or more police in their schools.



POLICE FREE SCHOOLS:

When police enter schools, they do what they are trained to do: detain, handcuff, and arrest. This blanket approach does not meet the individual needs of students.

Nationally, schools are removing police, but Kentucky is moving in the wrong direction.

Students need more licensed social workers and therapists. This will help children navigate life, find a sense of belonging in their communities, and grow into healthy adults.



VIOLENCE PREVENTION & INTERVENTION:

Kentucky is number 1 in child abuse and neglect, and instances of community-based violence against youth are rising.

Kentucky needs a statewide comprehensive violence prevention plan that assists families affected by violence, supports victims of gun violence, and provides grant opportunities for grassroots organizations working directly with communities and families.



PUBLIC HEALTH:

All issues connected to youth justice – from neglect, to youth violence, to parental incarceration – have long term effects on health, wellbeing, and opportunity. We must address the crises facing our children through a public health lens.



RAISE THE AGE:

Children under the age of 13 should not be forced into juvenile court. Kentucky is one of 28 states with no minimum age.

Navigating the legal system is complicated and confusing for people of all ages. Young children should never be expected to do this.

All children make mistakes and deserve a fair chance to correct their harm and change behavior. Children need holistic interventions that include family, school, and community.

#1

Kentucky leads the nation in rates of child abuse and neglect.

4.4x

Black children are 4.4x more likely to be arrested than their white peers.

#3

If Kentucky were its own country, it would be third for women's incarceration.

#1

Kentucky has more children in foster care or with a non-parent caregiver.

A KENTUCKY FOR ALL

The South has the highest proportion of LGBTQ-led families, but is the only region with no statewide policies that protect LGBTQ rights. It's past time for all Kentuckians to have protections under a statewide Fairness Act.



ENDING EMPLOYMENT DISCRIMINATION:

There are over 80,000 LGBTQ Kentuckians in the state's workforce, but Kentucky's employment nondiscrimination law does not protect people from discrimination based on sexual orientation or gender identity, leaving LGBTQ Kentuckians vulnerable.

84%

of Kentuckians say LGBTQ people deserve more protections from discrimination.



FAIRNESS FOR ALL:

The majority of Kentuckians live in municipalities with Fairness protections that prohibit discrimination in housing, employment, and public accommodations. This is a significant milestone, but leaves many people behind. It's past time for statewide Fairness.

OUT OF 3
120

Kentucky counties and/or municipalities have banned the use of the torturous practice known as "conversion therapy" against children. This debunked and hate-filled practice doubles the risk of children dying by suicide.



HEALTHCARE AND MORE:

Kentucky ranks far behind other states in LGBTQ recognition and protections, like state I.D. laws, state Medicaid coverage for same-sex spouses, and state Medicaid coverage for gender-affirming care.

73%

of KY's LGBTQ students were harassed at school because of their sexual orientation, according to a 2019 survey.

53%

of KY's LGBTQ students were harassed at school due to their gender identity or expression, according to a 2019 survey.



AFFIRMING OUR KIDS:

Kentucky families know what's best for themselves. We are committed to fighting for the right of parents of transgender children to work with their healthcare providers to give our children the science-based physical and mental healthcare they need to thrive. Politicians never belong in the privacy of a doctor's or counselor's office.

67%

of trans students are not able to use the restroom that aligns with their gender. The government has no business interfering with how Kentucky children use the restroom.

FREE SPEECH: A PILLAR OF DEMOCRACY

Keeping government transparent and protecting the rights to organize, publish, and speak out holds government accountable to the people.



PROTECTING THE RIGHT TO PROTEST:

Several bills restricting free speech have been filed in recent years, but most have been defeated.

Among the most egregious of recent proposals would have criminalized saying “insulting” things to law enforcement officers, enhanced penalties for protest-related charges, and made it illegal to camp in public spaces. (The camping provision directly targeted racial justice protesters who peacefully occupied Injustice Square in downtown Louisville demanding justice for Breonna Taylor.)

We also defeated legislation that would have allowed the attorney general to personally prosecute people for protest-related charges, even if local prosecutors declined to do so. This was a naked attempt to stifle dissent after A.G. Daniel Cameron’s failed leadership in the grand jury investigation into Breonna Taylor’s murder.



SEPARATION OF CHURCH AND STATE:

Lawmakers frequently claim they are protecting religious freedom when they are really restricting free speech and indicating state endorsement of specific religious beliefs. Some laws passed in recent years using this technique include:

- Religious Freedom Restoration Act
- mandated display of ‘In God We Trust’ in all public schools
- Bible literacy classes



STOPPING CLASSROOM CENSORSHIP:

The government has no business censoring curriculum in Kentucky’s public schools and cannot stop students from accessing or discussing ideas.

The First Amendment protects the right to share ideas, including the right of students to receive information.

All young people, especially students from minority groups, deserve an equitable education and the right to learn and talk about issues such as gender and race.

Legislation restricting students’ speech has repeatedly failed in court in other states, wasting taxpayer dollars.

In 2022, lawmakers passed legislation mandating certain texts be studied in class, blatantly interfering with teachers and excluding the voices of Black, Brown, Indigenous, women’s, and queer voices.



KEEPING GOVERNMENT TRANSPARENT:

Kentucky’s public officials should be accountable to the people, not themselves. Kentucky has long had some of the most robust transparency laws in the U.S., but lawmakers have repeatedly undermined them by:

- making it more difficult to access public information
- reducing opportunities for public engagement in the lawmaking process
- limiting opportunities for lawmakers to speak on legislation
- weakening disclosure and ethics requirements for public officials

C.R.O.W.N. ACT

No person should lose their job or be sent home from school for how their hair naturally grows out of their head or how they wear their hair.

The C.R.O.W.N. Act (Creating a Respectful and Open World for Natural Hair Act) would prohibit discrimination based on hair texture and hairstyle. In Kentucky, this law has received bipartisan support and passed easily out of committee in 2022. Several Kentucky communities have passed local ordinances, and it is beyond time for these protections to cover all Kentuckians.

Historically, hair discrimination has been rooted in white, European standards of beauty, and the accompanying stereotypical view that traditionally Black hairstyles are “unprofessional” or “unkempt.”

This type of discrimination disproportionately affects people of color, particularly Black women.

80% Black women are 80% more likely to say they have changed their hair from its natural state to fit in at the office.

1.5X Black women are 1.5x more likely to be sent home from work due to their hair.

Companies, schools, and organizations that fire and/or refuse to hire or promote Black and Brown Kentuckians because of their hairstyles are hindering growth and diversity.

Prohibiting discrimination based on one's hairstyle will enhance workplace and educational diversity, both of which are proven to improve economic outcomes.



RESTORATION OF VOTING RIGHTS

Kentucky is 1 of only 3 states that has still not permanently restored voting rights to people with felony convictions in their past. This leaves Kentucky on the fringe, with one of the harshest voting restrictions in the country and many voters reliant on precarious executive actions.

25%

of African-Americans either are or would be denied the right to vote in Kentucky – the highest rate in the nation.

Denying someone the right to vote harms families and communities:

ISOLATION: Disenfranchisement isolates people from their communities.

POWER: Denying one person the right to vote ripples out and dramatically decreases the political power of urban and minority communities.

RECIDIVISM: 27% of non-voters were rearrested, compared with 12% of voters.



BROAD SUPPORT:

According to a 2021 poll, 67% of Kentuckians support automatic restoration for people who have completed their sentence. Support cuts across age, gender, and political affiliation.



CORNERSTONE OF DEMOCRACY:

Voting is the most fundamental right in a democracy. We all make mistakes, and no person should be defined entirely by the worst moments of their past.

300,000

Kentuckians have been convicted of a felony.

180,000

Kentuckians with a past felony conviction are now able to vote, but rely on a precarious executive order.

65,000

Kentuckians have completed their entire sentence, probation, and parole, but are still not allowed to vote.

1 IN 4

African-Americans either still are or would be denied the right to vote if not for precarious executive protections.

1 IN 11

Kentuckians either still are or would be denied the right to vote if not for precarious executive protections.



FAMILIES BELONG TOGETHER

The protections provided to Kentuckians by the U.S. Constitution are granted to all people, not only those with the privilege of citizenship. We are committed to ensuring all Kentuckians are protected from government abuse and discrimination, no matter where they may have been born.

In recent years, the General Assembly has considered legislation that would force local law enforcement agencies and almost all public employees to “support the enforcement of federal immigration law.” We expect similar legislation to return this year.

These bills would increase racial profiling and put our fellow Kentuckians at greater risk for deportation. They would also interfere with students’ educations, separate Kentucky families, and stress our already weak foster care system.

These family separation bills would also imperil county budgets. Forcing local law enforcement agencies to enforce federal immigration laws would expose them to lawsuits in cases of constitutional violations.

WHAT WOULD RECENT VERSIONS OF A FAMILY SEPARATION BILL HAVE DONE HAD THEY BECOME LAW?

- Force almost all public employees – from staff at domestic violence shelters to hospital employees to professors – to engage in federal immigration law enforcement.
- Allow all constitutional officers to formally challenge people or agencies they believe are not enforcing the law.
- Create a system of fear, intimidation, and racial profiling against Kentuckians of color.
- Imperil county budgets by exposing them to costly lawsuits.

